

(3488)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- ANNIE CHARLES GAMMAGE -----, Complainant
vs.

----- GILMER D. GAMMAGE -----, 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 ----- ANNIE CHARLES GAMMAGE ----- is forever divorced from the said ----- GILMER D. GAMMAGE ----- for and on account of CRUELTY.

It is further ordered, adjudged and decreed that the written agreement entered into between the Complainant and Respondent touching the distribution of personal property and the settlement of current indebtedness is hereby ratified and approved and the parties shall abide thereby. The Complainant is further given the right to resume her former name, Annie Charles Stubblefield.

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 ----- Gilmer D. Gammage ----- the ----- Respondent ----- pay the cost herein to be taxed, for which executed may issue.

This ----- 19 ----- day of ----- March -----, 1955

----- 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 the ----- day of -----, 19-----

Register of Circuit Court, In Equity.

No. 3488 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ANNIE CHARLES GAMMAGE
Complainant

vs.

GILMER D. GAMMAGE
Respondent

DIVORCE DECREE

FILED
MAR 19 1955
ALICE L. DUCK, Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: SHIRLEY COPAS
Fairhope, Alabama

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 Annie Charles Gammage and Melba Ann Stubblefield

as witnesses in behalf of Annie Charles Gammage in a cause pending in our Circuit Court in Baldwin County, of said State, wherein _____

Annie Charles Gammage, Complainant
and Gilbert D. Gammage
Respondent

on oath, to be by you administered, upon Annie Charles Gammage and Melba Ann Stubblefield to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 16th day of March, 1945

Ann J. Henry
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3488

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Annie Charles Gammage
Complainant

VS.

Gilmer D. Gammage
Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
Shirley Copas

WITNESSES:

Annie Charles Gammag
Melba Ann Stubblefield

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ANNIE CHARLES GAMMAGE

Complainant

VS.

GILMER D. GAMMAGE

Respondent

I, Shirley Copas

as Register and Commissioner

have called and caused to come before me: Annie Charles Gammage and Melba Ann Stubblefield

witnesses named in the Requirement for Oral Examination, on the 17th day of March

1955, at the office of Ernest W. Bailey

in Fairhope, Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Annie Charles Gammage and Melba

Ann Stubblefield doth depose and say as follows:

My name is Annie Charles Gammage and the Respondent's name is Gilmer D. Gammage. We are both over the age of twenty-one years and bona fide residents of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this Bill of Complaint. We were married at Lucedale, Mississippi on June 9, 1954 and lived together as husband and wife until March 11, 1955.

On March 11, 1955 the Respondent cursed, abused and did commit actual violence upon my person, which I believe did endanger my life and health. The Respondent has on other occasions abused and done actual violence to me. I am afraid that if we continue to live together, the Respondent will do violence such as will injure me permanently or cause death.

Annie Charles Gammage
Annie Charles Gammage

My name is Melba Ann Stubblefield. I am sixteen years of age and am a daughter of the Complainant by a former marriage. On the night of March 11, 1955 I was in the home of the Complainant and the Respondent. The Respondent cursed and hit the Complainant. He hit her on the head and about the body several times. There were bruises on the body of the Complainant which were a result of his cruelty.

Melba Ann Stubblefield
Melba Ann Stubblefield

ORAL EXAMINATION

I, Shirley Copas, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~is~~ 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 Ernest W. Bailey

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 17th day of March, 1955

Shirley Copas (L. S.)

No. 3488

Page

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

Annie Charles Gamage

vs. Complainant

Gilbert D. Gamage

Respondent

Oral Deposition

Filed 18, 1955

FILED

MAR 18 1955

Recorded in
ALICE J. BUCK, Register

Record

Vol. _____ Page _____

Register

STATE OF ALABAMA)
BALDWIN COUNTY)

ANNIE CHARLES GAMMAGE
Complainant

-vs-

GILMER D. GAMMAGE
Respondent

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof separately and severally and says:

1. That he admits the allegations contained in Paragraphs First and Second.
2. That he denies the allegations contained in Paragraph Third and demands strict proof of the same.

