

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LOUISE HENDRIX

vs. , Complainant

ELMER HENDRIX

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso, Amended Bill of Complaint, ~~and answer and waiver~~ 2nd Amended Bill of Complaint, 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 Louise Hendrix

is forever divorced from the

said Elmer Hendrix

for and on account of

CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Contract and Agreement entered into by and between the Complainant and the Respondent on the 31st day of May, 1952, an executed copy of which is a part of the file in this matter, is hereby ratified and confirmed by the Court and the said James Calvin Hendrix, the minor child of the union, shall, until further order of this Court or other Court of competent jurisdiction, be in the physical custody and control of Della Hendrix, with rights of visitation to Complainant and Respondent herein.

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 Louise Hendrix, the Complainant, pay the cost herein to be taxed, for which execution may issue.

This 25th day of July, 1952

*Julia J. Mableberry*  
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  
JUL 25 1952  
ALICE J. DUCK, Register

LOUISE HENDRIX )  
 Complainant )  
 VS. )  
 ELMER HENDRIX )  
 Respondent )

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA  
 IN EQUITY

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

Comes the respondent Elmer Hendrix and accepts service of  
 the second amended bill of complaint and for answer to said amended bill  
 of complaint says as follows:

1. For answer to paragraph 1 of the complaint, respondent  
 admits the allegations.
2. Respondent admits the allegations of paragraph 2 of the  
 said amended bill of complaint.
3. For answer to paragraph 3 of the amended bill of complaint,  
 the respondent denies the allegations and demands strict proof thereof.
4. The respondent alleges that one child was born of the  
 marriage of the respondent and complainant, age five and one-half years,  
 and that the child, James Calvin Hendrix, is now and has been for most  
 part of his life in the home and care of the paternal grandmother, Della  
 Hendrix.
5. The respondent further shows unto the Court that he and the  
 Complainant have entered into an agreement regarding the care, control and  
 custody of the child, James Calvin Hendrix, which said agreement will be  
 submitted to the Court for its action and approval thereon.
6. Respondent agrees that the testimony in the cause may be  
 taken by deposition on oral examination and waives notice of the time  
 and place of taking of said testimony and agrees that the cause may be sub-  
 mitted for final decree at any time.

Respondent prays the Court that in the event a decree of divorce  
 is entered, that the Court will incorporate in such decree the provisions of  
 said agreement as above alleged; the respondent prays for such other and  
 further relief to which he may be entitled, the premises considered.

*Arthur L. Epperson*  
 Solicitor for Respondent

RECORDED

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

\*\*\*\*\*

LOUISE HENDRIX  
Complainant

vs.

ELMER HENDRIX  
Respondent

\*\*\*\*\*

Respondent's answer

---

*filed 7-24-52  
Alice J. Wicks  
Register*

ARTHUR C. EPPERSON  
ATTORNEY AT LAW  
FOLEY, ALA.

STATE OF ALABAMA

BALDWIN COUNTY

THIS CONTRACT AND AGREEMENT in contemplation of divorce made and entered into on this the 31<sup>st</sup> day of May, 1952, by and between LOUISE HENDRIX, hereinafter referred to as party of the first part, and ELMER HENDRIX, hereinafter referred to as party of the second part, WITNESSETH:-

WHEREAS, the party of the first part has instituted a proceeding of divorce against the party of the second part, and

WHEREAS, the parties hereto have one minor child, namely, James Calvin Hendrix, and

WHEREAS, this minor child has spent the greater part of his life in the home of Della Hendrix, the mother of the party of the second part, and

WHEREAS, the parties hereto desire to agree as to custody and control of the minor child so that it will not be affected by disputes, and

WHEREAS, the parties hereto have concluded that for the present time it is to the best interest of said minor child to be in the custody and control of the said Della Hendrix,

NOW THEREFORE, in consideration of the mutual agreements herein contained, which the parties hereto believe to be to the best interest of the minor child, it is mutually agreed as follows:

1. That James Calvin Hendrix, the child of this marriage, shall for the present time and until further order of a court of competent jurisdiction be and remain at the home of Della Hendrix.

