

VERA MAE BISHOP

vs.

JOSEPH BISHOP

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, _____
Waiver and Answer and testimony of VERA MAE BISHOP

and in behalf of Defendant upon _____ Waiver and Answer

Jeffrey G. Massey, Jr.

W. J. Duck

Register.

111

No. 363-2

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Bishop

vs.

Bishop

NOTE OF TESTIMONY

Filed in Open Court this FILED
day of NOV 10, 1955

Register.

VERA MAE BISHOP,
 Complainant,
 VS.
 JOSEPH BISHOP,
 Respondent.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA..
 IN EQUITY. NO. _____

WAIVER AND ANSWER

Comes the respondent in the above styled cause and accepts service of a bill of complaint in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree at any time.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.

2. He admits the allegations contained in paragraph 2 of said bill of complaint.

3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.

4. He admits the allegations of paragraph 4 of said bill of complaint.

5. He denies those allegations of paragraph 5 of said bill of complaint that the complainant is without funds to pay her solicitor; he admits that he is healthy and able-bodied and says that he is working and earns \$30.00 per week. If the Court should grant the complainant and divorce, he hereby offers to pay the sum of \$6.25 per week for the support and maintenance of their minor children and \$50.00 toward the complainant's Solicitor's fee.

Joseph Bishop

EXECUTED IN THE PRESENCE OF:

Mary Lou Blackburn
Jeffrey J. Maddux, Jr.

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

VERA MAE BISHOP

Complainant

VS.

JOSEPH BISHOP

Respondent

JAMES R. OWEN

I,

as ~~REGISTERED~~ Commissioner heretofore appointed by the Court

have called and caused to come before me VERA MAE BISHOP

witness named in the Requirement for Oral Examination, on the 10th day of November
1955, at the office of Telfair J. Mashburn, Jr.
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said VERA MAE BISHOP

doth depose and say as follows: "My name is Vera Mae Bishop. I am the complainant in this cause and I am twenty years of age. I have lived in Bay Minette, Baldwin County, Alabama, all of my life. The respondent, JOSEPH BISHOP, is over the age of twenty-one years and he lives in Bay Minette, Baldwin County, Alabama. I married the said Joseph Bishop in Bay Minette, Alabama, on the 14th day of April, 1951. We got along fine for awhile and then Joseph started cursing, threatening and abusing me. On one occasion he threatened me with a knife. Finally, on the 11th day of September, 1955, he beat me so bad that he broke one of my ribs. I had done nothing to cause him to treat me in this way. I believe that if I continue to live with him as his wife, he will beat me again and that it would be dangerous to my life or health. We have three children; Ernestine Virginia Bishop, age 4 years; Dorothy Elizabeth Bishop, age 3 years; and Diane Bishop, age 2 years. I do not believe that Joseph Bishop is a fit and proper person to have the care and custody of these little girls. They are presently living with me and my mother, and I believe that it is to their best interest that I have the care, custody and control of them. I do not have the funds to pay for their support and maintenance. Joseph is healthy and able-bodied and works for Mr. Easley at his pole mill. I believe he makes between \$35.00 and \$40.00 per week. I do not have sufficient funds to pay my attorney." Further deponent says not.

Vera Mae Bishop

ORAL EXAMINATION

I, JAMES R. OWEN, as Register and Commissioner hereby certify that the foregoing deposition was taken down by me in writing in the words of the witness and read over to her and she signed the same in the presence of myself and Telfair J. Mashburn, Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 10th day of November, 1955
James R. Owen (L. S.)

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The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
vs.	Complainant
Respondent	
Oral Deposition	
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ALICE J. BOWEN Recorded in	
Vol.	Record
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THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: JAMES R. OWEN

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 VERA MAE BISHOP

as witnesses in behalf of VERA MAE BISHOP in a cause pending in our Circuit Court in Baldwin County, of said State, wherein VERA MAE BISHOP

is the _____, Complainant
and JOSEPH BISHOP

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

Witness 10th day of November, 1945

Archie. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3652

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Bishop

Complainant

VS.

Bishop

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

NOV

WITNESSES:

ALICE A. DICK, Register

VERA MAE BISHOP

Complainant

vs.

JOSEPH BISHOP

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit: VERA MAE BISHOP

2. That said Complainant requires an oral examination of said witnesses before a Commissioner
appointed by the Register of this Court.

