

4339

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHRISTINE GILBREATH BENNETT, Complainant

vs.

MATHEW CLYDE BENNETT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXX XXXX XXXX XXXX~~ 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 Christine Gilbreath Bennett is forever divorced from the said Mathew Clyde Bennett for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, CHRISTINE GILBREATH BENNETT, shall have the care, custody and control of the minor child, Melinda Christle Bennett, age about nine months.

It is futher 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 futher 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 futher ordered that Mathew Clyde Bennett the Respondent pay the cost herein to be taxed, for which executed may issue.

This 25 day of August 1958

Robert M. [Signature]

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

CHRISTINE GILBREATH

BENNETT

Complainant

vs.

MATHEW CLYDE BENNETT

Respondent

DIVORCE DECREE

FILED

AUG 25 1958

ALICE J. DUCK, CLERK
REGISTER

CHRISTINE GILBREATH BENNETT

vs.

MATHEW CLYDE BENNETT

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 Christine Gilbreath Bennett and Margaret Mudge

and in behalf of Defendant upon Answer and Waiver

C. L. Davis

Alice J. Luck

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

CHRISTINE GILBREATH BENNETT

vs.

MATHEW CLYDE BENNETT

NOTE OF TESTIMONY

Filed in Open Court this

day of , 194

FILED
JUL 25 1958

ALICE J. DUCK, Register
Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

CHRISTINE GILBREATH BENNETT

Complainant

VS.

MATHEW CLYDE BENNETT

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Christine Gilbreath Bennett and Margaret Mudge

witnesses named in the Requirement for Oral Examination, on the 25th day of July 1958, 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 Christine Gilbreath Bennett and Margaret Mudge doth depose and say as follows:

That my name is Christine Gilbreath Bennett, I am over the age of 21 and a resident of Alabama and have been more than two years next preceding. The Respondent Mathew Clyde Bennett is over the age of 21 and is a resident of Alabama at this time. We were married January 9, 1954 at Greenwood, Mississippi and have lived together as husband and wife in Alabama since that occasion. That on or about July 13, 1958 the separation occurred without fault on the part of your Complainant, the cause of the separation being that the respondent threatening and abused your complainant so that she became in fear of her life or health so that she was forced to leave him and has not returned to live with him as his wife and that she will never live with him as his wife again. They have one child Melinda Christle Bennett age about 9 months. Your complainant shows that she is a fit, suitable and proper person to have the care, custody and control of this child and that she has had such care, custody and control since the child's birth. There has been a property settlement between the parts whereby your Complainant has conveyed her interest in the real property to the Respondent. Your Complainant respectfully ask the court to grant her a divorce and the permanent care, custody and control of the said infant.

Christine Gilbreath Bennett

That my name is Margaret Mudge, I know both parties to this cause, they are both over the age of 21 and have been residents of Alabama more than two years next preceding. They were married at Greenwood, Mississippi on or about January 9, 1954 and lived together as husband and wife until on or about July 13, 1958 at which time the separation occurred and so far as I know the complainant Christine Gilbreath Bennett was placed in fear of her life or health by the mistreatment on the part of her husband so that she has not lived with him since that occasion as his wife and I do not believe she will ever live with him again as his wife. They have one child of their marriage Melinda Christle Bennett age about nine months and the complainant has had the infant's care, custody and control since birth and I respectfully recommend that she be granted the permanent care, custody and control of this child.

Margaret Mudge

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 witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson

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 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 25th day of July, 1958

Lois Wilson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

CHRISTINE GILBREATH BENNETT

vs. Complainant

MATHEW CLYDE BENNETT

Respondent.

Oral Deposition

FILED

Filed JUL 25 1958, 1958

ALICE J. DUCK, Register
Recorded in _____, Register.

Record

Vol. _____ Page _____

Register

COMMISSION TO TAKE DEPOSITIONS

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 Christine Gilbreath Bennett and Margaret Mudge

a witness in behalf of Christine Gilbreath Bennett in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Christine Gilbreath Bennett

, Complainant

and Mathew Clyde Bennett

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 day of

, 195

Alice J. Luck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CHRISTINE GILBREATH BENNETT

VS. Complainant

MATHEW CLYDE BENNETT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

CHRISTINE GILBREATH BENNETT
MARGARET MUDGE

CHRISTINE GILBREATH BENNETT

COMPLAINANT

VS

MATHEW CLYDE BENNETT

RESPONDENT

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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.

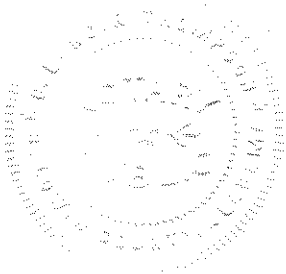
The Respondent waives notice of the time of taking of testimony on behalf of the complainant, the right to cross-examine complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Mathew C. Bennett

STATE OF ALABAMA
COUNTY OF Baldwin

I, C. LeDoris Thompson, a Notary Public, in and for said County, in said State, hereby certify that Mathew Clyde Bennett, 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.

Given under my hand and seal on this the 25 day of July, 1958.



C. LeDoris Thompson
Notary Public,
State of Ala. Baldwin County

CHRISTINE GILBREATH BENNETT

COMPLAINANT

VS

MATHEW CHYDE BENNETT

RESPONDENT

ANSWER AND WAIVER

FILED

JUL 25 1958

ALICE J. DUCK, Register



STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons MATHEW CLYDE BENNETT, 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 CHRISTINE GILBREATH BENNETT, as Complainant and against MATHEW CLYDE BENNETT, as Respondent.

WITNESS my hand this the 25 day of July, 1958.

Alice J. Luck
Register.

CHRISTINE GILBREATH BENNETT	*	IN THE CIRCUIT COURT OF
	*	
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
	*	
VS	*	IN EQUITY.
	*	
MATHEW CLYDE BENNETT	*	CASE NO. _____
	*	
RESPONDENT	*	
	*	

TO HONORABLE HUBERT M. WALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Christine Gilbreath Bennett, 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 Alabama and has been more than two years next preceding; The Respondent is over the age of 21 and a resident of Alabama and has been more than two years next preceding.

2.

That your Complainant and the Respondent married at Greenwood, Mississippi on January 9, 1954, and lived together as husband and wife in Baldwin County, Alabama, until July 13, 1958.

3.

That on July 13, 1958, 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.

There was born as fruits of this marriage between the complainant and the respondent one child, Melinda Christle Bennett, age about nine months, and there has been a property settlement made between the complainant and the respondent.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said Mathew Clyde Bennett, 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 upon a hearing hereof, your honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; and that a decree be made awarding to the complainant the care, custody and control of the minor child, Melinda Christle Bennett, age about nine months; Your complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

THOMPSON & WHITE

BY: C. LeNair Thompson
Solicitor for Complainant.

4329

CHRISTINE GILBREATH BENNETT
COMPLAINANT

VS

MATHEW CLYDE BENNETT
RESPONDENT

BILL OF COMPLAINT

FILED
JUL 25 1958
ALICE J. DUCK, Registrar

Handwritten notes:
Christine Gilbreath Bennett
Matthew Clyde Bennett

REGISTERED

RECEIVED JUL 25 1958

Faint, mostly illegible text from the reverse side of the document, appearing as bleed-through.