

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDITH MAE MOSLEY, Complainant

vs.

NEVILLE EUGENE MOSLEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree of Confession~~ Waiver and Answer and Agreement 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 EDITH MAE MOSLEY is forever divorced from the said NEVILLE EUGENE MOSLEY for and on account of "CRUELTY"

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the agreement between the parties, attached to the bill of complaint as Exhibit "A", be, and it is hereby, ratified and adopted and, by reference, made a part hereof as fully and completely as though set out 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 payment of the cost of this suit.

It is further ordered that NEVILLE EUGENE MOSLEY the Respondent pay the cost herein to be taxed, for which executed may issue.

This 9th day of February, 19 56

Walter H. Bell

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.

RECORDED

No. 3714 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

EDITH MAE MOSBEY

Complainant

VS.

NEVILLE EUGENE MOSLEY

Respondent

I, JAMES R. OWEN

as ~~Register and~~ Commissioner heretofore appointed by the Court
have called and caused to come before me EDITH MAE MOSLEY

witness named in the Requirement for Oral Examination, on the 9th day of February
1956, 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 EDITH MAE MOSLEY

doth depose and say as follows: "My name is Edith
Mae Mosley. I am the complainant in this cause and I am over the
age of twenty-one years. I am a bona fide resident citizen of
Baldwin County, Alabama, and have been for more than two years
next preceding the filing of the bill of complaint in this cause.
The Respondent, NEVILLE EUGENE MOSLEY, is over the age of twenty-
one years and is a resident citizen of Baldwin County, Alabama. I
married the respondent in Pensacola, Florida, on the 19th day of
February, 1945. We got along together fine for a long time, but
recently we have reached the point where we just cannot get
along together. About the middle of October, 1955, my husband beat
me and struck me--he had jumped on me prior to that time, and
several times since that time, he has threatened to beat me again.
I have become convinced that, if I continue to live with him as
his wife, he will do further actual violence to my person which
would be dangerous to my life or health. I have done nothing to
cause my husband to treat me as he has. We have no children. We
have entered into a written agreement with regard to a property
settlement, and a copy of the agreement is attached to the bill
of complaint in this cause." Further deponent says not.

Edith Mae Mosley

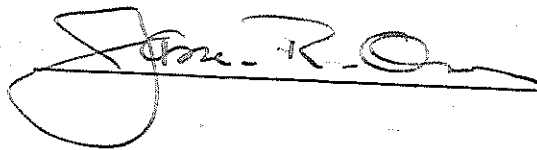
ORAL EXAMINATION.

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 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 9th day of February, 1956.

 (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

Oral Deposition

Filed _____, 195____

FILED

Recorded in _____, Register.

Vol. _____ Page _____

Record _____, 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, as such time and place as you may appoint, to call before you and examine EDITH MAE MOSLEY

a witnesses in behalf of EDITH MAE MOSLEY in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

EDITH MAE MOSLEY is the Complainant and NEVILLE EUGENE MOSLEY

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

Witness 9th day of February, 1956.

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

WITNESSES:
FEB 15 1956

ALICE J. DUCK, Register

I, _____, Commissioner of the Circuit Court of Baldwin County, Alabama, do hereby certify that the within and foregoing deposition of _____
 was taken and read to and by the parties and their attorneys, and that the same is true and correct as the same appears from the within and foregoing deposition.
 Witness my hand and seal of office at _____ Alabama, this _____ day of _____ 1956.

 Commissioner of the Circuit Court of Baldwin County, Alabama

EDITH MAE MOSLEY

Complainant

vs.

NEVILLE EUGENE MOSLEY

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: EDITH MAE MOSLEY

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

Jeffery J. Madbery, 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.

Jeffery J. Madbery, Jr.
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Complainant

vs.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this _____ day of _____

194_____

FILED

FEB 9 1956

Register

Moore Printing Co.

EDITH MAE MOSLEY

vs.

NEVILLE EUGENE MOSLEY

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Plaintiff upon the original Bill of Complaint, Waiver and Answer, Agreement between the Parties, and testimony of EDITH MAE MOSLEY.

and in behalf of Defendant upon Waiver and Answer and Agreement between the Parties.

Archie J. Mosley
Register.

Telfair J. Mosley, Jr.

RECORDED

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this
day of, 194

FILED
FEB 9 1956

ALICE L. DUCK, Register Register.

