

2343

MELLIE N. HAGEN,)
Complainant,) IN THE CIRCUIT COURT OF
VS.) BALDWIN COUNTY, ALABAMA.
LOUIS HAGEN,) IN EQUITY.
Respondent.)

FINAL DECREE

This cause coming on to be heard on this date is submitted for final decree upon the amended Bill of Complaint, Answer and testimony as noted by the Register, upon consideration of all of which it appears to the Court that the Complainant is entitled to the relief prayed for by her, WHEREUPON, it is, therefore, Ordered, Adjudged and Decreed by the Court as follows:

1. The bonds of matrimony heretofore existing between the Complainant, Mellie N. Hagen, and the Respondent, Louis Hagen, shall be and they are hereby dissolved and the said Complainant is hereby divorced from the said Respondent on the ground of abandonment.

2. The parties to this decree shall not remarry, except to each other, until after the expiration of sixty days from the date of this decree and if an appeal is taken in this cause within sixty days, the said parties shall not remarry, except to each other, until after final termination of the said appeal.

3. The Complainant is hereby authorized to resume the use of her maiden name of Mellie Norman.

4. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED on this the 22nd day of May, 1950.

Julian J. Madlburge, Jr.
Judge.

MELLIE N. HAGEN,
Complainant,
vs.
LOUIS HAGEN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 2343.

Comes the Respondent in the above styled cause and for answer to the original and amended Bill of Complaint filed in said cause and each and every paragraph thereof, separately and severally says:

1. That he denies the allegations of each paragraph of the original and amended Bill of Complaint and demands strict proof thereof.

The Respondent waives notice of the taking of testimony in said cause and notice of submission thereof and agrees that such testimony may be taken and the cause submitted without further notice to him.

Chason & Stone

By: John Chason
Solicitors for Respondent.

WITNESSES AND AVAILER

MELLIE N. HAGEN,

Complainant.

LOUIS HAGEN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2343.

ANSWER AND WAIVER

MELLIE N. HAGEN,
Complainant,

vs.

LOUIS HAGEN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.
NO. 2343.

Opinion & Stone

Attorney for Respondent
[Signature]

Further notice to him.

That such testimony was taken and the cases admitted without testimony in said case and notice of submission thereof and agrees

The Respondent advised notice of the taking of proof thereof.

of the original and amended Bill of Complaint and demands strict

I. That he denies the allegations of each Paragraph severally as:

said cause and each and every Paragraph thereof, severally and for answer to the original and amended Bill of Complaint filed in

Comes the Respondent in the above styled cause and

Respondent.

LOUIS HAGEN,

as

Complainant.

MELLIE N. HAGEN,

NO. 5343.

IN EQUITY.

BALDWIN COUNTY, ALABAMA

IN THE CIRCUIT COURT OF

MELLIE N. HAGEN,)
Complainant,) IN THE CIRCUIT COURT OF
VS.) BALDWIN COUNTY, ALABAMA.
LOUIS HAGEN,) IN EQUITY. NO. 2343.
Respondent.)

AMENDED BILL OF COMPLAINT

Now comes the Complainant and amends the Bill of Complaint heretofore filed in this cause so that Paragraph 3 thereof will read as follows:

3. The Respondent, Louis Hagen, voluntarily abandoned the Complainant more than one year prior to this date and the said Complainant and the said Respondent have not lived together as man and wife since more than one year prior to this date.

J. B. Blackburn
Solicitor for Complainant.

RECORDED

AMENDED BILL OF COMPLAINT.

MELLIE N. HAGEN,

Complainant,

VS.

LOUIS HAGEN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 2343.

Filed: May 22, 1958.

Walter J. Mashburn
Judge.

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA §

You are hereby commanded to summon Louis Hagen, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by Mellie N. Hagen, as Complainant and against Louis Hagen, as Respondent.

WITNESS my hand this 31st day of August, 1949.

Reice J. Leach
Register.

MELLIE N. HAGEN	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
LOUIS HAGEN	§	
RESPONDENT	§	

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant Mellie N. Hagen, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, fifty-five years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, and sixty-four years of age.

2.

That your Complainant and the Respondent are husband and wife, having married at Pascagoula, Mississippi, on December 21, 1945; that they lived together in Silverhill, Baldwin County, Alabama, until for the reasons hereinafter set out, your Complainant was forced to discontinue living with the Respondent.

3.

That for the past month and more the Respondent has often threatened and abused your Complainant; that he has made life unbearable for her; that he has been drinking to excess; that the conduct of the Respondent is such as to given the Complainant every reasonable apprehension

to believe that the Respondent will carry out his threats and do actual violence to your Complainant, which would necessarily endanger her life and health.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said Louis Hagen, party respondent to this bill of complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that Your complainant be restored her former name Mellie Norman; that she be granted such other further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for Complainant.

Mo 2343

RECORDED

SUMMONS AND COMPLAINT

MELLIE N. HAGEN

COMPLAINANT

VS.

LOUIS HAGEN

RESPONDENT

Received in Sheriff's Office
this 31 day of Aug., 1949
TAYLOR WILKINS, Sheriff

Executed 9-3-49

By leaving copy with

Louis Hagen

Sheriff

Taylor Wilkins

By

Edwigh Steadham

Filed 8-31-49
Alice French
Registrar

MELLIE N. HAGEN,

VS.

LOUIS HAGEN,

Complainant,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

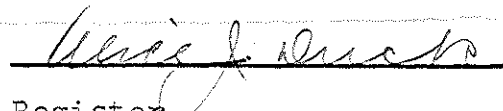
NOTE OF TESTIMONY.


