

3672

DIVORCE DECREE

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

EVELYN DEAN FRETWELL, Complainant

vs.

CHARLIK FRANKLIN FRETWELL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~By the Court~~

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

EVELYN DEAN FRETWELL is forever divorced from the said CHARLIK FRANKLIN FRETWELL for and on account of

"CRUELTY"

It is further ORDERED, ADJUDGED AND DECREED that the complainant, EVEYLYN DEAN FRETWELL, be and she is hereby awarded the care, custody and control of the minor children of this marriage, JEAN, DEAN, ANNETTE, EARL, WILLIAM T., JUDY AND WANDA, with the right in the respondent, CHARLIK FRANKLIN FRETWELL, to visit said children, and to have said children visit him, at all reasonable times and places; and the said respondent is ordered to pay to the complainant, for the support and maintenance of said children, the sum of Twenty-five (\$25.00) Dollars per week.

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 EVELYN DEAN FRETWELL the Complainant pay the cost herein to be taxed, for which execution may issue.

This 6th day of December, 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. 3672 Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

DEC 6 1955

ALICE J. DUCK, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BOOK 018 PAGE 72

EVELYN DEAN FRETWELL Complainant

VS.

CHARLIK FRANKLIN FRETWELL Respondent

JAMES R. OWEN

I,

~~Notary Public~~ Commissioner heretofore appointed in this cause

have called and caused to come before me EVELYN DEAN FRETWELL

witness named in the Requirement for Oral Examination, on the 6th day of December

1955, at the office of Telfair J. Mashburn, Jr.

in Bay Minette, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said EVELYN DEAN FRETWELL

doth depose and say as follows: "My name is Evelyn Dean Fretwell. I am the complainant in this cause. I am over the age of twenty-one years and I am a resident of Baldwin County, Alabama, living in the Rabun Community, near Bay Minette, Alabama. I have lived there for more than ten years next preceding the filing of the bill of complaint in this cause. Charlik Franklin Fretwell is over the age of twenty-one years and is a resident of Baldwin County, Alabama. I was married to the said Charlik Franklin Fretwell at Bay Minette, Alabama, on November 22, 1940. We got along fine for a number of years, but for the last past three or four years he has been drinking rather heavy, and, while under the influence of intoxicating liquors, he often threatened, abused, and on several occasions, has actually struck me. Early in October, either the first or second Friday Night, of this year, he choked and beat me, and I became convinced that it would be dangerous to my life or health to continue to live with him as his wife. Since that night, I have not lived with him as his wife. We have seven children, the oldest of whom are only 13 years of age. Their names and ages are: Jean and Dean, twins, age 13; Annette, age 12; Earl, age 11; William T., age 9; Judy, age 6; and Wanda, age 4. Because of their ages, I believe that I am the proper person to have the care, custody and control of said children, and I do not believe that my husband is the proper person to have the care, custody and control of said children. I work, but do not make enough money to support myself and the children unaided. My husband is able to work and makes sufficient money to help me support the children. I believe he makes sufficient to pay at least \$25.00 per week toward their support. " Further Deponent says not.

Evelyn Dean Fretwell

ORAL EXAMINATION

I, JAMES R. OWEN, 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... and read over to her and she signed the same in the presence of myself and Telfair J. Mashburn, Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness... or had proof made before me of the identity of said witness...; 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 6th day of December, 1955.

James R. Owen (L. S.)

No. 3672 Page

The State of Alabama
Baldwin County,

In Circuit Court, In Equity

BVELYN DEAN FRETWELL

vs. Complainant

CHARLIK FRANKLIN FRETWELL

Respondent

Oral Deposition

Filed December 6, 1955

FILED
Recorded in 1955
Register

Record

Vol. Page Register

RECORDED

EVELYN DEAN FRETWELL,
Complainant,
VS.
CHARLIK FRANKLIN FRETWELL,
Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. _____

ANSWER AND WAIVER

Comes the respondent in the above styled cause and accepts service of a bill of complaint in said cause; waives notice of the filing of interrogatories and the right to cross them; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree at any time.

And for answer to the bill of complaint and to each and every paragraph thereof, respondent says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.
2. He admits the allegations contained in paragraph 2 of said bill of complaint.
3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof of the same.
4. He admits the allegations contained in paragraph 4 of said bill of complaint.
5. He admits the allegations contained in paragraph 5 of said bill of complaint, and hereby offers, if the court should see fit to grant the complainant a divorce, to pay to the complaint for the support of the minor children the sum of \$25.00 per week, or more when he is able.

Charlik F. Fretwell
RESPONDENT.

Executed in the presence of:

Jubian J. Maduberey, Jr.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 3672

RECORDED

EVELYN DEAN FRETWELL,
Complainant,

VS.