EDITH MAE MOSLEY,
Complainant,
VS.
NEVILLE EUGENE MOSLEY,
Respondent.



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

WAIVER AND ANSWER.

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 in said cause, and the right to cross same; 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, without further notice to him.

and for answer to the bill of complaint and to each and every paragraph thereof, he 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.

Neville E. Mosley

*Executed in the
presence of:
Telfair J. Marshall, Jr.*

ALICE J. BUCK, Register

FEB 9 1956

FILED

USUAL AND
CROSSER

MADON

VA.

MADON

RECORDED

3716

EDITH MAE MOSLEY,	⊡	
Complainant,	⊡	IN THE CIRCUIT COURT OF
Vs.	⊡	BALDWIN COUNTY, ALABAMA.
NEVILLE EUGENE MOSLEY,	⊡	IN EQUITY. NO. _____
Respondent.	⊡	

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

Your complainant, EDITH MAE MOSLEY, respectfully represents and shows unto your Honor as follows:

1. That both complainant and the respondent, NEVILLE EUGENE MOSLEY, are over the age of twenty-one years and are bona fide resident citizens of Baldwin County, Alabama, and have been for more than two years next preceding the filing of this bill of complaint.
2. That your complainant and the respondent were lawfully married on or about, to-wit: the 19th day of February, 1945, at Pensacola, Florida.
3. That the respondent, on or about, to-wit: the 15th day of October, 1955, did assault, beat, hit and strike complainant; that on many occasions since that date he has threatened to do further physical violence to the person of complainant; and that, from his manner and conduct toward her, she is reasonably convinced that, should she continue to live with him as his wife, he will commit further actual violence to her person which will necessarily endanger her life or health.
4. That there are no children as a result of this marriage, and that the parties have entered into an agreement with regard to a property settlement, a copy of which agreement, marked EXHIBIT "A", is attached hereto and, by reference, made a part hereof.

THE PREMISES CONSIDERED, your complainant makes the said NEVILLE EUGENE MOSLEY a party respondent to this bill of complaint, and in order that complainant may have the relief herein after prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said NEVILLE EUGENE MOSLEY, 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 divorcing your complainant from the respondent, adopting and ratifying the agreement between the parties hereto; and that your Honor will grant such other, further, different or gen-

eral relief, as in equity and good conscience she may be entitled to receive, and, as in duty bound, she will ever pray, etc.

Justin G. Washburne, Jr.
SOLICITOR FOR COMPLAINANT.

This agreement made and entered into on this the 9th day of February, 1956, by and between EDITH MAE MOSLEY, hereinafter referred to as the party of the first part, and NEVILLE EUGENE MOSLEY, hereinafter referred to as the party of the second part, WITNESSETH:

WHEREAS, the parties hereto have been husband and wife for a period of eleven years; and, there are no children; and,

WHEREAS, said parties have definitely concluded that under conditions now existing it is impossible for them to live together as man and wife.

NOW, THEREFORE, IN CONSIDERATION THEREOF, and of the mutual agreements hereinafter made, the have mutually agreed to a complete separation under the following terms and conditions:

1. The said parties shall 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.

2. The party of the second part shall pay to the party of the first part the sum of THREE THOUSAND (\$3,000.00) DOLLARS, in monthly installments of FIFTY (\$50.00) DOLLARS each, beginning on the 9th day of February, 1956, which said amount shall be lieu of alimony, support or maintenance; it being understood and agreed that in consideration of the prompt payment of said sum, he shall be, and hereby is, released from any further obligation of any kind or character by way of alimony, court decree or otherwise, to contribute toward the support of the said party of the first part.

3. In the event the party of the first part insists on her express determination to file a suit for divorce against the party of the second part, it shall be thoroughly understood that the party of the second part denies and expects to continue to deny that she is in any way entitled to a divorce, and in the event the Court, upon a hearing, should decide that the party of the first part is entitled to a divorce, then it is agreed and understood that this agreement and all of its terms shall be submitted to the Court for its approval, and shall not be executed until and unless the Court does approve the same.

This agreement had been made and executed by the parties hereto on the day and date hereinabove first set forth, in good faith, with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely.

Edith Mae Masley (SEAL)

Neville E. Masley (SEAL)

EXECUTED IN THE PRESENCE OF:

Jeffrey J. Madhuber, Jr.