

4359

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MILES EDWARDS

-----, Complainant

vs.

EDNA MAE EDWARDS

-----, 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 Miles Edwards

----- is forever divorced from the said Edna Mae Edwards

----- for and on account of Adultery

It is further ordered, adjudged and decreed by the court that the care, custody and control of the minor children, Ella Earl Edwards and Joe Junior Edwards be and the same is granted to Willie Jane, the maternal grandmother of said children.

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. Miles Edwards

It is futher ordered that the Complainant pay the cost herein to be taxed, for which executed may issue.

This 2nd day of September 1958

Hubert M. Jace

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
SEP 2 1958
ALICE J. DUCK, CLERK

CERTIFICATE

Peggy Preston

I, _____, the Commissioner appointed by the Court and named in the attached commission, or named by agreement of the parties, in that certain cause now pending in

the Honorable Circuit Court of Bad win ~~Mobile~~ County, Alabama, Sitting in Equity, No. _____, wherein

MILES EDWARDS is Complainant, and EDNA MAE EDWARDS

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as such commissioner, caused Miles Edwards, and Benjamin Todd

are who were made known to me, to come before me at 3:00 o'clock P. M., on August 25, 19 58, at 65 St. Emanuel Street, Mobile, Alabama; that said witnesses were first duly sworn

by me as stated; that they were then examined by WILLIAM GRAYSON, Solicitor for the COMPLAINANT, and ~~cross-examined by~~

~~Solicitor for~~
~~Guardian Ad Litem &~~
~~Attorney Ad Litem for~~ _____, 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 might be the identical language of said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who assented to and signed same, ~~who refused to sign same, who was physically unable to sign same, or who waived the reading and signing of same,~~ in my presence and in the presence of said Solicitor for

~~Solicitor for~~
COMPLAINANT and ~~Guardian Ad Litem &~~
~~Attorney Ad Litem for~~

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof, and that the depositions are true and correct as given by the witnesses.

Witness my hand this 25th day of August, 19 58

Peggy Preston
Commissioner

TESTIMONY OF MILES EDWARDS, WITNESS ON HIS OWN BEHALF:

My name is Miles Edwards and I am the Complainant in this cause. I am the husband of the Respondent and we were married to each other in the summer of 1942 in Butler, Alabama. Both myself and the Respondent are each over the age of twenty-one years and both myself and the Respondent are both bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There are two minor children as issue of our marriage, Ella Earl Edwards, age thirteen years and Joe Junior Edwards, age twelve years. Said children live and reside with their maternal grandmother, Willie Jane in Marengo County, Alabama, and she is a fit and proper person to be granted their custody and control. I have been sending money for the children every week for their support. The Respondent has committed adultery with one or more men since her marriage to me. I have caught her on more than one occasion committing adultery with a man named Jo Eddie Dubose and each time she would ask me to forgive her and I did until the last time and I could not bring myself to live with her again. Every time I see the Respondent she is with this man "Dubose" and they are at her house together at all hours of the day and night. I understand that the Respondent went through some type of marriage ceremony with this man in Meridian, Mississippi. One time, when I caught the Respondent in the bed with "Dubose" she admitted to me all too unnecessarily that she had had sexual intercourse with him.

Miles E. Edwards

TESTIMONY OF ~~MYKES~~ BENJAMIN TODD, WITNESS ON BEHALF OF THE
COMPLAINANT IN THIS CAUSE.

My name is Benjamin Todd and I have known the Complainant in this cause for approximately 15 years. The Complainant is the husband of the Respondent and they were married to each other in the summer of 1942 in Butler, Alabama. Both the Complainant and the Respondent are each over the age of twenty-one years and both the Complainant and the Respondent are bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There are two minor children as issue of their marriage, Ella Earl Edwards, age thirteen years and Joe Junior Edwards, age twelve years. These children live with their maternal grandmother and I know that the Complainant sends support for these children every week. The Respondent has committed adultery with one or more men since her marriage to the Complainant. I have seen the Respondent in the presence of other men other than her husband on quite a few occasions. But I had never thought too much about it until people started talking and then I began to think back at the times I had seen her with other men. On one particular occasion I saw the Respondent riding around in an automobile with a man by the name of Dubose, and on other occasions I have seen the Respondent in the company of this man named Dubose in the same house with him every time I saw them together in a little sawmill quarter called "Chaple Hill". It was talked around the quarters that they were living together but I could not say that, I only know that he was there with her every time that I went to the house.

Benjamin Todd

MILES EDWARDS

No. _____ VS

EDNA MAE EDWARDS

Entered on _____

Min. Book No. _____ Entry _____

~~XXXXXXXXXXXXXXXXXXXX~~ Register

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, Waiver and Agreement
3. Testimony of Miles Edwards and of Benjamin Todd, witness on behalf of the Complainant.

FILED, 8-26-57
Miss French Register

William Ferguson
Solicitor—for Complainant

FOR RESPONDENT

Solicitor—For Respondent

MILES/EDWARDS,
Complainant,

-vs- MAE
EDNA/EDWARDS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN
~~XXXXXXXX~~ COUNTY, ALABAMA

IN EQUITY:

NO. _____

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IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA SITTING IN
EQUITY:

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

ONE

Complainant is the husband of the Respondent and they were
married to each other in the summer of 1942 in Butler, Alabama.
Both the Complainant and the Respondent are each over the age
of twenty-one years and both the Complainant and the
Respondent are bona-fide resident citizens of the State of Alabama
and have been such for more than one year next preceding the
filing of the bill of complaint herein. There are two minor
children as issue of their marriage, Ella Earl Edwards, age
thirteen years and Joe junior Edwards, age twelve years. Said
children live and reside with their maternal grandmother in
Marengo County, Alabama and she is a fit and proper person to
be granted their custody and control.

TWO

The Respondent has committed adultery with one or more
men since her marriage to the Complainant.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction
of this cause, will make the said Edna Mae Edwards, party-respondent
hereto, and will cause her 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 him an absolute divorce from the bonds of matrimony with the Respondent, and Complainant further prays for such other, further and different relief as in equity he may be due, and as in duty bound he will ever pray, etc.

William J. Sapor
SOLICITOR FOR COMPLAINANT.

