(8976)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RITA INEZ MINCHEW, Complainant

vs.

MALLARD LEROY MINCHEW, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXXXXXXXX~~ Answer by Guardian ad Litem 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 RITA INEZ MINCHEW is forever divorced from the said MALLARD LEROY MINCHEW ~~XXXXXXXXXXXXX~~

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 RITA INEZ MINCHEW the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 2nd day of APRIL 19 57

Hubert M Hale

Judge Circuit Court, In Equity.

I, Alice J. Duck, 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 APRIL, 1957.

Register of Circuit Court, In Equity.

No._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

RITA INEZ MINCHEW
Complainant

vs.

MALLARD LEROY MINCHEW
Respondent

DIVORCE DECREE

FILED
APR 2 1957
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
Attorney at Law
Foley, Ala.

RITA INEZ MINCHEW COMPLAINANT	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA
VS.	)	IN EQUITY
	)	NO._____
MALLARD LEROY MINCHEW RESPONDENT	)	

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

YOUR complainant RITA INEZ MINCHEW, respectifully represents and shows unto your Honor:

1. That the complainant is over the age of Eighteen years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of Baldwin County, Alabama, for more than one year next preceding the filing of this bill of complaint; that Mallard Leroy Minchew is eighteen years of age and is a resident of Baldwin County, Alabama and now is confined in Alabama State Prison of Draper at Speigner, Alabama.

2. That the complainant and respondent were lawfully married on or about to-wit: the 18th day of June, 1955 at Lucedale, Mississippi; and that of this marriage there are no children.

3. Your complainant avers and charges that the said respondent did on or about to-wit: the 18th day of December, 1955 and many times subsequent thereto assault, beat, strike, hit complainant; that said respondent has committed actual violence on her person attended with danger to her person, health and life.; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manners and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her health and life.

The premise considered, your complainant makes the said Mallard Leroy Minchew a party respondent to this bill of complaint and in order that the complainant may have the relief herein prayed for, may it please your Honor to cause that State's writ of subpoena to be issues, directed to the said Mallard Leroy Minchew commanding him to answer, plead or demur to this bill of complaint within the time required by law; and that on the final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the respondent; and that your Honor will grant such other, further or different relief as unto your Honor may seem just and proper, and your complainant will ever pray.

Solicitor for Complainant

Respondent Address:
Mallard Leroy Minchew
Draper Prison
Speigner, Alabama

ORAL DEPOSITION

Printed by the Baldwin Times, Bay Minette, Alabama.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Rita Inez Minchew Complainant

VS.

Mallard Leroy Minchew Respondent

I, Jean S. Daszczuk

as Register and Commissioner

have called and caused to come before me Rita Inez Minchew and Wilda Thomas

witness es named in the Requirement for Oral Examination, on the 1 day of April 1957, at the office of

in Foley, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Rita Inez Minchew Wilda Thomas doth depose and say as follows: in the presence of the Honorable Forest A. Christian, Guardian ad Litem for the respondent, Mallard Leroy Minchew:

My name is Rita Inez Minchew. Iam twenty years of age and have lived in Baldwin County, Alabama all of my life. Mallard Leroy Minchew is eighteen years of age and is now imprisoned in the State prison at Speigner, Alabama. He was convicted of grand larceny in Baldwin County, Alabama about a year ago. I and Mallard Leroy Minchew were legally married at Lucedale Mississippi on the 18th day of June, 1955.

On December 18, 1955 Mallard Leroy Minchew came home drunk. He walked straight into the house and up to me and without a word knocked me down and started kicking me. He knocked me down to or three times before I got away from him and ran over next door to a neighbors. I was never so scared in my life, he looked and acted as if he was crazy. He never said anything except I think I will kill you after he had knocked me down the first time. My neighbor took me to my grandmothers house and we called the law. Mallard came over to my grandmothers house and tried to make me go with him and pulled out a knife and threatened me and my grandmother if I didn"t go with him. About that time Mr. Childress came and arrested Mallard and put him in jail.

Rita Minchew

ON EXAMINATION BY Hon. Forest A. Christian, Guardian ad Litem for the Respondent the Complainant testified:

Q. Were you in the house by yourself when He attacked you?
A. Yes.
Q. How did you get away from him/
A. I don't really know. I just remember that I was scared so bad that I knew I had better get away or he would kill me.
Q. How bad did he hurt you?
A. I had black and blue spots all over me for two weeks or longer and I had to stay in bed several days before I could move any part of me.
Q. Had he attacked you before/
A. If you mean beat me up, he has jumped on me several times and beat me but never like that before.
Q. Did you live with him after that?
A. No. and I won"t ever live with him again. I am scared of him.

Rita Minchew

My name is Wilda Thomas. I lived next door to Rita Minchew on the 18th day of December of last year. That is 1955 rather, year before last. I have known her all of her life and she is a resident of Baldwin County, Ala. I heard Rita Screaming and first saw her running over to my house as fast as she could. her clothes were torn and there was blood all over her face. Mallard was behind her but he stopped when he saw me. When I saw what was happening I

(over)

ORAL EXAMINATION.