The Respondent hereby accepts service of a copy of the summons and complaint in said cause and waives notice of the taking of the testimony in said cause and waives notice of submission thereof and agrees that the testimony may be taken and the cause submitted without further notice to him.

Gilmer D. Gammage s/s
Gilmer D. Gammage
Respondent

WITNESSES:

Orville B. Sharrett
Robert Glade

FILED

March 18, 1955

ALICE L. DUCK, Register

3488

RESPONDENT'S ANSWER & WAIVER

ANNIE CHARLES GAMAGE,
Complainant

--vs--

GILMER D. GAMAGE,
Respondent

FILED

MAR 18 1955

ALICE J. QUACK, Register

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT -- IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Gilmer D. Gammage 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 Annie Charles Gammage, as Complainant, against Gilmer D. Gammage, as Respondent.

Witness my hand this day of March, 1955.

Register

ANNIE CHARLES GAMMAGE,
Complainant

-vs-

GILMER D. GAMMAGE,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes your Complainant, Annie Charles Gammage, and files this her Bill of Complaint for divorce against Gilmer D. Gammage, and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, residing at Fairhope, and that they have been such residents for more than two years last past.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit, June 9, 1954, and lived together as man and wife until March 11, 1955, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent. Your Complainant further avers that the Complainant and the Respondent were lawfully married in Lucedale, Mississippi on the above stated date and that there are no children of the marriage.

THIRD:

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Your Complainant avers and charges that the said Respondent did on or about the 11th day of March, 1955, and at times prior thereto, did assault, beat, hit and strike Complainant; that said Respondent has committed actual violence on her person attended with danger to her health and life; Complainant avers and charges that Respondent has made numerous threats or doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit such violence upon her person, attended with danger to her life or health.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Gilbert D. Gammage be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and 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 your Honor will grant unto the Complainant an absolute divorce from said Respondent and will decree that the parties be allowed to remarry if they see fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Annie Charles Gammage
Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned notary public in and for State of Alabama at Large, personally appeared Annie Charles Gammage, who after being by me first duly and legally sworn, says:

That the allegations contained in the foregoing Bill of Complaint are true.

Annie Charles Gammage



Sworn to and subscribed Before me
this 11th day of March, 1955.

Edward W. Baile
Notary Public, State of Alabama
at Large

FILED

Mar 18, 1955
ALICE J. DOCK, Register

ANNIE CHARLES GAMAGE
Complainant

-vs-

GILMER D. GAMAGE
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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STIPULATION

It is stipulated and agreed by and between the parties hereto as a property division in lieu of alimony, that Gilmer D. Gamage has this day transferred to Annie Charles Gamage his interest in all personal property jointly held and owned by the parties, automobile excepted, free of encumbrances as to those certain kitchen appliances purchased during marriage.

That Gilmer D. Gamage is to pay the following bills now owed jointly by the parties: Current Light Bill (\$10.00), Fuel Bill (\$7.50), Medical Bills (\$10.00) and those bills pertaining to the kitchen appliances referred to above.

That the Complainant, Annie Charles Gamage, has employed Ernest M. Bailey as her Solicitor of Record to prosecute the cause of action and she is unable to pay him a reasonable Solicitor's fee for his services in the matter. That Gilmer D. Gamage agrees to pay the reasonable Solicitor's fee.

That the parties shall entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate, or otherwise act in any way so as to embarrass or humiliate the other party.

Annie Charles Gamage
Annie Charles Gamage

Gilmer D. Gamage
Gilmer D. Gamage

Witnesses for: Annie Charles Gamage

Melba Ann Hubblefield
Ernest M. Bailey

Witnesses for: Gilmer D. Gamage

Archie B. Sharrett
Robert Shade