

(216)

DIVORCE DECREE

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The State of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

SIBYL H. MIXON, Complainant
vs.
EVON C. MIXON, 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 Sibyl H. Mixon is forever divorced from the said Evon C. Mixon for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the care, custody and control of the three minor children, Carolyn Virginia Mixon, Glenda Mixon and Dorothy Mixon, subject to the right of the Respondent to visit 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 Sibyl H. Mixon the Complainant pay the cost herein to be taxed, for which execution may issue.

This 17th day of January, 1952.

Jeffrey J. Madliberry
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. 2261 Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Sibyl H. Nixon

Complainant

vs.

Evon C. Nixon

Respondent

DIVORCE DECREE

FILED

JAN 17 1952

ALICE J. DUCK, Register

Sibyl E. Nixon

vs.

Evon H. Nixon

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Answer and waiver of the Respondent and testimony of Sibyl E. Nixon,
and Ruth Taylor

and in behalf of Defendant upon _____

[Signature]
Sibyl E. Nixon

[Signature]
Register.

No. 2261 *17*

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Sibyl H. Mixon

vs.

Evon C. Mixon

NOTE OF TESTIMONY

Filed in Open Court this 8

day of Jan, 1945

W. J. H. H. H.
Register.

Printed By The Baldwin Times

SIBYL H. MIXON

COMPLAINANT

VS

EVON C. MIXON

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now comes the Respondent, in his own proper person, and accepts service of summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residences but denies all allegations as to cruelty and demands strict proof of the same.

The Respondent admits the allegations that the Complainant is a suitable, fit and proper person to have the care, custody and control of the minor children, Carolyn Virginia Mixon, age 12, Glenda Mixon age 8, and Dorothy Mixon age 7.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examined Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

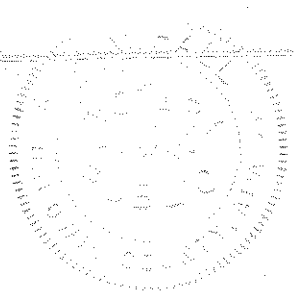
Evon C. Mixon

STATE OF ALABAMA
BALDWIN COUNTY

I, [Signature], a Notary Public, in and for said County, in said State, hereby certify that Evon C. Mixon, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 5 day of June, 1951.

[Signature]
Notary Public, Baldwin County, Alabama



2761

SIBYL H. MIXON

COMPLAINANT

VS

EVON C. MIXON

RESPONDENT

RECORDED

ANSWER AND WAIVER

Filed 1-8-52

*Lillian J. Kluetz -
Reph*

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summons EVON C. MIXON 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 Sibyl H. Mixon as Complainant and against Evon C. Mixon, as Respondent.

WITNESS my hand this the 5 day of January, 1952.

David J. Mack
Register

SIBYL H. MIXON

COMPLAINANT

VS

EVON C. MIXON

RESPONDENT

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

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

Your Complainant, Sibyl H. Mixon, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That the Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

2.

That your Complainant and the Respondent married at Atmore, Alabama, on June 11, 1939, and lived together as husband and wife until December 24th, 1951.

3.

That on, to-wit December 24th, 1951, and on various occasions prior thereto the Respondent threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would do actual violence to her person which would necessarily endanger her life and health.

That there was born to the marriage between your Complainant and the Respondent three children, ages 12, 9, and 7 respectively, Carolyn Virginia Mixon, Glenda Mixon and Dorothy Mixon; that your Complainant is the suitable fit and proper person to have their care, custody and control.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Evon C. Mixon party respondent to this cause of action 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.

Your Complainant further prays that upon a final hearing hereof your Honor will give and grant to him a decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent; That the Complainant be awarded the care, custody and control of the minor children, Carolyn Virginia Mixon, Glenda Mixon and Dorothy Mixon; Your Complainant prays for such, other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Sibyl H. Nixon and Ruth Taylor

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Sibyl H. Nixon

and Evon C. Nixon, Complainant

Respondent

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

Witness 5 day of Jan, 1942

Alvin J. Kueck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2261

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Sibyl H. Nixon

Complainant

vs.

Evon C. Nixon

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Sibyl H. Nixon

Ruth Taylor

Filed 1-8-5 ✓
Angie K. K.
Reg

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Sibyl H. Mixon Complainant

VS.

Evon C. Mixon Respondent

I, Evelyn Watts
as Register and Commissioner
have called and caused to come before me Sibyl H. Mixon and Ruth Taylor

witnesses named in the Requirement for Oral Examination, on the 5th day of January
194 52, at the office of Hubert M. Hall
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 Sibyl H. Mixon and
Ruth Taylor doth depose and say as follows:

My name is Sibyl H. Mixon. I am the Complainant in the above cause. The Respondent, Evon C. Mixon, and I are both over twenty-one years of age, residents of Baldwin County, Alabama, and have been for more than three years next preceding the filing of this bill of complaint.

The Respondent and I married at Atmore, Alabama, on June 11, 1939.

The Respondent and I have three children, ages 12, 9, and 7, respectively, Carolyn Virginia Mixon, Glenda Mixon and Dorothy Mixon. These children are now and have been all of their lives living with me. I am as their mother the suitable, fit and proper person to have their care and custody. I can arrange to care and provide for them in a proper manner.

The Respondent and I for some time have been having our troubles, and the Respondent has often threatened and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health. This condition grew worse from time to time until Monday December 24th, when I was forced by the conduct of the Respondent to cease living with him. The conduct of the Respondent is such as to give me every reasonable apprehension to believe and I do actually believe that if I continue to live with him he will carry out his threats and do violence to my person which would necessarily endanger my life and health. The actions and conduct of the Respondent are such as to render it absolutely impossible for me to live with him as his wife. I have thought of the matter seriously and have finally come to the conclusion that it is best for all concerned that I secure a divorce, and thereby avoid any further trouble with the Respondent.

Sibyl H. Mixon

I know the Complainant and the Respondent in this cause. I have known them for several years. I know that the conditions in their home are such that it is to the best interest of all that the Complainant be granted a divorce. In securing a divorce all possibilities of further trouble between the Complainant and the Respondent will be eliminated.

Ruth Taylor

2761

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition son 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 and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 5th day of January, 194 52.

Evelyn Watts (L. S.)

NO. 2261 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Stacy H. Nixon

vs. Complainant

Evon C. Nixon

Respondent.

Oral Deposition

Filed 1-8, 194 52

Chief Justice, Register.
Recorded in _____

Vol. _____ Page _____
Record _____

Register.