

2369

CATHERINE CLEMENT  
COMPLAINANT

VS

ARTHUR W. CLEMENT

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

And now comes the defendant in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same.

The defendant waives notice of the time of taking testimony on behalf of complainant, the right to cross-examine complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without further notice.

Arthur W. Clement  
Defendant

STATE OF ALABAMA  
BALDWIN COUNTY

I, Madelene S. Bryars, a Notary Public in and for said State and County, hereby certify that Arthur W. Clement, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 19 day of October, 1949.

Madelene S. Bryars  
Notary Public, Baldwin County, Ala.

Catherine Clement  
vs  
Arthur M. Clement

RECORDED

Answer of  
Defendant

Filed Oct 14, 1949

FILED

OCT 14 1949

ALICE K. DUCK, Registrar

Register

STATE OF ALABAMA  
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon Arthur W. Clement to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Catherine Clement against the said Arthur W. Clement, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Defendant shall in no wise omit, under penalty of the law. And we further command that you return this writ with your endorsement thereon, to our said court immediately upon the execution thereof.

WITNESS, ALICE J. BUCK, Register of said Circuit Court,  
this the \_\_\_\_\_ day of October, 1949.

Register.

CATHERINE CLEMENT  
COMPLAINANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

VS

ARTHUR W. CLEMENT  
DEFENDANT

IN EQUITY.

TO THE HONORABLE TELFAIR J. MISHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Now comes your Complainant, Catherine Clement, and humbly complaining against the Defendant, Arthur W. Clement, respectfully represents and shows unto your Honor:

1.

That your complainant and the said Arthur W. Clement, are each over the age of twenty-one years, and are residents of Baldwin County, Alabama, near Bay Minette, where they have resided since November, 1942.

2.

That they were married in Mobile, Alabama, on February 12, 1926, and lived together as husband and wife in Baldwin County, Alabama, near Bay Minette, continuously since November 1942, until April, 1949; when they separated, and such separation taking place in Baldwin County, Alabama;

3.

3.

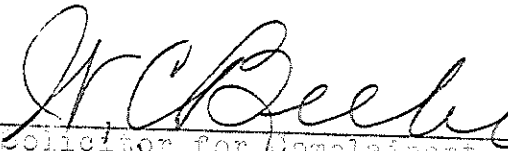
That defendant Arthur W. Clement is a garrolus, cruel, tempermental, and has on numerous occasions cursed and abused your complainant and threatened to beat her, has a number of times in the past and prior to April, 1949, beat complainant with his fists; that in April, 1949, he became enraged and cursed and called her vile and indecent names and struck complainant a number of times; about the face and body with his fists, and threatened to kill complainant, but for the intervention of others, he would have done her bodily harm, attendant with danger to her life or health; that she separated from defendant in April, 1949, because of such cruelty and acts of physical violence and they have not lived together since; that such acts of cruelty and their separation occurred in Baldwin County, Alabama, near Bay Minette.

4.

That complainant and defendant have one minor child, William Rufus Clement, age 7 years, and your complainant is the proper and only person to have the care and custody of such child, with the opportunity given to defendant to visit such child at convenient times and places.

WHEREFORE your complainant prays that this Honorable Court will take the jurisdiction of the cause made by this bill of complaint and make the said Arthur W. Clement party defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant and giving and granting to this complainant the care and custody of such minor child William Rufus Clement, with the right of defendant to visit him at suitable times and places, and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

  
Solicitor for Complainant.

*Arthur W. Clement*

RECORDED

*Bill of Complaint  
for  
Divorce*

*Filed Oct 14 1949*  
FILED

OCT 14 1949

ALICE L. DUCK, Registrar

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W. C. BEEBE  
LAWYER  
BAY MINETTE, ALA.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

## Circuit Court

To Madeline S. Bryan

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 Catherine Clement and  
Gloria Harris

as witnesses in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein Catherine Clement  
is

and Arthur W. Clement is Complainant

Respondent

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

Witness 1st day of October, 1949

Wing J. Houch  
Register

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

## Circuit Court

To

Madeline I. Bryars

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

Catherine Clement and  
Gloria Harris

as witnesses in behalf of

Complainant in a cause pending in our

Circuit Court in Baldwin County, of said State, wherein

Catherine Clement  
is

Complainant

and

Arthur W. Clement is

Respondent

on oath, to be by you administered, upon

oral examination

to take and certify the deposition

of the witness

and return the same to our Court, with all convenient

speed, under your hand.

