

(4579)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CENIE M. HICKS, Complainant

vs.

HORTON HICKS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Conso 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 CENIE M. HICKS is forever divorced from the said HORTON HICKS for and on account of

CRUELTY

And it is further ordered, adjudged and decreed that Complainant be and she hereby is awarded custody of the minor children, Stoney Hicks, Pink Elizabeth Hicks, Horton Hicks, Jr. and Vensee Drew Hicks.

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 CENIE M. HICKS the Complainant pay the cost herein to be taxed, for which executed may issue.

This 18th day of May, 1959

H. 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

Complainant

vs.

Respondent

DIVORCE DECREE

*filed 5-18-59*  
*Reigfueich*  
*Registrar*

CENIE M. HICKS  
Complainant  
VS  
HORTON HICKS  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
NUMBER: \_\_\_\_\_

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

Comes now Your Complainant, Cenie M. Hicks, and represents and shows unto  
Your Honor as follows:

I

That your Complainant is over the age of 21 years and is a bona fide  
resident of Baldwin County, Alabama, and that Respondent is over 21 years of  
age and is a bona fide resident of Baldwin County, Alabama.

II

That Complainant and Respondent were married in Robertsdale, Alabama on  
May 16, 1952 and that they lived together as husband and wife until to-wit:  
April 25, 1959 and that they have not lived together as husband and wife since  
that date. There are four children born of this marriage, Stoney Hicks, age  
6 years, Pink Elizabeth Hicks, age 4 years, Horton Hicks, Jr., age 2 years  
and Vensee Drew, age 11 months and that Complainant is a fit and proper person  
to have custody of the said children and that Respondent is not a fit and  
proper person to have custody of said children.

III

That on to-wit: April 25, 1959 and many times prior thereto, and since  
said marriage, the said Respondent committed actual violence to her person  
attended with danger to her life or health and that from his conduct and  
threats toward her at said time there was and is grave danger that he would  
commit further violence.

Now therefore, the premises considered, Complainant prays that this Honorable  
Court will cause process to issue to the said Respondent, Horton Hicks requiring  
him to plead, answer or demur to same within the time allowed by law.

And Complainant further prays that upon final hearing of this cause Your  
Honor will grant to her an absolute divorce forever barring the bonds of  
matrimony existing between Complainant and Respondent giving her custody of  
the said children, Stoney Hicks, Pink Elizabeth Hicks, Horton Hicks, Jr. and  
Vensee Drew Hicks, and that Your Honor will grant such other, further, different

or general relief to which Complainant may be in equity and good conscience entitled.

*filed*  
*May 15, 1959*  
*Oliver J. Luck*

*W. L. Hays*  
Solicitor for Complainant

*Cenise M. Hicks*  
Complainant

4579

Conie M. Hicks

vs.

Horton Hicks

Bill of Complaint

FILED

MAY 15 1959

ALICE J. DUCK, CLERK  
REGISTER

CENIE M. HICKS  
Complainant  
VS  
HORTON HICKS  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
NUMBER: \_\_\_\_\_

.....

Comes now the Respondent in the above styled cause and accepts service of a copy of the Complainant's Bill of complaint and waives further notice and waives all further notice of taking of testimony and submission and, for answer to the Bill and each paragraph thereof says:

1. Respondent admits to the allegations contained in paragraph I.
2. Respondent admits to the allegations contained in paragraph II.
3. Respondent denies the allegations contained in paragraph III and demands strict proof thereof.

Horton Hicks

Sworn to and subscribed to before me this the 15<sup>th</sup> day of May, 1959.

*filed  
May 15, 1959  
Alice J. Luck,  
rec.*

W. R. Hays  
Notary Public,

251

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

CENIE M. HICKS

COMPLAINANT

vs.

HORTON HICKS

RESPONDENT

I, RUTH K. HOWELL

as Register and Commissioner

have called and caused to come before me CENIE M. HICKS and MARGARET SIMS

witness named in the requirement for Oral Examination, on the 16<sup>th</sup> day of May  
1959, at the office of Wilson Hayes

in Bay Minette, Alabama, and having first sworn said witness to speak the  
truth, the whole truth, and nothing but the truth, the said Cenie M. Hicks and Margaret Sims

doth depose and say as follows:

My name is Cenie M. Hicks and I am the Complainant in this case. I was married to Horton Hicks in Robertsdale, Alabama on May 16, 1952. We lived together as husband and wife until April 25, 1959. We are residents of Baldwin County, Alabama. We have four children Stoney Hicks, Pink Elizabeth Hicks, Horton Hicks, Jr. and Vensee Drew Hicks. He is not a fit person to have the children live with him. I am able to take care of the children. On the 25th of April 1959 he cursed me and beat me with his hands and I am afraid that he will beat me again. He gets drunk and raises sand and beats me. After I left him on April 25 I came to where I was with my mother and was drunk and threatened me again and I am afraid of him and of what he may do.

Cenie M Hicks

My name is Margarete Sims. I am the mother of Cenie M. Hicks, the Complainant in this case. She is a good mother and can take care of the children. Horton Hicks is not a fit person to care for them. I have seen Horton Hicks drunk and threating my daughter Cenie M. Hicks. He has hurt her several times.

Margaret Sims

ORAL EXAMINATION

I, RUTH K. HOWELL as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to them and they signed the same in the presence of myself and at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 15<sup>th</sup> day of May, 1959.  
*Ruth K. Howell* (L. S.)

No. 4579 Page

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

CENIE M. HICKS

COMPLAINANT

vs.

HORTON HICKS

RESPONDENT

ORAL DEPOSITION

Filed , 19  
Register.

RECORDED IN

Record

FILED

Vol. Page

MAY 15 1959

Register.

*Alice J. Duck* CLERK  
REGISTER



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: RUTH K. HOWELL

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 CENIE M. HICKS

a witness in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein Cenie M. Hicks is

and Horton Hicks is , Complainant

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

Witness this 15<sup>th</sup> day of May

, 1959  
Archie J. Hick  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

---

THE STATE OF ALABAMA  
Baldwin County

---

CIRCUIT COURT

---

CENIE M. HICKS

Complainant

VS.

HORTON HICKS

Defendant

---

COMMISSION TO TAKE DEPOSITION

---

COMMISSIONER:

**FILED**

WITNESSES:  
MAY 15 1959

ALICE J. DUCK, CLERK  
REGISTER

CENIE M. HICKS

vs.

HORTON HICKS

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 testimony of Margaret Sims and Cenie M. Hicks

and in behalf of Defendant upon answer and waiver.

*W. L. ...*  
*Atty for Complaint*

*W. J. ...*

Register.

*m*

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
Circuit Court of Baldwin County

CENIE M. HICKS

VS.

HORTON HICKS

**Note of Testimony**

Filed in Open Court this

**FILED**

day of MAY 15, 191959

**ALICE I. DICK** CLERK

BY REGISTER

Register.

*645h*