2. That both parties to this agreement shall have rights of visitation at any and all reasonable times.

3. That the party of the second part shall contribute to his mother, Della Hendrix, a sum sufficient for the support and maintenance of the said minor child.

4. That a copy of this contract and agreement shall be submitted to the Court of Equity in Baldwin County, Alabama, where said divorce proceeding is pending and that said Court shall be requested to ratify the agreements contained herein.

WITNESS the hands and seals of the parties hereto on this  
the day and year first above written.

Laurie Hendrix SEAL

Alma Hendrix SEAL

WITNESSES:

W. R. Hason

W. C. Chapman

Attorney for Laurie Hendrix

LOUISE HENDRIX,	( )	
Complainant,	( )	IN THE CIRCUIT COURT OF
-vs-	( )	BALDWIN COUNTY, ALABAMA
ELMER HENDRIX,	( )	IN EQUITY
Respondent.	( )	

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, Sitting in Equity:

Comes the Complainant in the above styled cause and files this her second amended Bill of Complaint for divorce against the Respondent and respectfully shows unto this Honorable Court the following:

1. Complainant is over the age of twenty-one years and a resident of Foley, Baldwin County, Alabama, having been a lifetime resident of this County and State, and Respondent is over the age of twenty-one years and is a resident of Foley, Baldwin County, Alabama, having been a resident of this County and State for over five years.


2. The Complainant and Respondent were lawfully married on, to-wit, October 3, 1945.

3. The Complainant alleges that the Respondent has committed actual violence on her person attended with danger to her life and health and she further alleges that Respondent has made numerous threats of doing her other and further harm and from his manner and conduct toward her, she is reasonably convinced that he will commit other and further actual violence upon her person, attended to danger to her life and health.

4. Complainant shows unto the Court that there was born of this marriage one child, James Calvin Hendrix, age five and one-half years, who is now and has been since separation of the Complainant and Respondent in the home of Della Hendrix, the mother of the Respondent. Complainant further shows that an agreement has been entered into between the Complainant and Respondent which they believe to be to the best interest of said child, an executed copy of which is propounded herewith.

THE PREMISES CONSIDERED, Complainant prays that the Respondent be made a party defendant to this cause by the usual

process of this Honorable Court requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the statutes in such cases made and provided; that upon a final hearing of this cause, that Complainant be granted a divorce from said Respondent; that Complainant further prays the Court to ratify and confirm the Contract and Agreement entered into between the Complainant and Respondent and that said minor child, James Calvin Hendrix shall remain in the home of his grandmother, Della Hendrix, until further order of the Court; and that she be granted such other and further relief to which she is entitled as in duty bound she will ever pray.



Solicitor for Complainant

Respondent resides in Foley, Alabama.



LOUISE HENDRIX, ( )  
Complainant, ( ) IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
-vs- ( )  
ELMER HENDRIX, ( ) IN EQUITY  
Respondent. ( )

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, Sitting in Equity:

Comes the Complainant in the above styled cause and files  
this her amended Bill of Complaint for divorce against the Respondent  
and respectfully shows unto this Honorable Court the following:

1. Complainant is over the age of twenty-one years and  
a resident of Foley, Baldwin County, Alabama, having been a lifetime  
resident of this County and State, and Respondent is over the age of  
twenty-one years and is a resident of Foley, Baldwin County, Alabama,  
having been a resident of this County and State for over five years.

2. The Complainant and Respondent were lawfully married  
on, to-wit, October 3, 1945.

3. The Complainant alleges that the Respondent has com-  
mitted actual violence on her person attended with danger to her  
life and health and she further alleges that Respondent has made  
numerous threats of doing her other and further harm and from his  
manner and conduct toward her, she is reasonably convinced that he  
will commit other and further actual violence upon her person,  
attended to danger to her life and health.