I, Jean S. Daszczuk, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself Jean S. Daszczuk 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 witness es; 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 1st. day of April, 194 57

Jean S. Daszczuk (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT. IN EQUITY.

RITA INEZ MINCHEW

vs. Complainant

MALLARD LEROY MINCHEW

Respondent.

Oral Deposition

Filed 4-4, 194 57

Register.

Recorded in

Record

Vol. _____ Page _____

Register.

ON EXAMINATION BY Hon. Forest A. Christian:

Q. When did this attack by Mallard Minchew on his wife Rita Minchew take place?
A. On the 18th day of December, 1955.
Q. Where did it take place.
A. In Magnolia Springs, Alabama.

Called my husband. He helped me take Rita inside the house and I bathed her face and stopped the bleeding. When she could talk she told me that Mallard just came in the house and knocked her down a and was threatening to kill her. Mu husband and I took her over ot her grandmothers and also called the police.

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Jean S. Daszczuk ,Foley, Alabama

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 Rita Inez Minchew and Wilda Thomas

a witnesses in behalf of Rita Inez Minchew in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Rita Inez Minchew, Complainant

and

Mallard Leroy Minchew Respondent

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

Witness 1st day of April, 195 7

Register.

Commissioner's Fee, $

Witness' Fees, $

No. 3976

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

RITA INEZ MINCHEW

Complainant

VS.

MALLARD LEROY MINCHEW

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
JEAN S. DASZCZUK

WITNESSES:
WILDA THOMAS

RITA INEZ MINCHEW

8531. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

RITA INEZ MINCHEW

vs.

MALLARD LEROY MINCHEW

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, AFFIDAVIT OF SERVICEAND NON AGEOF RESPONDEN, APPOINTMENT OF GUARDIAN AD LITEM FOR RESPONDENT, ACCEPTANCE OF GUARDIAN AD LITEM TO ACT, RESPONDENTS ANSWER BY GUARDIAN AD LITEM, COMMISSION TO TAKE DEPOSITIONS AND ORAL DEPOSITIONS OF COMPLAINANTS WITNESSES

Arthur C. Johnson
ATTORNEY FORTHE COMPLAINANT

and in behalf of Defendant upon

GUARD AN AD LITEM FOR RESPONDENT

Register.

No. 3976

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

RITA INEZ MINCHEW

vs.

MALLARD LEROY MINCHEW

NOTE OF TESTIMONY

Filed in Open Court this 2

day of April, 1957

Register.

Printed By The Baldwin Times

RITA INEZ MINCHEW,

COMPLAINANT

VS:

MALLARD LeROY MINCHEW,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 3976

Now comes the respondent in the above styled cause by his duly appointed guardian ad litem and for answer to the complaint herein filed says:

1. That the respondent denies each and every material allegation of the complaint as set out in paragraphs 1, 2 and 3 and demands strict proof thereof.

Guardian ad Litem for the Respondent
Mallard LeRoy Minchew

Copy mailed to; Hon. Arthur C. Epperson
Attorney for the complainant
This the 28th day of March, 1957.

Guardian ad Litem

RITA INEZ MINCHEW
COMPLAINANT

VS.

MALLARD LEROY MINCHEW
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
CASE NO. 3976

In this cause it is made to appear to the Register by Arthur C. Epperson that the respondent MALLARD LEROY MINCHEW is, in the belief of affiant, an infant over the age of fourteen years; and that a summons on the bill of complaint in this cause was served upon the respondent of said infant MALLARD LEROY MINCHEW on the 21st day of February, 1957; more than thirty days have passed and the respondent has failed to answer, plead or demur to the bill of complaint or to appoint or suggest a guardian ad Litem, and it further appearing that Forest A. Christian is in all respects a suitable person to act as guardian ad Litem for said infant; and the said Forest A. Christian having filed his consent, in writing, to act as such;

It is now thereto ordered by the Register of said Court that Forest A. Christian be, and he is hereby, appointed guardian ad Litem in this cause for the said infant MALLARD LEROY MINCHEW respondent.

Witness my hand, this 26th day of March, 1957.

Register,

I, FOREST A. CHRISTIAN, hereby accept the above appointment as guardian ad Litem, and consent to act as such in the above cause.

Witness my hand, this 26th day of March, 1957.

Guardian ad Litem.

RITA INEZ MINCHEW
COMPLAINANT

VS.

MALLARD LEROY MINCHEW
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
CASE NO. 3976

Before me, Alice J. Duck in and for said County and State personally appeared Arthur C. Epperson who being by me first duly sworn deposes and says that MALLARD LEROY MINCHEW is an infant under the age of twenty-one years and over the age of fourteen years, Respondent in the above styled cause; and that a summons was duly served on the Respondent on the 21st day of February, 1957, and that the said Respondent has to the date hereof failed to plead, answer or demur to said bill of complaint; and that the said Respondent has failed to this date to nominate or suggest a guardian ad Litem.

Arthur C. Epperson

Sworn to and subscribed before me this the 23rd day of February, 1957.

Alice J. Duck
Register of Circuit Court.