Witness

14th

day of

October

, 19

49Wing J. Houchens

Register

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

*Catherine Clement*

*Arthur W. Clement*

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 of defendant, depositaries  
of Catherine Clement and Gloris  
Dorris*

and in behalf of Defendant upon

*Answer*

*W. A. Beebe*  
*acting for J. J. Jones* Register. *Atty*



No. 2269

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

*Catherine Clement*

*Arthur W. Clement* vs.

NOTE OF TESTIMONY

Filed in Open Court this 14  
day of OCT, 1949

*ALICE L. DUCK*, Register.

Printed By The Baldwin Times

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,  
Baldwin County.

NO. \_\_\_\_\_

TERM, 194\_\_\_\_.

Catherine Clement  
Complainant—

VS.

Arthur W. Clement  
Respondent—

TO R. S. DUCK, REGISTER:

In the above stated cause a response  
having been filed by \_\_\_\_\_ the Respondent—  
and evidence having been taken, and the cause being ready for submission for final decree, and  
no defense having been interposed, the complainant—, by W. C. Beebe  
Solicitor— of record, now files with the Register of this Court this written request to deliver the  
papers in this cause to the Judge for final decree in vacation.

W. C. Beebe  
Solicitor— for Complainant—

NO. \_\_\_\_\_

Catherine Clement  
Complainant

Arthur M. Clement  
vs.

Respondent \_\_\_\_\_

**Request For Decree In Vacation**

Filed OCT 14, 1949

Register.

**FILED**  
**OCT 14 1949**  
**ALICE J. DUCK, Register**

THE STATE OF ALABAMA }  
Baldwin County }

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

CATHERINE CLEMENT

COMPLAINANT

vs.

ARTHUR W. CLEMENT

RESPONDENT

I, Madeline S. Bryers

as Register and Commissioner

have called and caused to come before me Gloria Harris and Catherine Clement

witness es named in the requirement for Oral Examination, on the 14 day of October

194 5, at the office of W. C. Beebe

in Bay Minette, Alabama, and having first sworn said witness es to speak the

truth, the whole truth, and nothing but the truth, the said Gloria Harris and

Catherine Clement doth depose and say as follows:

My name is Catherine Clement, I am the complainant in that certain case pending in the Circuit Court in Baldwin County, Alabama, in equity, for divorce, against Arthur W. Clement. We are both over the age of twenty-one years and are residents of Baldwin County, Alabama. We have been residents of Baldwin County, since November 1942. Arthur W. Clement is a garolus, cruel and tempermental man and for a number of years has frequently become enraged at complainant and cursed and abused me and did on numerous occasions beat me with his fists and threatened to kill me. That He gradually grew worse and that in April, 1949, he cursed and abused me and threatened to kill me. He beat me about the face and body and but for the intervention of my mother would have done me bodily harm, attendant with danger to my life or health. That I separated from him in April, 1949, at Bay Minette, and we have not lived together since. I feel that should I continue to live with him he would execute his threats to do acts of violence. We have one minor child, William Rufus, who is 7 years of age. I am able and willing to support such child and I am the proper and suitable person to have the care and custody of him.

Catherine Clement

My name is Gloria Harris, I am twenty-one years of age, I am the daughter of Arthur W. Clement and Catherine Clement. Mother and father separated in April, I was not at home but I know that they had a fuss and father was cruel to mother. I have not seen, but I know, that a number of times he was cruel and threatened her. And while I have not seen him hit her I know

I, Madeline S. Rogers as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to them and they signed the same in the presence of myself and W. C. Duck 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 14 day of October 1949.

Madeline S. Rogers (L. S.)

