

4258

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELLA D. DENMARK, Complainant

vs.

JOSEPH W. DENMARK, 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

ELLA D. DENMARK is forever divorced from the said JOSEPH W. DENMARK for and on account of

Extreme Cruelty -

And the Court does hereby grant Complainant the right to resume the name of ELLA D. WALLEY.

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 payment of the cost of this suit.

It is further ordered that ELLA D. DENMARK, the Complainant pay the cost herein to be taxed, for which executed may issue.

This day of 1958

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 day of 19

Register of Circuit Court, In Equity.

No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ELLA D. DENMARK,

Complainant

vs.

JOSEPH W. DENMARK

Respondent

DIVORCE DECREE

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELLA D. DENMARK, Complainant

vs.

JOSEPH W. DENMARK, Respondent

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ELLA D. DENMARK is forever divorced from the said JOSEPH W. DENMARK for and on account of

Extreme Cruelty -

And the Court does hereby grant Complainant

the right to resume the name of ELLA D. WALLEY.

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 payment of the cost of this suit.

It is further ordered that ELLA D. DENMARK, the Complainant pay the cost herein to be taxed, for which executed may issue.

This 15 day of May 19 58

Hubert M Hall 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 day of 19

Register of Circuit Court, In Equity.

No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ELLA D. DENMARK

Complainant

vs.

JOSEPH W. DENMARK

Respondent

DIVORCE DECREE

FILED

MAY 15 1958

ALICE J. DUCK, Register

ELLA D. DENMARK,		IN THE CIRCUIT COURT OF
Complainant,		
-VS-		BALDWIN COUNTY, ALABAMA,
JOSEPH W. DENMARK,		IN EQUITY.
Respondent.		

TO THE HONORABLE W. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Complainant, ELLA D. DENMARK, and by this her Bill of Complaint against JOSEPH W. DENMARK shows:

FIRST: That the Complainant is a bona fide resident of Baldwin County, Alabama, and has been such for over three years next preceding the filing of this her Bill of Complaint. The Respondent, JOSEPH W. DENMARK, is now residing at Route 5, Box 143, Lucedale, Mississippi. Both parties are over the age of twenty-one years.

SECOND: Complainant and Respondent were married on, to-wit, the 12th day of October, 1956, and lived together as husband and wife in Baldwin County, Alabama, until they separated on, to-wit, the 5th day of September, 1957.

THIRD: The Respondent committed actual violence upon the person of his wife, attended with danger to her life or health, by striking her with his fist on, to-wit, the 5th day of September, 1957, while they were visiting in Leakesville, Mississippi, and as the result of such blow, the Complainant's health was endangered. The Respondent has also choked this Complainant and has threatened to choke her to death, and from the Respondent's conduct, the Complainant has reasonable grounds to believe, and does believe that he will commit actual violence upon her person attended with danger to her life or health if she continues to live with him.

FOURTH: As the result of said conduct, on the 5th day of September, 1957, Complainant left the Respondent and since that time has lived separate and apart from him.

FIFTH: There are no children born to this marriage.

THE PREMISES CONSIDERED, Complainant prays that the Court will make the defendant, JOSEPH W. DENMARK, a party Respondent by

appropriate process, requiring him to plead, answer or demur to this Bill of Complaint within thirty days from the service thereof.

Complainant further prays that on a final hearing of this bill, the Court will grant an absolute divorce, forever divorcing her from the bonds of matrimony heretofore existing between the parties, and grant the Complainant the right to resume her former name, and grant unto her such other different or different relief as to equity may seem meet.


E. G. RICKABY,
Solicitor for Complainant.

4258

ELLA D. DENMARK,

Complainant

-VS-

JOSEPH W. DENMARK,

Respondent.

BILL OF COMPLAINT

FILED
APR 7 1958
ALICE J. DUCK, Clerk

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, answer and waiver filed by Respondent, and depositions of Complainant and B. L. Dunnam.



E. G. RICKARBY,
Solicitor for Complainant.

Alice J. Duck
Register

FILED
MAY 15 1958
ALICE L. BUCK, Register

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

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

TESTIMONY OF B. L. DUNNAM, A WITNESS ON BEHALF
OF COMPLAINANT:

B. L. DUNNAM, being duly sworn, testified
as follows:-

My name is B. L. DUNNAM, and I have known
the Complainant, ELLA D. DENMARK and her husband, JOSEPH W.
DENMARK, for the last two or three years-----at any rate,
ever since they have been married.

Mrs. Denmark is a resident of Baldwin County, Alabama,
and has been living here for practically all of her life. I
know that she has been living here for the last three years.
She and her husband had a residence here but would visit over
in Mississippi very often.

