

(3803)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ELLEN RUNCO, Complainant

vs.

DOMINICO RUNCO, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEFENDANT'S CONFESSION~~ ANSWER & 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 ELLEN RUNCO is forever divorced from the said DOMINICO RUNCO for and on account of

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT the Respondent pay the Complainant the sum of Six Hundred and no/100 (\$600.00). The said sum to be paid by June 15, 1956.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay the Complainant the sum of \$10.00 per week for the support and maintenance of their minor child upon its birth.

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 Complainant, ELLEN RUNCO pay the cost herein to be taxed, for which executed may issue.

This 12th day of June 1956

Hulda 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. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JUN 12 1956

ALICE J. DUCK, Register

ELLEN RUNCO,
Complainant,
No.....VS
DOMINIC O. RUNCO,
Respondent.

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

1. Bill of Complaint
2. Answer and Waiver
3. Testimonies of Ellen Runco, and of Mary N. Lewis witnesses on the behalf of the Complainant.

FILED, 6-11-56

William Grayson
Solicitor—for Complainant

Wing
Register

FOR RESPONDENT

.....
Solicitor—For Respondent

No.....

ELLEN RUNCO,
Complainant,

Vs.

DOMINIC O. RUNCO,
Respondent.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

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Ent. Min. No....., Page.....

FILED
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1956
MAY 1 1956
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C E R T I F I C A T E

I, Ethel Young, the commissioner named in an agreement contained in that certain cause now pending in the Honorable Circuit Court of Mobile County, Alabama, Sitting in Equity, wherein Ellen Runco is Complainant, and Dominic O. Runco is Respondent, under and by virtue of the power conferred upon me by said agreement as such commissioner, caused the said Ellen Runco and the said Mary N. Lewis, who were made known to me, to come before me at 11 o'clock, A.M., on June 4, 1956, at Room 903, First National Bank Building, Mobile, Alabama; that said witnesses were first duly sworn by me as stated; that they were then examined by Mr. William Grayson, Solicitor for Complainant, and they testified in response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near as might be identical language of the said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to the said witnesses, who assented to and signed the same in my presence and in the presence of said Solicitor for Complainant. The depositions are true and correct as given by the witnesses.

I further certify that I am not of counsel of or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof.

Witness my hand this 4th. day of June 1956.

Mrs. Ethel Young
COMMISSIONER

TESTIMONY OF ELLEN RUNCO, WITNESS ON HER OWN BEHALF:

I am the Complainant in the above styled cause and I am the wife of the Respondent. We were married to each other on April 14, 1956, at Lucedale, Mississippi. Both myself and the Respondent are bona-fide resident citizens of Mobile County, Alabama, and we have been such for more than one year next preceding the filing of the Bill of Complaint herein.

The Respondent has committed actual violence upon my person attended with danger to my life and health, or from his conduct there is reasonable apprehension of such violence. The Respondent has slapped and hit me with his hands and fist and I have carried bruised marks on my face and body for days at a time. He has called me ugly and abusive names on more than one occasion. He has threatened to kill me on several occasions and I am afraid if I continue to live with him, that he would actually kill me if he lost his temper. He has got a nasty temper and he lets it control him entirely. I do not ever intend to live with the Respondent ever again as man and wife because of his cruel treatment.

Ellen Runco

ELLEN RUNCO

TESTIMONY OF MARY N. LEWIS, WITNESS ON BEHALF OF THE COMPLAINANT:

I am the sister of the Complainant and I know that the Complainant and Respondent were married to each other in April, 1956, at Lucedale, Mississippi. They are both bona-fide resident citizens of Mobile County, Alabama, and they have been such for more than one year next preceding the filing of the Bill of Complaint herein. The Complainant is nineteen years of age and the Respondent is over the age of twenty-one years.

I have seen the bruises on the body and face of the Complainant where the Respondent has struck her with his hands and fist. The bruises stayed on her for several days. I have been present when the Respondent has called the Complainant ugly and abusive names. I have heard the Respondent threaten to kill the Complainant on several occasions and I am afraid if she should ever live with the Respondent again that he would kill her, because the Respondent has got a terrible temper.

