

THE STATE OF TEXAS
COUNTY OF MCLENNAN

IN THE 54TH DISTRICT COURT
OF MCLENNAN COUNTY, TEXAS

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes M. J. Bingham, petitioner in the above styled and numbered cause, complaining of Genevieve Ruth Bingham, and for cause of action would respectfully allege and show to the Court the following:

1.

That your petitioner herein, M. J. Bingham, is a resident of Waco, McLennan County, Texas, and that Judith-Caroylan Christine Bingham and Sandra Grace Bingham, the petitioner's minor daughters, are residents of McLennan County, Texas, and that the party complained of herein, Genevieve Ruth Bingham, is a resident of McLennan County, Texas.

2.

That Judith-Caroylan Christine Bingham and Sandra Grace Bingham, minors, and the persons for whose benefit this application is being made, are illegally confined and restrained in their liberty at Mount Carmel Center in McLennan County, Texas, by Genevieve Ruth Bingham. That your petitioner herein is the father of the above mentioned minor children and that Genevieve Ruth Bingham is the mother of the above mentioned children and that Genevieve Ruth Bingham refuses to allow your petitioner herein to see his children or visit with them. That your petitioner herein is the person lawfully entitled to the custody of the said minor children.

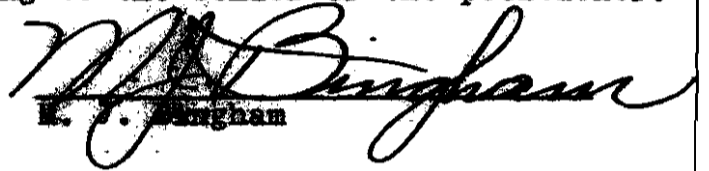
WHEREFORE, your petitioner prays that this Court grant and issue a writ of habeas corpus forthwith and that the said Judith-Caroylan Christine Bingham and Sandra Grace Bingham, minors, be brought without delay before this Court to the end that the said minor children herein may be discharged from such illegal confinement and restraint and that the custody of the said Judith-Caroylan Christine Bingham and Sandra Grace Bingham be awarded to your petitioner.

M. J. Bingham

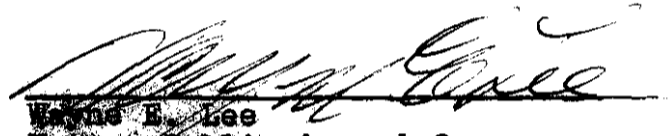
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COUNTY OF MCLENNAN

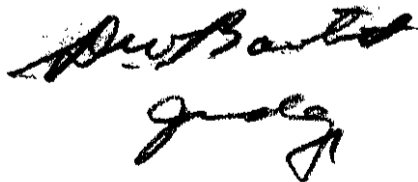
Before me, the undersigned authority, a notary public in and for McLennan County, Texas, on this day personally appeared M. J. Bingham, who being by me duly sworn upon his oath says that he is the petitioner in the above and foregoing petition, and that he has read said petition and that the allegations of the same are true according to the belief of the petitioner.


M. J. Bingham

SUBSCRIBED AND SWORN TO before me, by the said M. J. Bingham, this 19th day of April, 1945, to certify which witness my hand and seal of office.


Wayne E. Lee
Notary Public in and for
McLennan County, Texas

4-20-45 - ~~Presented to the court~~ and the
day ordered to appear in this court
at 9:AM Monday April 23, 1945
A show up and said writ
should not be granted or
granted.


Dew Bant
Judge

W. J. BINGHAM)) IN THE 54th JUDICIAL
VS) NO. 25815) DISTRICT COURT OF TEXAS
GENEVIEVE RUTH BINGHAM)) McLENNAN COUNTY

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes Genevieve Ruth Bingham and files this her answer to an order of this court requiring her to appear before this Honorable Court and show cause why a writ of habeas corpus should not be issued and for cause would respectfully show the Court as follows:

1.

Respondent denies the allegations set out in Paragraph 2 of plaintiff's petition and says that Judith-Caroylan Christine Bingham and Sandra Grace Bingham, minors are not illegally confined and restrained of their liberty at Mount Carmel Center in McLennan County, Texas by respondent. In this connection respondent would show to the Court that she is the mother of the said minors and the wife of petitioner; that as such she is entitled, required and obligated to administer to their needs and wants; that heretofore petitioner placed respondent and said minor children in Mount Carmel Center, abandoned them and left the State of Texas; that respondent has remained at the place where she was left by petitioner continuously since said time; that she has worked and supported said children and has not at any time refused to allow petitioner to see them; that the authority of respondent over said children is at least equal to that of petitioner; that said children are not neglected nor dependent and are being well cared for and provided a good home; that this court is without jurisdiction to enter any order directing or compelling respondent to in any wise alter or change her parental authority over and obligation to said minor children.

WHEREFORE respondent prays that the writ of habeas corpus
prayed for be denied and that this cause be dismissed.

Genevieve Ruth Bingham
Respondent

H. S. Boyd

E. B. Sweet
Attorneys for Respondent

THE STATE OF TEX AS §
COUNTY OF McLENNAN §

I, Genevieve Ruth Bingham, do solemnly swear that I have
read the foregoing instrument, am cognizant of the facts
therein stated, and that the same are in all things true and
correct.

Genevieve Ruth Bingham

Subscribed and sworn to before me, this the 23 day of
April, A. D. 1945.

Clayton J. Parrott

Notary Public, McLennan County, Texas.

(KLEIGH PARROTT)

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25815

M. J. Bingham :

vs.

Genevieve Ruth Bingham :

On this the 23rd day of April 1945, upon motion of parties hereto, it is ordered, adjudged and decreed by the Court that the above numbered and entitled cause be and same is hereby dismissed.