4. Complainant shows unto the Court that there was born  
of this marriage one child, James Calvin Hendrix, age five and one-  
half years who is in the custody and control of the Complainant.

THE PREMISES CONSIDERED, Complainant prays that the  
Respondent be made a party defendant to this cause by the usual  
process of this Honorable Court requiring him to plead, answer or  
demur within the time and under the penalties prescribed by the  
rules of this Court and the statutes in such cases made and provided;  
that upon a final hearing of this cause, that Complainant be granted  
a divorce from said Respondent; and that she be granted custody and  
control of the minor child, James Calvin Hendrix; and that she be

granted a reasonable amount as support for said minor child which Complainant believes to be Fifty Dollars (\$50.00) per month; and that she be granted such other and further relief to which she is entitled as in duty bound she will ever pray.

  
Solicitor for Complainant

Respondent resides in Foley, Alabama.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2793.....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Elmer Hendrix

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against \_\_\_\_\_

Elmer Hendrix

\_\_\_\_\_, Defendant .....

by Louise Hendrix

\_\_\_\_\_, Plaintiff.....

Witness my hand this 9th day of April 1952

W. J. Hendrix, Clerk

No. .... Page .....

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

**CIRCUIT COURT**

vs.

Plaintiffs

Defendants

**SUMMONS and COMPLAINT**

Filed ....., 19.....

....., Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

....., 19.....

....., Sheriff

I have executed this summons

this ....., 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

LOUISE HENDRIX, ( )  
Complainant, ( ) IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
-vs- ( )  
ELMER HENDRIX, ( ) IN EQUITY  
Respondent. ( )

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
COURT OF BALDWIN COUNTY, Sitting in Equity:

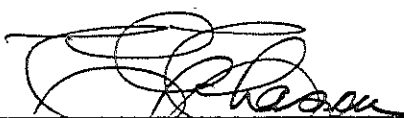
Comes the Complainant in the above styled cause and files  
this her Bill of Complaint for divorce against the Respondent and  
respectfully shows unto this Honorable Court the following:

1. Complainant is over the age of twenty-one years and a  
resident of Foley, Baldwin County, Alabama, having been a lifetime  
resident of this County and State, and Respondent is over the age of  
twenty-one years and is a resident of Foley, Baldwin County, Alabama,  
having been a resident of this County and State for over five years.

2. The Complainant and Respondent were lawfully married  
on, to-wit, October 3, 1945.

3. The Complainant alleges that the Respondent has  
committed actual violence on her person attended with danger to her  
life and health and she further alleges that Respondent has made  
numerous threats of doing her other and further harm and from his  
manner and conduct toward her, she is reasonably convinced that he  
will commit other and further actual violence upon her person,  
attended to danger to her life and health.

THE PREMISES CONSIDERED, Complainant prays that the  
Respondent be made a party defendant to this cause by the usual  
process of this Honorable Court requiring him to plead, answer or  
demur within the time and under the penalties prescribed by the rules  
of this Court and the statutes in such cases made and provided; that  
upon a final hearing of this cause, that Complainant be granted a  
divorce from said Respondent; and that she be granted such other  
and further relief to which she is entitled as in duty bound she  
will ever pray.

  
Solicitor for Complainant

Respondent resides in Foley, Alabama

Louise Hendrix

vs.

Elmer Hendrix

THE STATE OF ALABAMA

Baldwin County

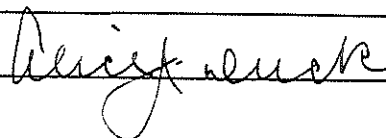
IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_  
Amended Bill of Complaint, 2nd Amended Bill of Complaint, and  
testimony of Louise Hendrix and Wilford Clemmons

and in behalf of Defendant upon \_\_\_\_\_ answer and waiver

  
Solicitor for Complainant

  
Register.