J. J. Madbury, Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of JAMES R. OWEN
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

J. J. Madbury, Jr.
Solicitor for Complainant

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DEMAND FOR ORAL EXAMINATION

Complainant

vs.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed this _____ day of _____

FILED

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NOV 10 1955

ALICE J. DUCK, Register

Register

Moore Printing Co.

bodied man, who is able to work and pay for the support and maintenance of the said children and to pay the Solicitor's fee for your complainant's Solicitor; that he is presently employed by A. K. Easley and earns about \$35.00 to \$40.00 per week.

WHEREFORE, THE PREMISES CONSIDERED, your complainant makes the said JOSEPH BISHOP a party respondent to this her bill of complaint, and in order that complainant may have the relief hereinafter prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said JOSEPH BISHOP, commanding him to answer, plead or demur to this bill of complaint within the time required by law.

Your complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree divorcing your complainant from said respondent, granting her the right to remarry, giving her the care, custody and control of the minor children of this marriage, fixing, and ordering the respondent to pay to her, a reasonable sum, weekley or monthly, for the support and maintenance of said minor children, and fixing a reasonable sum for the respondent to pay to complainant's solicitor; and your complainant prays for such other, further, different or general relief as unto your Honor may seem just and proper, and, as in duty bound, your complainant will ever pray, etc.

Julius H. MacCubbery Jr.
SOLICITOR FOR COMPLAINANT.

VERA MAE BISHOP.

Complainant,

VS.

JOSEPH BISHOP,

Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your complainant, VERA MAE BISHOP, respectfully represents
and shows unto your Honor and this Honorable Court as follows:

1. That complainant is 20 years of age and is a bona fide
resident citizen of Baldwin County, Alabama, and has been such for
more than two years next preceding the filing of this bill of com-
plaint; that JOSEPH BISHOP is over the age of twenty-one years and
resides in Baldwin County, Alabama.

2. That your complainant and the respondent were lawfully
married on or about, to-wit, the 14th day of April, 1951, at Bay
Minette, Alabama.

3. Your complainant avers and charges that the said respon-
dent did on or about the 11th day of September, 1955, assault, beat,
hit and strike complainant; that said respondent beat your complain-
ant so savagely that he broke one of her ribs; that said respondent
has committed actual violence on her person attended with danger to
her health or life; that on numerous occasions prior to that date,
he did threaten and abuse your complainant, once drawing a knife on
her and threatening her life; that because of the respondents conduct
toward her your complainant is reasonably convinced that, should she
continue to live with him as his wife, he will commit further violence
on her person which would necessarily endanger her life or health.

4. That there were three children born of this marriage:
Ernestine Virginia Bishop, age 4 years; Dorothy Elizabeth Bishop, age
3 years; and Diane Bishope, age 2 years; that your complainant is a
fit and proper person to have the care, custody and control of said
children; and that the respondent is not a fit and proper person to
have the care, custody and control of said children.

5. That complainant is without funds to pay for the maintenance
and support of said children; that she is without funds to pay her
Solicitor in this cause; that the respondent is a strong, healthy, able-

(3652)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VERA MAE BISHOP

Complainant

vs.

JOSEPH BISHOP

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ Waiver and Answer 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 VERA MAE BISHOP is forever divorced from the said JOSEPH BISHOP for and on account of "CRUELTY"

It is further ORDERED, ADJUDGED AND DECREED that the complainant, VERA MAE BISHOP, have the care, custody and control of the minor children, ERNESTINE VIRGINIA BISHOP, DOROTHY ELIZABETH BISHOP and DIANE BISHOP, and that the said JOSEPH BISHOP pay to her the sum of \$6.25 per week for the support and maintenance of said minors.

It is further ORDERED, ADJUDGED AND DECREED that the respondent, JOSEPH BISHOP, pay to the complainants Solicitor of Record, Telfair J. Mashburn, Jr., the sum of Fifty (\$50.00) Dollars, to be applied on his fee in this cause.

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 payment of the cost of this suit.

It is further ordered that JOSEPH BISHOP the Respondent pay the cost herein to be taxed, for which executed may issue.

This 10th day of November, 1955.

Robert 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.

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No. 3652 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

NOV 10 1955

ALICE J. BECK, Registrar