This cause coming on to be heard on this day is submitted on behalf of the Complainant upon the following:

1. Original Bill of Complaint.
2. Amended Bill of Complaint.
3. Answer.
4. Oral Deposition of the Complainant, Mellie N.

Hagen, taken before Melba Hubbard, as Commissioner.

DATED this 22nd day of May, 1950.


Register.


Solicitor for Complainant.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MELLIE N. HAGEN

Complainant

VS.

LOUIS HAGEN

Respondent

I, Melba Hubbard
as ~~Register and~~ Commissioner
have called and caused to come before me Mellie N. Hagen

witness named in the Requirement for Oral Examination, on the 22 day of May
1945, at the office of J. B. Blackburn
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Mellie N. Hagen
doth depose and say as follows:

My name is Mellie N. Hagen. I am over twenty-one years of age, and a resident of Baldwin County, Alabama. The Respondent, Louis Hagen, is over twenty-one years of age, and a resident of Baldwin County, Alabama. I have been a bona fide resident of Baldwin County, Alabama, for more than one year next preceding the filing of the original Bill of Complaint in this cause.

I was lawfully married to the Respondent, Louis Hagen, in Pascagula, Mississippi, on December 21, 1945, and we lived together as man and wife in Silverhill, Alabama, until the early part of May, 1949, when the Respondent, Louis Hagen, voluntarily abandoned me, without fault on my part. I have not lived with the said Louis Hagen since more than one year prior to the filing of the amended Bill of Complaint in this cause. We do not have any children. My former name was Mellie Norman, and I desire to resume the use of this name.

Mellie N. Hagen

ORAL EXAMINATION.

I, Melba Hubbard, 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—and read over to her and she signed the same in the presence of myself and J. B. Blackburn

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 22 day of May, 1945.

Melba Hubbard (I. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MELLIE N. HAGEN

vs. Complainant

LOUIS HAGEN

Respondent.

Oral Deposition

Filed May 22, 1945
J. B. Blackburn, Register.

Recorded in

Record

Vol. _____ Page _____

_____, Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: MELBA HUBBARD

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

as witnesses in behalf of MELLIE HAGEN in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

MELLIE HAGEN

, Complainant

and LOUIS HAGEN

Respondent

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

Witness 22nd day of May, 1945

Commissioner's Fee, \$

Witness' Fees, \$

Register.

MELLIE N. HAGEN,

Complainant

vs.

LOUIS HAGEN,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

No. 2343.

Comes the Respondent in the above styled cause and files this his Demurrer to several aspects of the Bill of Complaint as hereinafter set out separately and severally and assigns the following separate and several grounds, viz:-

1. As to the allegation in paragraph Two of the Bill of Complaint in which the Complainant alleges, "your Complainant was forced to discontinue living with the Respondent", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That it is not alleged when the Complainant discontinued living with the Respondent. (b) That this allegation is but a conclusion of the pleader.

2. As to that aspect of Paragraph Three of the Bill of Complaint in which it is alleged, "for the past month and more the Respondent has often threatened and abused your Complainant", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That this allegation is vague and indefinite.
(b) That this allegation is but a conclusion of the pleader.
(c) That it is not averred what threats the Respondent has made against the Complainant. (d) It is not alleged in what way the Respondent abused the Complainant.

3. As to that aspect of Paragraph Three of the Bill of Complaint in which it is alleged, "that he made life unbearable for her", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That this allegation is but a conclusion of the pleader. (b) That this allegation is vague and indefinite. (c) That it is not alleged in what manner the Respondent made life unbearable for her.


4. As to that aspect of Paragraph Three of the Bill of Complaint in which it is alleged, "that he has been drinking to excess", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That this allegation is but a conclusion of the pleader. (b) That it is not averred what he has been drinking. (c) That it is not averred that he was affected by such drink. (d) That it is not averred when he drank to excess. (e) For aught appearing from this allegation such drinking occurred before his marriage to the Complainant. (f) For aught appearing from this allegation he did not drink any more after his marriage to the Complainant than he did prior thereto and of which she had knowledge.

5. As to that aspect of Paragraph Three of the Bill of Complaint in which it is alleged, "that the conduct of the Respondent is such as to given the Complainant every reasonable apprehension to believe that the Respondent will carry out his threats and do actual violence to your Complainant which would necessarily endanger her life and health", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That this allegation is but a conclusion of the pleader. (b) That this allegation is vague and indefinite. (c) That it is not alleged what threats the Respondent will carry out. (d) That it is not alleged when such threats of violence were made or that he has attempted to carry out such threats.

Hybart, Chason & Stone

By: 
Solicitors for Respondent.

MELLIE N. HAGEN,

Complainant,

vs.

LOUIS HAGEN,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2343.

Comes the Respondent in the above styled cause and for answer to the original and amended Bill of Complaint filed in said cause and each and every paragraph thereof, separately and severally says:

1. That he denies the allegations of each paragraph of the original and amended Bill of Complaint and demands strict proof thereof.

The Respondent waives notice of the taking of testimony in said cause and notice of submission thereof and agrees that such testimony may be taken and the cause submitted without further notice to him.

Chason & Stone

By: 
Solicitors for Respondent.

RECORDED

ANSWER AND
WAIVER

MELLIE N. HAGEN,

Complainant,

vs.

LOUIS HAGEN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 2343.

Filed: May 22, 1958
J. Fair J. Mashburn Jr.
Judge

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