CHARLIK FRANKLIN FRETWELL,
Respondent.

ANSWER AND WAIVER.

FILED

DEC 6 1955

ALEX J. DUCK, Register

EVELYN DEAN FRETWELL,
 Complainant,
 VS.
 CHARLIK FRANKLIN FRETWELL,
 Respondent.

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA.
 IN EQUITY. NO. _____

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

Your complainant, EVELYN DEAN FRETWELL, respectfully represents and shws unto your Honor as follows:

1. That complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona fide resident of said State for more than ten years next preceding the filing of this bill of complaint; that CHARLIK FRANKLIN FRETWELL is over the age of twenty-one years and resides in Baldwin County, Alabama;
2. That your complainant and the respondent were lawfully married on or about, to-wit, the 22nd day of November, 1940, at Bay Minette, Alabama;
3. That on or about, to-wit: the 7th day of October, 1955, and many times prior thereto, the said respondent did assault, beat, choke and strike your complainant; that said respondent has committed actual violence on her person attended with danger to her health or life; and that she is reasonably convinced that, should she continue to live with him as his wife, he will commit further actual violence upon her person which would necessarily endanger her life or health;
4. That there was born of this marriage seven children whose names and ages are as follows: Jean and Dean, twins, age 13; Annette, age 12; Earl, age 11; William T., age 9; Judy, age 6; and Wanda, age 4; that your complainant is a fit and proper person to have the care, custody and control of said children; and that the respondent is not a fit and proper person to have the care, custody and control of said children.
5. That your complainant works but does not ear sufficient income to support herself and said children; that the respondent is an able-bodied man who is able to help support said children; that he earns a good salary.

WHEREFORE, THE PREMISES CONSIDERED, your complainant makes the said CHARLIK FRANKLIN FRETWELL a party respondent to this bill of

complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said CHARLIK FRANKLIN FRETWELL, commanding him to answer, plead or demur to this bill of complaint within the time required by law; and that, on a final hearing of this cause, your Honor will make and enter a decree forever divorcing your complainant from the said respondent, giving the care, custody and control of the minor children, named in paragraph number 4 of this bill of complaint, to your complainant, with reasonable rights of visitation in the said respondent, and fixing a reasonable amount, weekly or monthly, for the respondent to pay to your complainant for the support and maintenance of said minor children; and your complainant prays for such other, further, different or general relief as unto your Honor may seem just and proper, and your complainant will every pray, etc.

Jedric A. Middleberry, Jr.
SOLICITOR FOR COMPLAINANT.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3672

EVELYN DEAN FRETWELL,
Complainant,

VS.

CHARLIK FRANKLIN FRETWELL,
Respondent.

BILL OF COMPLAINT.

FILED
DEC 6 1955

ALICE J. DICK, Register

EVELYN DEAN FRETWELL

vs.

CHARLIK FRANKLIN FRETWELL

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 testimony of EVELYN DEAN FRETWELL

and in behalf of Defendant upon Answer and Waiver

Archie Luck

Register.

*Telfair J. Maddox, Jr.
Solicitor for Complainant*

No. 3672

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

EVELYN DEAN FRETWELL

vs.

CHARLIK FRANKLIN FRETWELL

NOTE OF TESTIMONY

Filed in Open Court this
day of December, 1955

FILED

1955

Register.

Printed by the Baldwin Times

ALICE A. BUCK, Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: JAMES R. OWEN

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 EVELYN DEAN FRETWELL

as witnesses in behalf of EVELYN DEAN FRETWELL in a cause pending in our Circuit Court in Baldwin County, of said State, wherein EVELYN DEAN FRETWELL

_____ is the _____, Complainant
and CHARLIK FRANKLIN FRETWELL

_____ is the _____ Respondent

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

Witness _____ day of December, 1955.

Archie - Mack
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3672

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

EVELYN DEAN FRETWELL

Complainant

VS.

CHARLIK FRANKLIN FRETWELL

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

JAMES R. OWEN

WITNESSES:

EVELYN DEAN FRETWELL

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EVELYN DEAN FRETWELL

Complainant

vs.

CHARLIK FRANKLIN FRETWELL

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows :

1. That the following named witnesses reside within one hundred miles from
Bay Minette , in the County of Baldwin
Alabama, the place of trial of said cause, to-wit : EVELYN DEAN FRETWELL

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

J. J. Madlock, Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of JAMES R. OWEN
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

J. J. Madlock, Jr.
Solicitor for Complainant

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DEMAND FOR ORAL EXAMINATION

EVELYN DEAN FRETWELL

Complainant

vs.

CHARLIK FRANKLIN FRETWELL

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this _____ day of December

1955

FILED

DEC 6 1955

Register

Moore Printing Co.

W. L. MOORE, BALDWIN

3672