

The State of Alabama, Baldwin County

Circuit Court, In Equity

MILDRED I. BENNETT, Complainant

vs.

WILLARD LEROY BENNETT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on ANSWER & 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 MILDRED I. BENNETT is forever divorced from the said WILLARD LEROY BENNETT for and on account of

HABITUAL DRUNKENNESS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant be and is hereby permitted to resume her maiden name of Mildred I. Peyrezne.

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 Mildred I. Bennett the Complainant pay the cost herein to be taxed, for which execution may issue.

This 13th day of September, 1950.

Julius H. Madbury, 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.

RECORDED

No. 25451 Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Mildred I Bennett

Complainant

vs.

Willard Leroy Bennett

Respondent

DIVORCE DECREE

FILED

SEP 13 1950

J. DUCK, Register

MILDRED I. BENNETT

COMPLAINANT

VS

WILLARD LEROY BENNETT

RESPONDENT

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

The defendant in the above styled cause having filed an answer and waiver and the cause being at issue, the complainant hereby makes demand for oral examination of Mildred I. Bennett and Willie E. Peyregne, as witnesses for the complainant, each of whom reside within one hundred miles of Bay Minette, the place of trial of the said cause and suggests Madeline S. Bryars as a suitable person to act as commissioner in the taking of the testimony, of such witnesses.

This the 12 day of September, 1950.

W C Beebe
Solicitor for Complainant.

no 2545-

Mildred I. Bennett
Complainant

vs

Willard LeRoy Bennett
Respondent

Demand for Oral Examination.

FILED

SEP 12 1950

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon WILLARD LeROY BENNETT to be and appear before the Judge of the Circuit Court of Baldwin County, in equity, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by MILDRED I. BENNETT, against the said WILLARD LeROY BENNETT and further do and perform what 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 thereof, to our said Court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of said Circuit Court, this 12 day of September, 1950.

Register.

MILDRED I. BENNETT
COMPLAINANT

VS

WILLARD LEROY BENNETT
RESPONDENT

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.

And now comes your complainant, Mildred I. Bennett, and humbly complaining against Willard LeRoy Bennett, respondent, respectfully shows unto your Honor:

FIRST:

That your complainant and the said Willard LeRoy Bennett are each over the age of twenty-one years, and are residents of Baldwin County, where they have resided continuously since the spring of 1949.

SECOND:

That complainant and respondent were married at Lucedale, Mississippi, June 10, 1947, and lived together as husband and wife until August 24, 1950, when they separated at Bay Minette, in Baldwin County, Alabama.

THIRD:

That the said respondent at the time of their marriage was a sober and industrious man, but in the last few years has become an habitual drunkard, and because of such habitual

drunkenness this complainant was compelled to separate from him as aforesaid on August 24, 1950, in Bay Minette, in Baldwin County, Alabama. That her maiden name was Mildred I. Peyregne.

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 Willard LeRoy Bennett, 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 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

MILDRED I. BENNETT
COMPLAINANT

VS

WILLARD LeROY BENNETT
RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

And now comes the respondent, Willard LeRoy Bennett, 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 respondent 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.

Willard LeRoy Bennett

WITNESSES:

Willie E. Pyregne
June Ryder

2545'

RECORDED

Mildred I. Bennett
Complainant

vs

Willard LeRoy Bennett
Respondent

Answer & Waiver

FILED

SEP 12 1950

ALICE J. DUCK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Madeline S. 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 Mildred I. Bennett and Willie E. Peyregne

as witnesses in behalf of Mildred I. Bennett in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Mildred I. Bennett Complainant
and

Willard LeRoy Bennett Respondent

on oath, to be by you administered, upon oral examination
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 12th day of September, 1950

David Luck

Register

Commissioner's Fee, \$

Witness' Fees, \$

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____

TERM, 194____.

MILDRED I. BENNETT

Complainant—.

VS.

WILLARD LEROY BENNETT

Respondent—.

ALICE J. DUCK
TO ~~RXS~~ DUCK, REGISTER:

In the above stated cause an ~~answer and waiver~~
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. 2545

Mildred I. Bennett

Complainant—

VS.

Willard LeRoy Bennett

Respondent—

Request For Decree In Vacation

Filed _____, 194—

Register.

FILED
SEP 12 1950
ALICE I. OBECK, Register

Mildred I. Bennett

Complainant

vs.

Willard LeRoy Bennett

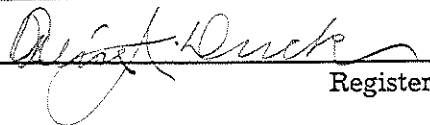
Defendant

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, and
answer & waiver & decree pro confesso

and in behalf of Defendant upon answer & waiver


Register.

RECORDED

No. 2545

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Mildred L. Bennett

vs.

Willard LeRoy Bennett

NOTE OF TESTIMONY

Filed in Open Court this

day of SEP 12, 194

Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Mildred I. Bennett

Complainant

VS.

Willard LeRoy Bennett

Respondent

I, Madeline S. Bryars

as Register and Commissioner

have called and caused to come before me Mildred I. Bennett and Willie E. Peyregne

witness es named in the Requirement for Oral Examination, on the 12 day of September 1947, at the office of W. C. Beebe in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Mildred I. Bennett and Willie E. Peyregne doth depose and say as follows:

My name is Mildred I. Bennett. I am complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama, in equity of Mildred I. Bennett against Willie LeRoy Bennett for divorce. We are husband and wife having intermarried at Lucedale, Mississippi on June 10, 1947. In the spring of 1949 we moved to Bay Minette where we lived together until August 24th, 1950, when we separated at Bay Minette. We have not lived together since that date. When we were married the defendant was a sober and industrious man but since our marriage he has become and now is an habitual drunkard. We are both over the age of twenty-one years. We have no children. Our separation was because of his habitual drunkenness and his inability and unwillingness to support me. He spent all that he made on whiskey and beer and for the past several months has been drunk almost continuously. His only sober moments were when he had spent his money and was out of a job.

Mildred I. Bennett

My name is Willie E. Peyregne, I am the father of Mildred I. Bennett. Her husband Willard LeRoy Bennett since their marriage has become an habitual drunkard. Prior to their marriage he was sober and industrious. He works only spasmodically and immediately after pay day goes on a drunk and stays drunk until his money is gone. His drunkenness has become a fixed habit and has continued for several months.

Willie E. Peyregne

ORAL EXAMINATION.

I, Madeline S. Bryars, 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 witnesses and read over to then and they signed the same in the presence of myself and W. C. Beebe at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proom made before me of the identity of said witnesses; 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 12 day of September, 1945.

Madeline S. Bryars (L. S.)

NO. 2545 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Mildred I. Bennett

vs. Complainant

Willard LeRoy Bennett

Respondent.

Oral Deposition

Filed _____, 194

_____, Register.

FILED
SEP 12 1950
ALICE I. DUCK, Register

Record

Vol. _____ Page _____

_____, Register.