

(3966)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

SARAH C. ROBERTS GAMAGE, Complainant

vs.

GILMER D. GAMAGE, 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

SARAH C. ROBERTS GAMAGE is forever divorced from the said GILMER D. GAMAGE for and on account of

Cruelty. It is further ordered, adjudged and decreed that the complainant may resume her former name of Sarah C. Roberts.

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 the Complainant, Sarah C. Roberts pay the cost herein to be taxed, for which executed may issue.

This 7th day of February, 1957

J. Robert M. Free 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

Sarah C. Roberts
Gammage

Complainant

vs.

Gilmer D. Gammage

Respondent

DIVORCE DECREE

FILED
FEB 7 1957
ANICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Melda D. Cobb

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 Sarah C. Roberts Gammage

as witnesses in behalf of Sarah C. Roberts Gammage in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

SARAH C. ROBERTS GAMMAGE, Complainant
and GILMER D. GAMMAGE

Respondent

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

Witness th day of February, 1957

Alex J. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

SARAH C. ROBERTS GAMMAGE

Complainant

VS.

GILMER D. GAMMAGE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

MELDA D. COBB

WITNESSES:

SARAH C. ROBERTS GAMMAGE

ALICE J. DUCK, Register

FILED
FEB 8 1957

ORAL DEPOSITION

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

SARAH C. ROBERTS GAMMAGE Complainant

VS.

GILMER D. GAMMAGE Respondent

I, Melda D. Cobb

as ~~Registered~~ Commissioner

have called and caused to come before me Sarah C. Roberts Gammage

witness named in the Requirement for Oral Examination, on the 5th day of February

1957, at the office of Ernest M. Bailey, Attorney at Law,

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

truth, the whole truth, and nothing but the truth, the said Sarah C. Roberts Gammage

doth depose and say as follows:

STATEMENT OF SARAH C. ROBERTS GAMMAGE:

My name is Sarah C. Roberts Gammage. I am the Complainant in the above styled cause and the Respondent's name is Gilmer D. Gammage. We are both over the age of twenty-one years and are bona fide resident citizens of Fairhope, Baldwin County, Alabama.

We were married at Lucedale, Mississippi on February 7, 1956 and lived together until January 2, 1957. On that date the Respondent cursed, abused and threatened to do bodily harm to me. The Respondent has on other occasions abused and threatened to do violence to me. I am of the opinion that if we continue to live together as man and wife, the Respondent will actually commit bodily harm upon my person or will injure me permanently.

Sarah C. Roberts Gammage
Complainant

ORAL EXAMINATION

I, Melda D. Cobb

, 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 Ernest M. Bailey, Attorney at Law,

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom 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 5th day of February, 1957.

Melda D. Cobb (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

SARAH C. ROBERTS GAMMAGE

vs. Complainant

GILMER D. GAMMAGE

Respondent

Oral Deposition

Filed _____, 19____

Register

Vol. _____, Register

FILED
Registered
FEB 7 1957

Record

ALICE L. DUCK, Register

Register

SARAH C. ROBERTS GAMMAGE

vs.

GILMER D. GAMMAGE

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,
and Oral Testimony of Sarah C. Roberts Gammage

and in behalf of Defendant upon Answer and Waiver

By
George W. Barber
For the Complainant

Alvin J. ...
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

SARAH C. ROBERTS GAMMAGE

vs.

GILMER D. GAMMAGE

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED
FEB. 7 1957
ALICE J. DUCK Register

Register.

Printed by the Baldwin Times 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 Sarah C. Roberts Gammage, as Complainant, against Gilmer D. Gammage, as Respondent.

Witness my hand this the _____ day of February, 1957.

Register

SARAH C. ROBERTS GAMMAGE,)

Complainant)

vs.)

GILMER D. GAMMAGE,)

Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes your Complainant, Sarah C. Roberts 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 both over the ages of twenty-one years and are both resident citizens of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, February 7, 1956 in Lucedale, Mississippi, and lived together as man and wife until on, to-wit, January 2, 1957 when on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on the 2nd day of January, 1957 and at times prior thereto your Com-

Complainant states that the Respondent, from his manner and conduct towards her, gave reasonable apprehension of committing violence on her person and from his manner and conduct towards her, she is reasonably certain that if she continues to live with the Respondent, he will commit such violence on her person attended with danger to her life and health.

THIRD:

That the Complainant and the Respondent have no children of this marriage and have heretofore entered into an agreement disposing of their real and personal property among themselves wherein the parties are entitled to all real or personal property owned by them separately.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Gilmer 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 your Complainant an absolute divorce from said Respondent and will also decree that they be allowed to remarry if they see fit. Your Complainant also prays that she be allowed to resume her former name of Sarah C. Roberts upon final hearing of this cause. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

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C. M. Bailey
Solicitor for Complainant

Sarah C. Roberts Gammage
Complainant

filed Feb - 7, 1957
Alice J. Slack,
Register

3972

SUMMONS AND BILL OF COMPLAINT

SARAH C. ROBERTS GAMMAGE, Complainant

vs.

GILMER D. GAMMAGE, Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

FILED FEB 7 1957

ALICE J. DUCK, Register

[Handwritten signature and notes in the right margin]

SARAH C. ROBERTS GAMMAGE,
Complainant

vs.

GILMER D. GAMMAGE,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Comes now Gilmer D. Gammage, the Respondent in the above styled cause, and for answer to the Bill of Complaint filed in this cause, says:

1. That he admits the allegations of Paragraph First in the Bill of Complaint.
2. That he admits the allegations in Paragraph Second in the Bill of Complaint as to the date of marriage and date of separation but denies all other allegations of said Paragraph and demands strict proof of the same.
3. That he admits the allegations of Paragraph Third of the Bill of Complaint.

The Respondent hereby waives notice of the taking of testimony in the said cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

Gilmer D. Gammage Jr
RESPONDENT

Sworn to and subscribed before me this the 5th day of February, 1957.

Samuel W. Bailey
NOTARY PUBLIC,
STATE OF ALABAMA AT LARGE

filed Feb 7, 1957
Alice J. Duck
register

ANSWER AND WAIVER

SARAH C. ROBERTS GAMMAGE,
Complainant

vs.

GILMER D. GAMMAGE,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
FEB 7 1957
ALICE J. DUCK, Register

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[Handwritten signature]

GILMER D. GAMMAGE

[Faint handwritten notes and markings]