They were married back in 1956, and separated in Septem-
ber, 1957. I never did see Mr. Denmark actually hit Mrs. Denmark
but I do know that they were not congenial toward the last, and
I have heard him speak roughly toward her.

There are no children born to this marriage.

B L Dunnam

Subscribed and sworn to before me this the 14 day of
May, 1958.

Lillian H. Stephens
COMMISSIONER

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

TESTIMONY

FILED
MAY 12 1958
ALICE J. DENMARK

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

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

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

TESTIMONY OF ELLA D. DENMARK, Complainant:

ELLA D. DENMARK, being first duly sworn, deposes and says, as follows, to-wit:

My name is ELLA D. DENMARK, and I live here in Baldwin County and have been living here in Baldwin County, Alabama, for the last three years.

My husband, JOSEPH W. DENMARK, is now living at Route #3, Box 143, Lucedale, Mississippi, and we are both over the age of twenty-one years.

We were married on the 12th day of October, 1956, over in Leakesville, Mississippi, and have lived together as husband and wife, most of the time at my home here in Baldwin County, although for about five or six months we visited over at his former home in Leakesville, Mississippi, although the correct Postoffice address is Lucedale, Mississippi. We separated September 5th, 1957, because I could not stand anymore of his abuse.

At that time he cursed me and when I resented it, he struck me with his fist in the head. At that time we were visiting over in Leakesville, Mississippi, and I left him because I could not stand anymore of his abuse, as he had previously choked me and had threatened to kill me, had knocked me out of the car on previous occasions and struck me in the mouth and split my lips, and I feel sure that if I had continued to live with him, he would have done serious harm to me and probably killed me.

We have had no children, and I am asking for this divorce and not asking for any alimony.

Ella D. Denmark.
Ella D. Denmark

ELLA D. DENMARK

Subscribed and sworn to before me this the 26th day of April, 1958.

Lillian K. Stephens

COMMISSIONER

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent,

TESTIMONY

FILED

MAY 15 1958

ALICE J. DUCK, Register

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

I, TILLIE K. STEPHENS, Commissioner, acting under stipulation of the parties in the divorce suit of ELLA D. DENMARK vs. JOSEPH W. DENMARK, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, B. L. DUNNAM and ELLA D. DENMARK, who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. RICKARBY, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anywise interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand as Commissioner on this the 14th day of May, 1958.


Commissioner

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

COMMISSIONER'S STATEMENT
ON

TESTIMONY OF ELLA D.
DENMARK, Complainant
and B. L. DUNNAM, Witness.

FILED
MAY 15 1958

ALICE J. DECK, Registrar

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

ELLA D. DENMARK,

Complainant,

-VS-

JOSEPH W. DENMARK,

Respondent.

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

ANSWER AND WAIVER

Comes the Respondent, JOSEPH W. DENMARK, in the above styled cause and for answer to the Bill of Complaint heretofore filed in said cause, and to each and every paragraph thereof, says:

He denies each and every allegation contained therein and demands strict proof thereof.

Respondent hereby submits himself to the jurisdiction of this Honorable Court and waives notice of the time and place for taking testimony in said cause, waives the issuance of a formal commissioner to take testimony in said cause and consents that testimony may be taken without further notice to him and further waives notice of the time and place of submission of said cause and consents that said cause may be submitted for final decree at any time or place without further notice to him of such submission.

Joseph W. Denmark
JOSEPH W. DENMARK, Respondent

STATE OF MISSISSIPPI

GREENE COUNTY.

I, Lloyd E. Perry a Notary Public in and for said County in said State, hereby certify that JOSEPH W. DENMARK, whose name is signed to the foregoing instrument and who is known to me to be the respondent above named, acknowledged before me on this day that he executed the same voluntarily with knowledge of its contents.

Witness my hand and official seal this the 7 day of April, 1958.

Lloyd E. Perry
Notary Public
Circuit Clerk

ELLA D. DENMARK,

Complainant

-VS-

JOSEPH W. DENMARK,

Respondent.

ANSWER AND WAIVER

FILED

MAY 15 1968

ALICE J. BOCK, REGISTRAR

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

ELLA D. DENMARK,	I	IN THE CIRCUIT COURT OF
Complainant,	I	
-VS-	I	BALDWIN COUNTY, ALABAMA,
JOSEPH W. DENMARK,	I	
Respondent.	I	IN EQUITY.

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E. G. RICKARBY,
Solicitor for Complainant.

ELLA D. DENMARK,

Complainant

-VS-

JOSEPH W. DENMARK,

Respondent

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BILL OF COMPLAINT

FILED
APR 7 1958
ALICE J. DUCK, Clerk

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