

4169

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY E. MCNEIL, Complainant

vs.

RUFUS R. MCNEIL, 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 Mary E. McNeil is forever divorced from the said Rufus R. McNeil for and on account of

Cruelty. It is further ordered, adjudged and decreed that the Complainant, Mary E. McNeil, be and she is hereby awarded the permanent care, custody and control of the minor child, born to the union of the said parties, namely, Clifford R. McNeil; with Respondent being hereby given visitation rights at all reasonable times. It is further ordered, adjudged and decreed that the Respondent pay to the Complainant the sum of \$60.00 each month as support for said minor child.

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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Rufus R. McNeil the Respondent pay the cost herein to be taxed, for which executed may issue.

This 19 day of November 1957

Hubert M Hill 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. 4169 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED  
NOV 19 1957  
MISSISSIPPI

MARY E. MCNEIL,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA
RUFUS R. MCNEIL,	¶	IN EQUITY.
Respondent.	¶	

ANSWER AND WAIVER

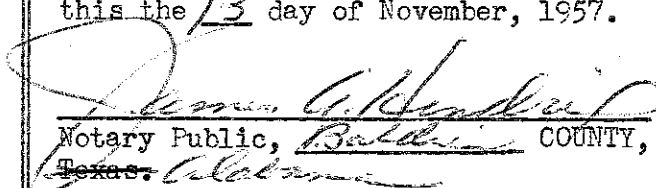
Comes now the Respondent, Rufus R. McNeil, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to the said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said bill of Complaint and does hereby waive any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

  
 Rufus R. McNeil

Sworn to and subscribed before me on this the 13 day of November, 1957.

  
 Notary Public, Baldwin COUNTY,  
~~Texas.~~ Alabama

4569

FILED  
NOV 18 1957  
ALICE J. DUCK, Register

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY E. MCNEIL

COMPLAINANT

vs.

RUFUS R. MCNEIL

RESPONDENT

I, GRADY P. GILBERT, JR.

as ~~Register and~~ Commissioner

have called and caused to come before me Mary E. McNeil and Blanch Gautney

witnesses named in the requirement for Oral Examination, on the 13th day of November  
19 57, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Mary E. McNeil and Blanch

Gautney doth depose and say as follows:

My name is Mary E. McNeil. I am over twenty-one years of age and a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than the past five years. Rufus R. McNeil is over twenty years of age and is a resident of Baldwin County, Alabama. Rufus and I were married on April 14, 1956, at Pascagoula, Mississippi. On about the 26th day of July, Rufus hit me and left blue marks on my face and neck, and had struck me on several occasions prior to that date; I am afraid that should I continue to live with him he will commit violence on my person which would endanger my life and health; as a result of said assault we have not lived together as husband and wife since July 26, 1957. Rufus and I had one child, a boy, namely, Clifford R. McNeil, now about one month old; said child is now in my custody, care and control and I feel that I am a fit and proper person to be awarded the permanent care, custody and control of said minor child. Rufus is an able bodied man and I feel that he should be able to help provide for and maintain said minor child; I feel that \$60.00 a month would be a reasonable amount.

Mary E. McNeil

My name is Blanch Gautney. I am a sister to Mary E. McNeil. She is over twenty-one years of age and a resident of Baldwin County, Alabama. I have known Rufus R. McNeil for more than the past five years. He is over twenty years of age and a resident of Baldwin County, Alabama. Mary E. and Rufus were married on April 14, 1956, at Pascagoula, Mississippi. On about the 26th day of July, Rufus hit her and left blue marks on her face and neck, and had struck her on several occasions prior to that date; I am afraid that should she continue to live with him he will commit violence on her person which would endanger her life and health; as a result of said assault they have not lived together as husband and wife since July 26th, 1957. Rufus and Mary had one child, a boy, namely, Clifford R. McNeil, now about one month old; said child is now in her care, custody and control and I feel that she is a fit and proper person to be awarded the permanent care, custody and control of said minor child.

Blanch Gautney

I, GRADY P. GILBERT, JR. 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 witnesses and read over to them and they signed the same in the presence of myself and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof 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 13 day of November, 1957.

*Grady P. Gilbert, Jr.*  
 (A. S.)

No. 4169 Page \_\_\_\_\_

**THE STATE OF ALABAMA,  
 BALDWIN COUNTY**

**IN CIRCUIT COURT, IN EQUITY**

MARY E. MCNEILL

COMPLAINANT

vs.  
 RUFUS P. MCNEILL

RESPONDENT

**ORAL DEPOSITION**

Filed FILED 19 \_\_\_\_\_

NOV 13 1957

ALBON L. DUCK, Register  
 RECORDED IN

Record \_\_\_\_\_

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

Register \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County



Circuit Court

TO: GRADY P. GILBERT, JR.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Mary E. McNeil and Blanch Gautney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Witnesses in behalf of Mary E. McNeil in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Mary E. McNeil is

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_, Complainant

and Rufus R. McNeil is  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Respondent

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

Witness 13 day of November, 1957

Ullis J. Duck  
Register.