Mary N. Lewis
MARY N. LEWIS

	*	
ELLEN RUNCO,	*	IN THE CIRCUIT COURT OF
Complainant,	*	BALDWIN COUNTY, ALABAMA.
VS	*	
DOMINIC O. RUNCO,	*	IN EQUITY:
Respondent.	*	NO.

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto this Honorable Court as follows:

ONE

The Complainant is the wife of the Respondent and they were married to each other on April 14, 1956, at Lucedale, Mississippi. The Complainant is nineteen years of age and the Respondent is over the age of twenty-one years and they are both bona-fide resident citizens of Mobile County, Alabama and they have been such for more than one year next preceding the filing of the Bill of Complaint herein. The Complainant is pregnant with child through the agency of the Respondent, and she expects said child to be born in the latter part of November.

TWO

Respondant is an able bodied man who is gainfully employed and able to earn money with which to provide support and maintenance for their minor child when said child is born, and Respondent is also able to pay a reasonable Solicitor fees.

THREE

The Respondent has committed actual violence upon the person of the Complainant, attended with danger to her life or health since their marriage to each other, or from his conduct there is reasonable apprehension of such violence.

PRAYER FOR PROCESS

The Complainant prays that Your Honors will take jurisdiction of this cause, and will make the said Dominic O. Runco, party-respondent hereto, and will cause him to appear, plead, answer or demur hereto within the time allowed by Law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and Complainant further prays that the Respondent be required to pay the Complainant support and maintenance for their minor child after it is born and also he be required to pay her Solicitor of Record a reasonable Solicitor's fee for his services herein in her behalf, and Complainant further prays for such other, further or different relief as in equity she may be due; and as in duty bound she will ever pray, etc.

William Grenson
SOLICITOR FOR COMPLAINANT

FILED
IN
COURT
OF
THE STATE OF
NEW YORK
IN
AND FOR
THE COUNTY OF
SHERMAN

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423

ELLEN RUNCO, IN THE CIRCUIT COURT OF
Complainant, BALDWIN COUNTY, ALABAMA
Vs. IN EQUITY
O.
DOMINIC/RUNCO, NO. _____
Respondent.

ANSWER AND WAIVER

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint herein admits the allegations as to the ages, residences and marriage and denies the other allegations of said Bill of Complaint and demands strict proof thereof.

Respondent agrees that the testimony in this cause may be taken by deposition or oral examination, and waives notice of the time and place of the taking of such testimony and agrees that this cause may be submitted for final decree at any time. Respondent waives all notices to which he or she may be entitled by law in this cause. Respondent agrees that the following persons may take the testimony in this cause as commissioners, without the issuance of a commission: Ethel Young, Patsy Rockwell, or Peggy Preston.

ATTEST:

1. _____
2. _____

Dominic Runco
RESPONDENT

Complainant agrees that the following persons may take the testimony in this cause as commissioners, without issuance of a commission: Ethel Young, Patsy Rockwell, or Peggy Preston.

William Chapman
SOLICITOR FOR COMPLAINANT.

Note: The Space below is intended for "Agreements Between the Parties"

Respondent agrees to pay the Complainant the sum of Six Hundred and no/100 Dollars (\$600.00). Five Hundred Dollars for herself and One Hundred Dollars for the Attorney fees and Court Cost. Respondent agrees to pay the Complainant the sum of \$10.00 per week for the support and maintenance of their minor child upon its birth. Complainant releases the Respondent from all claims of alimony and support as to herself alone. The said sum of \$600.00 is to be paid by June 15, 1956.

Dominic Runco
Respondent

Ellen Runco
Complainant

STATE OF ALABAMA
COUNTY OF MOBILE

Before me, the undersigned authority, in and for said State and County personally appeared the above named Respondent, whose name is signed to the foregoing instrument, and who was made known to me, acknowledged before me this day, that being informed of the contents of the instrument, said Respondent executed the same voluntarily on the day same bears date.

Witness my hand and seal this 1st day of June 1956.

Filed in Registers Office
195
REGISTER

William Chapman
NOTARY PUBLIC
(Please affix official seal)