No. _____		Page _____		THE STATE OF ALABAMA,		BALDWIN COUNTY	
				IN CIRCUIT COURT, IN EQUITY			
				<u>Arthur J. Givens</u>			
				COMPLAINANT			
				<u>vs.</u>			
				<u>Arthur W. Clement</u>			
				RESPONDENT			
				ORAL DEPOSITION			
Filed <u>Oct 14</u> 19 <u>49</u>		FILED		RECORDED IN			
_____, Register.		_____, Register.		Record			
_____, Page _____		_____, Register		Vol. _____			

CATHERINE CLEMENT  
COMPLAINANT

vs

ARTHUR M. CLEMENT  
DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Comes the complainant in the above styled cause and requests the oral examination of Gloria Harris and Catherine Clement, as witnesses for the complainant, who reside in Baldwin County, Alabama, at Bay Minette, and suggests Madeline S. Bryers of the Town of Bay Minette, as a suitable person to act as Commissioner to take the deposition of the said witnesses.

  
Solicitor for Complainant.

Interment  
of  
Arthur Clement

Demand for  
Oral Examination

Filed  
OCT 14 1949

ALICE J. DUCK, Register

Register

CATHERINE CLEMENT,  
COMPLAINANT

VS

ARTHUR W. CLEMENT,  
DEFENDANT

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

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

Comes your petitioner Catherine Clement, complainant in the above styled cause, and Arthur W. Clement, defendant in the above styled cause, and respectfully shows unto your Honor that in the above styled cause, numbered 2369, on the docket of this Court, this Honorable Court did on the 22nd day of October, 1949, make and enter a decree of divorce dissolving the bonds of matrimony existing between this complainant and defendant.

Your petitioners further show unto your Honor that they have become, and are, reconciled and both desire that the said decree of divorce be set-aside, vacated, annulled and held for naught.

Wherefore your petitioners pray that this Honorable Court will make and enter an order and decree setting aside, vacating, annulling and holding for naught the decree rendered by this Court on the 22nd day of October, 1949, dissolving the bonds of matrimony existing between the complainant and defendant therein.

Catherine Clement  
Complainant

Arthur W. Clement  
Defendant



The State of Alabama, Baldwin County

Circuit Court, In Equity

CATHERINE CLEMENT, Complainant

vs.

ARTHUR W. CLEMENT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree~~ ~~Ex parte~~ ~~Confession~~ on ~~Defendants 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 CATHERINE CLEMENT is forever divorced from the said ARTHUR W. CLEMENT for and on account of Cruelty

Be IT FURTHER ORDERED, ADJUDGED AND DECREED that the complainant Catherine Clement is given the custody of William Rufus Clement, the minor child of the parties to this cause, with the right of the defendant Arthur W. Clement to see the child at suitable times and places.

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 CATHERINE CLEMENT

the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 22nd day of October, 1949

J. Fair J. Masliburn Jr.  
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. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Complainant  
vs.

Respondent

DIVORCE DECREE

FILED  
OCT 22 1949  
ALICE A. DUCK, Register

CATHERINE CLEMENT  
COMPLAINANT

VS

ARTHUR W. CLEMENT  
DEFENDANT

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

This cause coming on to be heard upon the petition of the complainant, Catherine Clement, and of the defendant, Arthur W. Clement, to set-aside, vacate, annul and hold for naught the decree of this Court in this cause, number 2369, rendered October 22nd, 1949, dissolving the bonds of matrimony existing between the complainant, Catherine Clement, and defendant, Arthur W. Clement; the same being considered by the Court, the Court is of the opinion that the petition should be granted, the parties having become reconciled and desiring to continue to live together as husband and wife;

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the decree of this Court rendered in said cause October 22nd, 1949, dissolving the bonds of matrimony existing between the complainant, Catherine Clement, and defendant, Arthur W. Clement, be and the same is hereby set-aside, vacated, annuled and held for naught;

And this Court does enjoin both the said parties, and each of them, that hence forth, and as long as they shall live, that they remember and faithfully live in accord and keep and perform those sacred vows assumed by them in the presence of GOD and of witnesses, to love, cherish and support each other in all things, and at all times, and that they cleave to each other in sickness and in health so long as either shall live, for in this will they find happiness for themselves and for their children.

Done at Bay Minette, this the 22<sup>nd</sup> day of November, 1949.

J. Fair J. Mashburn, Jr.  
Judge