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

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

No. 4169

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THE STATE OF ALABAMA  
Baldwin County

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CIRCUIT COURT

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MARY E. MCNEIL

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Complainant

VS.

RUFUS R. MCNEIL

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Defendant

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COMMISSION TO TAKE DEPOSITION

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COMMISSIONER:

GRADY P. GILBERT, JR.

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WITNESSES:

Mary E. McNeil

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Blanch Gautney

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STATE OF ALABAMA )

BALDWIN COUNTY )

I, RUFUS R. MCNEIL, being over the age of twenty years, do hereby certify and acknowledge the following:

I have read the Bill of Complaint filed against me in the Circuit Court of Baldwin County, Alabama, in equity, and do hereby agree that my wife shall have the permanent care, custody and control of our minor child, Clifford R. McNeil, a boy, one month old; I do further agree to make an allotment to said child and pay support for him each month in the amount of \$60.00; so long as I remain in the Armed Services of the United States; and upon discharge from Armed Services, to pay the sum of \$50.00 as support for said minor child.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 13 day of November, 1957.

Rufus R. McNeil (SEAL)

STATE OF ALABAMA )

BALDWIN COUNTY )

I, James A. Hendrix, a Notary Public, in and for said County and State, do hereby certify that RUFUS R. MCNEIL, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

WITNESS MY HAND AND SEAL on this 13 day of November, 1957.

James A. Hendrix  
Notary Public, Baldwin County, Alabama.

4169

**FILED**  
NOV 18 1957  
ALICE J. DUCK, Register

MARY E. MCNEIL

vs.

RUFUS R. MCNEIL

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 and waiver, and the testimonies of Mary E. McNeil and Blanch Gautney,  
as set out in the oral deposition.

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

*James G. Hendrix*

*Archie J. Wicks*

Register.

No. 4469

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

MARY E. MCNEIL

vs.

RUFUS R. MCNEIL

NOTE OF TESTIMONY

Filed in Open Court this

day of

FILED

, 194

NOV 18 1957

ALICE J. DUCK, Register.

STATE OF ALABAMA )

BALDWIN COUNTY )

MARY E. MCNEIL,

Complainant,

vs.

RUFUS R. MCNEIL,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, Mary E. McNeil, humbly complaining of the Respondent, Rufus R. McNeil, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Mary E. McNeil, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than the past five years next preceding the filing of this Bill of Complainant; that the Respondent is over twenty-two years old and is a resident of Baldwin County, Alabama.

SECOND: That your Complainant and Respondent were married on April 14, 1956, at Pascagoula, Mississippi.

THIRD: Your Complainant avers and charges that the said Respondent did on or about the 26th day of July, 1957, and many times prior thereto assault, beat, hit and strike Complainant; that said Respondent has committed actual violence on her person attended with danger to her health or life; Complainant avers and charges that Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

FOURTH: Your Complainant further avers and shows unto your Honor that there was born to the union of Complainant and Respondent one child, a boy, namely, Clifford R. McNeil, now about one month old; that said child is now in the care, custody and control of the Complainant, its mother, and that the Complainant is a fit and proper person to be awarded the permanent care, cus-

tody and control of said minor child. That Respondent is an able bodied man with regular employment and is well able to help provide for and maintain said minor child.

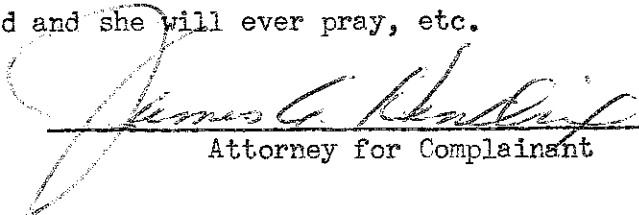
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Rufus R. McNeil, be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that she be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage; that your Complainant be awarded the permanent care, custody and control of said minor child, namely, Clifford R. McNeil; and that your Honor will decree an amount of support for said minor child to be paid each month to the Complainant by the Respondent herein.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.

  
\_\_\_\_\_  
Attorney for Complainant

Sworn to and subscribed before me on  
this the \_\_\_\_ day of November, 1957.

\_\_\_\_\_  
Notary Public, Baldwin County, Alabama.