

(3284)

DIVORCE DECREE

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THE STATE OF ALABAMA, BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

JEAN NORTHCUTT BENSON

, Complainant

vs.

SIDNEY M. BENSON

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said

Jean Northcutt Benson is forever divorced from the said Sidney M. Benson for and on account of Complainant has lived separate and apart from the Respondent for two years and without support from him for two years next preceding the filing of the divorce.

The Respondent is hereby awarded the care, custody, and control of the minor child, Garv M. Benson, with right hereby being given the Complainant to visit said minor child at reasonable times.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Jean Northcutt Benson the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of June, 1954

Hubert M. Hall
Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. 3284 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
JUN 24 1954
ALICE J. DECK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Grady P. Gilbert, Jr.

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Jean Northcutt Benson and Eloise Boykin

as witnesses in behalf of Jean Northcutt Benson in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Jean Northcutt Benson is

Complainant

and Sidney M. Benson is

Respondent

on oath, to be by you administered, upon them to take and certify the deposition of the witness es and return the same to our Court, with all convenient speed, under your hand.

Witness 23rd day of June, 1954

Reisley W. Wicks
Register

Commissioner's Fee, \$

Witness' Fees, \$

No. 3284

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS.

Complainant—

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED
JUN 24 1958

WITNESSES:

ALICE J. DUCK, Register

The State of Alabama, { Circuit Court of Baldwin County, Alabama
Baldwin County. (In Equity)

Jean Northcutt Benson

Complainant

VS.

Sidney M. Benson

Respondent

I, _____
as ~~Register~~ and Commissioner _____
have called and caused to come before me Jean Northcutt Benson and Eloise Boykin

witness ES named in the Requirement for Oral Examination, on the 24th day of June
19 54, at the office of James A. Hendrix
in Robertsdale, Alabama, and having first sworn said Witness ES to speak the
truth, the whole truth, and nothing but the truth, the said Jean Northcutt Benson and
Eloise Boykin doth depose and say as follows:

My name is Jean Northcutt Benson, I am over eighteen years old and have lived for more than the past two years in Baldwin County, Alabama. Sidney M. Benson is over twenty-one years old and lives in Shelby County, Alabama. We were married on about November 15, 1949, at Pascagoula, Mississippi. For more than the past two years I have not lived with Sidney, and for more than the past two years I have lived without any support whatsoever from him, and during all this time I have been living herein Alabama. We had one child, a boy now about four years old who lives with his father, Sidney M. Benson.

Jean Northcutt Benson

My name is Eloise Boykin, I have known Jean for a long time, I know that she is over eighteen years old and has lived for more than the past two years herein Baldwin County, Sidney M. Benson is over twenty-one years old and lives in Shelby County Alabama. They were married about the middle of November 1949, at Pascagoula, Mississippi. They have not lived together for more than the past two years at all, and she has lived without support from him for more than the past two years, and during all this time she has lived right herein Baldwin County, Alabama. They had one child a boy now about 4 years old who lives with his father, Sidney M. Benson.

Eloise Boykin

ORAL EXAMINATION

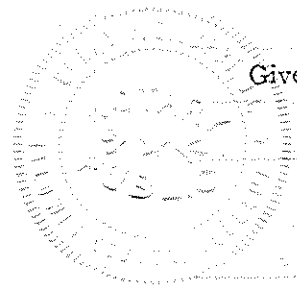
I, Grady P. Gilbert Jr., as ~~Register~~ and Commissioner hereby certify that the foregoing deposition...on Oral Examination was taken down by me in writing in the words of the witness es...and read over to them...and they...signed the same in the presence of myself

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 24th day of June, 1954.

Grady P. Gilbert Jr. (L.S.)



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Respondent	
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, Register	

STATE OF ALABAMA, BALDWIN COUNTY

JEAN NORTHCUTT BENSON,	¶	¶
Complainant	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA,
SIDNEY M. BENSON,	¶	IN EQUITY.
Respondent.	¶	
	¶	

To the Honorable Judge of The Circuit Court of Baldwin County,
Sitting in Equity:

Comes now the Complainant, Jean Northcutt Benson, humbly complaining of the Respondent, Sidney M. Benson, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant, Jean Northcutt Benson, is over the age of eighteen years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than two years next preceeding the filing of this Bill of Complaint; and that Sidney M. Benson, the Respondent, is over the age of twenty-one years and resides in Shelby County, Alabama.

SECOND: That your Complainant and Respondent were lawfully married on or about, to-wit, November 15, 1949, at Pascagoula, Mississippi.

THIRD: The Complainant further shows unto the Court that she has lived separate and apart from the bed and board of Sidney M. Benson, her said husband, for two years and without support from him for two years next preceding the filing of this bill and during said period she has been a bona fide resident in the State.

FOURTH: That there was born to the union of the Complainant and Respondent one child, Gary M. Benson, a boy now about four years old. That this child is now in the custody and control of the Respondent, his father.

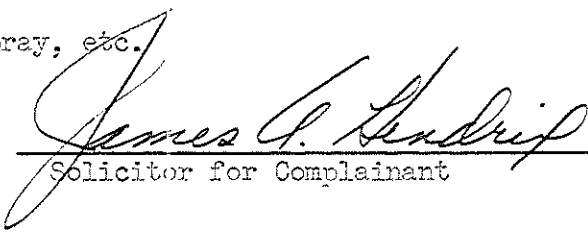
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Sidney M. Benson be made a party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to

the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of his honorable court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause, that your Honor will enter a decree divorcing your Complainant from said Respondent, granting the complainant the right to remarry, and granting the Complainant the right to resume her maiden name, and granting the custody of the said minor child to the Respondent; and that your Honor will grant such other, further and different relief as unto your Honor may see just and proper, and your Complainant will ever pray, etc.


Solicitor for Complainant

Jean Northcutt Benson

vs.

Sidney M. Benson

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,

Answer and waiver, and testimony of Jean Northcutt Benson and Eloise
Boykin as set out in the oral deposition.

and in behalf of Defendant upon

James C. Hendrix

Reed J. Smith

Register.

No. 3284.....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

JUN 24 1954

Register.

Printed By The Baldwin Times

ALICE J. DUCK, Register

JEAN NORTHCUTT BENSON,

Complainant

vs.

SIDNEY M. BENSON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER AND WAIVER

Comes now the Respondent, SIDNEY M. BENSON, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.


Sidney M. Benson

Sworn to and subscribed before

me this 15 day of June, 1954


Notary Public

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FILED
JUN 24 1954

ALICE J. DUCK, Register