No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Louise Hendrix

vs.

Elmer Hendrix

NOTE OF TESTIMONY

Filed in Open Court this 25<sup>th</sup> .....

day of

July, 1942

Register.

Printed By The Baldwin Times

CECIL G. CHASON

ATTORNEY AT LAW  
FOLEY, ALABAMA

23 July, 1952

Mrs. Alice J. Duck  
Register in Chancery  
Bay Minette, Alabama

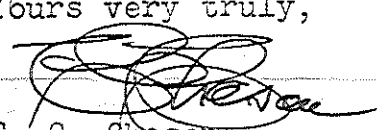
Dear Mrs. Duck:

I have not more Divorce Decrees, therefore would appreciate your preparing the decree in this matter and sending me two copies. The decree should read as follows:

Cruelty. It is further ordered, adjudged and decreed by the Court that the Contract and Agreement entered into by and between the Complainant and the Respondent on the 31st day of May, 1952, an executed copy of which is a part of the file in this matter, is hereby ratified and confirmed by the Court and the said James Calvin Hendrix, the minor child of this union, shall until further order of this Court or other Court of competent jurisdiction, be in the physical custody and control of Della Hendrix, with rights of visitation to Complainant and Respondent herein.

Enclosed herewith is my check for costs.

Yours very truly,



C. G. Chason

CGC:fs

Enclo.



THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Louise Hendrix

Complainant

VS.

Elmer Hendrix

Respondent

I, Frances Saffold

as Register and Commissioner in Chancery

have called and caused to come before me Louise Hendrix and Wilford

Clemmons

witness es named in the Requirement for Oral Examination, on the 23rd day of July  
19452, at the office of C. G. Chason  
in Foley, Alabama, and having first sworn said Witness es to speak the  
truth, the whole truth, and nothing but the truth, the said Louise Hendrix and  
Wilford Clemmons doth depose and say as follows:

My name is Louise Hendrix. I am over the age of twenty-one years and a resident of Foley, Baldwin, County, Alabama and have lived in this County and State all my life. Elmer Hendrix is over the age of twenty-one years and is a resident citizen of Foley, Baldwin County, Alabama. We were married on October 3, 1945. We lived together as man and wife until November 25, 1951. Many times he has beat me, struck me and committed other acts of violence on my person attended with danger to my life and health. We have one child, James Calvin Hendrix, age 5½ years, who has been living with Della Hendrix, the mother of Elmer Hendrix, since I have been unable to keep him and earn my living. We have agreed that he may continue to live with his grandmother, which we believe to be to the best interest of the child.

Mrs Louise Hendrix

My name is Wilford Clemmons. I am personally acquainted with Louise Hendrix and Elmer Hendrix. They were married on October 3, 1945 and lived together as man and wife until November of 1951. I have known on several instances of Elmer Hendrix having struck Louise Hendrix and saw him hit her so hard on one occasion that it blacked her eyes. I have also heard him make threats of doing her other harm. They have one child, James Calvin Hendrix.

Wilford Clemmons

**ORAL EXAMINATION.**

I, Frances Saffold, 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 es and read over to them and they signed the same in the presence of myself and each other

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 23rd day of July, 1952

Frances Saffold (L. S.)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Louise Hendrix

vs. Complainant

Elmer Hendrix

Respondent.

**Oral Deposition**

Filed 7-24, 1952

Miss A. M. M. M., Register.  
Recorded in \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Record \_\_\_\_\_

\_\_\_\_\_, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Frances Saffold

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 Louise Hendrix and Wilford Clemmons

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

and Elmer Hendrix is

Respondent  
on oath, to be by you administered, upon  
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 22nd day of July, 1952

*W. J. W. W.*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

Louise Hendrix

Complainant—

**vs.**

Elmer Hendrix

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

Frances Saffold

WITNESSES:

Louise Hendrix

Wilford Clemmons

2793