

3952

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ERNESTINE SHIVER DEMENT

Complainant

vs.

JAMES HALL DEMENT

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DECEASED CONFESSOR~~ 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 Ernestine Shiver Dement is forever divorced from the said James Hall Dement for and on account of

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, Ernestine Shiver Dement, shall resume the use of her maiden name, Ernestine Shiver.

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 Ernestine Shiver Dement the Complainant pay the cost herein to be taxed, for which executed may issue.

This 17th day of January 1957

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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ERNESTINE SHIVER DEMENT

Complainant

vs.

JAMES HALL DEMENT

Respondent

DIVORCE DECREE

FILED
JAN 18 1907
ALL W. J. DUCK, Registrar

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THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ERNESTINE SHIVER DEMENT

Complainant

VS.

JAMES HALL DEMENT

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Ernestine Shiver Dement and Dorothy R. Matthews.

witness es named in the Requirement for Oral Examination, on the 11th day of January 1957, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Ernestine Shiver Dement and Dorothy R. Matthews doth depose and say as follows:

That my name is Ernestine Shiver Dement, I am over the age of 21 and a resident of Baldwin County, Alabama and have been all my life. The Respondent is over the age of 21 and have been a resident of Alabama all his life. We were married on December 20, 1950 at Pascagoula, Mississippi and lived together until December 23, 1956 at which time we were separated without fault on your Complainant's part. The cause of the separation being that your Complainant was mistreated and abused so that she became in fear of her life or health and she was forced to leave the Respondent. There are no children as fruits of this marriage and none expected. There is no property to be divided. Your Complainant further shows that she will never live together again with the Respondent as his wife. I respectfully ask the right to resume the use of my maiden name, Ernestine Shiver.

Ernestine Shiver Dement

That my name is Dorothy R. Matthews, I know both parties to this cause. They are both over the age of 21 and both have been residents of Alabama more than two years next preceeding. They were married at Pascagoula, Mississippi on December 20, 1956 and lived together as husband and wife until December 23, 1956 at which time the Complainant was forced to leave the Respondent through no fault on her part, but because of the treatment by the Respondent was placed in fear of her life or health. They have no children as fruits of this marriage and no property to be divided. I do not believe they will ever live together again as husband and wife.

Dorothy R. Matthews

ORAL EXAMINATION.

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition son Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself and C. LeNoir Thomson

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 witnesses; 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 14th day of January, 1957

Lois Wilson (L. S.)

39573

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ERNESTINE SHIVER DEMENT

vs. Complainant

JAMES HALL DEMENT

Respondent

Oral Deposition

Filed _____, 195_____

FILED

JAN 17 1957
Register.

Recorded in

ALICE J. BUCK, Register
Record

Vol. _____ Page _____

Register

ERNESTINE SHIVER DEMENT

vs.

JAMES HALL DEMENT

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, _____

Testimony of Ernestine Shiver Dement and Dorothy R. Matthews.

and in behalf of Defendant upon Answer and Waiver

C. L. Owen Thompson

Alicia H. Hester

Register.

3953

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ERNESTINE SHIVER DEMENT

vs.

JAMES HALL DEMENT

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED
JAN 17 1957
CLERK OF COURT
BALDWIN COUNTY, ALABAMA

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Lois Wilson

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 Ernestine Shiver Dement and Dorothy R. Matthews.

a witnesses in behalf of Ernestine Shiver Dement in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Ernestine Shiver Dement

Complainant
and James Hall Dement

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 14 day of Jan, 1957

W. J. [Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

3953

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

ERNESTINE SHIVER DEMENT

Complainant

VS.

JAMES HALL DEMENT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

ERNESTINE SHIVER DEMENT

DOROTHY R. MATTHEWS

[Faint, mostly illegible text from the reverse side of the page, appearing as bleed-through. Some words like "deposition" and "witness" are faintly visible.]

ERNESTINE SHIVER DEMENT
COMPLAINANT

VS

JAMES HALL DEMENT
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

CASE NO. _____

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant, the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

James Hall Dement

STATE OF ALABAMA
BALDWIN COUNTY

I, C. Lewis Thompson, a Notary Public, in and for said County, in said State, hereby certify that James Hall Dement, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

1957.

Given under my hand and seal on this the 14 day of January

C. Lewis Thompson
Notary Public, Baldwin County, Alabama.

3953

ERNESTINE SHIVER DEMENT

COMPLAINANT

VS

JAMES HALL DEMENT

RESPONDENT

ANSWER AND WAIVER

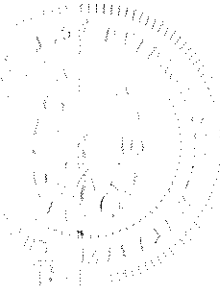
FILED

JAN 17 1957

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Attorney-At-Law

Bay Minette, Alabama



STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons JAMES HALL DEMENT, 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 ERNESTINE SHIVER DEMENT, as Complainant and against JAMES HALL DEMENT, as Respondent.

WITNESS my hand this the _____ day of January, 1957.

Register.

ERNESTINE SHIVER DEMENT
COMPLAINANT
VS
JAMES HALL DEMENT
RESPONDENT

|

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

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

Your Complainant, Ernestine Shiver Dement, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and have been all my life; The Respondent is over the age of 21 and a resident of Alabama and have been all his life.

2.

That your Complainant and the Respondent married at Pascagoula, Mississippi on December 20, 1956 and lived together as husband and wife in Baldwin County, Alabama until on to-wit December 23, 1956.

3.

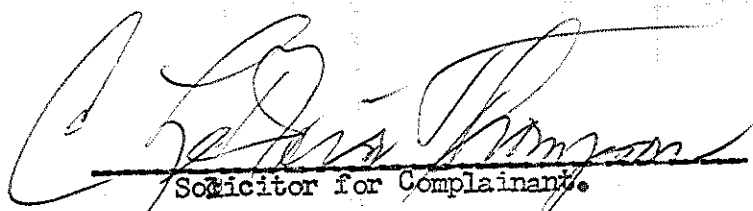
That on December 23, 1956, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

There are no children as fruits of this marriage and none expected, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process make the said James Hall Dement, party Respondent to this bill of Complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law, and the practice of this Honorable Court; your Complainant further prays that your Honor will upon a final hearing hereof, award to her a decree of divorce forever barring the bonds of matrimony existing between your Complainant and the Respondent.

Complainant prays for such other, further, different or general relief as she may be entitled in the premises, etc.


Solicitor for Complainant.

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ERNESTINE SHIVER DEMENT
COMPLAINANT

VS

JAMES HALL DEMENT
RESPONDENT

SUMMONS AND COMPLAINT

FILED

JAN 17 1957

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama