THE STATE OF ALABAMA, BALDWIN COUNTY CIRCUIT COURT, IN EQUITY         FAY EARNESTING DARES	· Q -		
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	THE ST	ATE OF ALABAMA, BALDW	IN COUNTY
Y3.         YAROLD DEAY DARES       , Respondent         This cause coming on to be heard was submitted upon Bill of Complaint. <u>Memerikus Restortes:</u> Respondent's answer and waiver	C	CIRCUIT COURT, IN EQU	YTI
HERCID DEAN DASS       , Repondent         Respondent's answer and waiver and Testimory as noted by the Register, and upon or obsideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for sold sold bill.         It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofe existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the same are hereby, dissolved, and the same are hereby, dissolved, and that the same are hereby, dissolved, and discontant the same distolved and maintenance of the matringe and fibm subcass the follows:         DECRED by the Court has follows:       Distolved DEAN DARSS         DECRED by the Court has follows:       Distolved DEAN DARSS         DECRED by the Court has follows:       Distolved DEAN DARSS         DECRED by the Court has follows:       Distolved DEAN DARSS         Decrease decrease follows:       Distolved DEAN DARSS		FAY EARNESTINE DABBS	, Complainant
This cause coming on to be heard was submitted upon Bill of Complaint. <u>MEMERINGENERSE</u>		vs.	
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FAY EARNESTINE DABBS ) Complainant)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TS VS

HAROLD DEAN DABBS ) Respondent )

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

Your Complainant Fay Earnestine Dabbs, respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of eighteen years and is a resident of said State and County, and has been a bona fide resident for more than one year next preceding the filing of this bill of complainant's; that Harold Dean Dabbs is over the age of twenty-one years and now resides at Key West, Florida.

2. That your complainant and respondent were lawfully married on or about to-wit: the Ninth day of January, 1950, at Lucedale, Mississippi, and that of this marriage there is one child, Harold Dean Dabbs, Jr. born December 26, 1951.

3. Complainant avers that the said respondent voluntarily abandoned the bed and board of the complainant for more than one year next preceding the filing of this bill of complaint, since which time the complainant and respondent have not lived together or in any way recognized each other as husband and wife.

4. The complainant and respondent have entered into an agreement for the care, control, custody and support of the said minor child of the marriage, a copy of which is hereto attached as Exhibit A and made a part hereof, and by the terms of which agreement, your complainant, the mother of said child is to have the complete, care and custody of the said minor child, with rights of visitation in the respondent the father at reasonable times and places and the respondent the father will pay to the complainant for the support and maintence of the said minor child the sum of

Complainant avers that this is a resonable and just and proper agreement and prays the Court that in the event a decree of divorce is given in this cause that the court will decree that the parties keep and abide by the terms of said agreement.

The premises considered, your complainant makes the said Harold Dean Dabbs 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 have the State's writ of subpoens to be issued directed to the said respondent, directing and commanding him to answer, plead, or demur within the time required by law; and that on a final hearing of this cause, that your Honor willenter a decree divorcing your complainant fromyyour respondent; and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper and your complainant will ever pray.

Thun C. Cppleson -Solicitor for Complainant

RESPONDENT'S ADDRESS: Harold Dean Dabbs 83 AD VX-1 Boca Chica\_Field Key West, <sup>F</sup>lorida.

3/344 In the Circuit Cruit of Baldwin Cruity, Alabama RECORDED Fay Eamestine Dable. Vs Hawld Dean Dable. Rep. Bill of Compliant. 1953 0CT 29 MICE I. MICK, REGIST

FAY EARNESTINE DAEES Complainant

### IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

HARCLD DEAN DAEPS Respondent

Cômes the respondent in the above styled cause and accents service of a bill of complaint hereto filed in this cause; waives notice of ...

the filing of interogatories in this cause, and the right to cross the same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree.

And for answer to the complaint heretofore filed in this cause the respondent says:

1. He admits the allegations as contained in paragraph one of the said bill of complaint.

2. He admits the allegations as contained in paragraph two of said bill of complaint.

3. He denies each and every material allegation contaired in paragraph three of said bill of complaint and demands strict proof of the same.

2. The respondent for paragraph four of said bill of complaint avers that the said agreement is a just and fair agreement and preys the Court that should the Court grant the complainant the divorce, that said agreement be incorporated into said decree and the terms made a part thereof.



#### STATE OF ALABAMA

#### COUNTY OF BALDWIN

THIS AGREEMENT, made and entered into on this the Fifteenth day of September, 1953, by and between FAY EARNESTINE DAEBS, here-in after referred to as the party of the First part and HAROLD DEAN DABES, hereinafter referred to as the party of the second part:

WITNESSETH:

Whereas, the parties hereto have been husband and wife since January 9, 1951, and as a result of such marriage have one child Jarold Dean Dabbs, Jr. born December, 26, 1951:and

Whereas, the parties have been separated and living apart for more than one year and have definitely concluded that it is impractical for them to live together as man and wife; and

Whereas, the party of the first part is contemplating bringing an action for divorce and it is the desire of the parties to settle the matter of the care, control, custody, support and maintenance of the child of the marriage amicably between them.

Now, therefore, in consideration thereof, and of the mutual agreements here inafter made, the have mutually agreed to the following terms and conditions:

1. That the care, control and custody of the said minor child shall be in the mother, the party of the first part, with rights of visitation in the father, the party of the second part at reasonable times and places.

-2. That the father, the party of the scond part will pay to the party of the second part for the support and maintenance of the said minor child of the marriage until changed by agreement of the parties hereto or a court of competant jurisdiction, at the residence of the party of the first part on or before the fifthe day of each and every nonth, the sum of Sixth Dollars (\$60.00)

3. That the above monthly payment of Sixty Dollars (\$60.00) for the support and maintenance of said child is in lieu of the payment of alimony to the party of the first part. Remarriage of the party of the first part or the release of the party of the second part from military service will terminate the obligation of the party of the second part of any further support and maintenance for the said child as to this agreement.

4. That in the event that the party of the first part insists on her express determination to file a suit for a divorce against the party of the second part, it shall be throughly understood that the party of the second part denies and expects to continue to deny that the party of the first part is in any way entitled to a divorce, and in the event that the court, upon hearing should decide that the party of the first part is entitled to a divorce, then it is agreed and understood that this agreement and all of its terms shall be submitted to the court for its approval, and shall not be deemed executed until and unless the court does approve the same.

This agreement has been made and executed in good faith by the parties hereto on theday and date hereinabove set forth, with full understanding of all of its provisions, and with the mutual promise on the part of both parties to comply therewith faithfully

and completely. lithur C. E. NESS

TNESS

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Da Can Party oſ the Second Part



Exhibit A RECORDED

## IN THE CIRCUIT COURT OF of BALD/IN COUNTY, ALABAMA \*\*\*\*\*

FAY EARNESTINE DABES

Complainant

VS. HAROLD DEAN DABPS Resp ndent \*\*\*\*\*

AGREEMENT

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ARTHUR C. EPPERSON ATTORNEY AT LAW

FOLEY, ALABAMA

Sector Real

ORAL	DEP	OSITI	ON
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# THE STATE OF ALABAMA. Baldwin County. Circuit Court of Baldwin County. Alabama (In Equity) Fsy Earnestine Dabbs Complainant VS. Harold Dean Dabbs Respondent I, Dixie Arlene Erannon as Register and Commissioner Earnestine Dabbs and Joyce Suell have called and caused to come before me Eay Earnestine Dabbs and Joyce Suell

witness<u>95</u> named in the Requirement for Oral Examination, on the **29**t May of <u>October</u> 19<u>¥ 53</u>, at the office of <u>Arthur C. Epperson</u>

in <u>Foley</u>, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said <u>Fay Earnestine Dabbs and</u> Joyce Suell doth depose and say as follows:

My name is Fay Earnestine Dabbs. I am the Complainant in this case. I'm over the age of eighteen (18) years; I reside in Foley, Alabama, and have lived in Foley for the last ten (10) years. Harold Dean Dabbs, my husband, is over the age of twentyone (21) years.

Harold Dean Dabbs and I were lawfully married on the nineth day of January, 1951, at Lucedale, Mississippi. We have one (1) child, Harold Dean Dabbs, Jr., who was born on December twentysixth, 1951. We have reached an agreement as to the care, custody, control and support of our child. A copy of this agreement is enclosed herewith and marked "exhibit A" and made a part of this testimony.

In September, 1952, Harold voluntarily left me without fault on my part, since which time we have not lived together, nor in any way recognized each other as husband and wife.

Fay Ernestine Dables

My name is Joyce Suell. Fay Earnestine Dabbs is my sister. We have lived in Foley for the past ten (10) years. Since September, 1952, when Harold Dabbs refused to live with Fay, she has been living at home and since that time she and Harold have not lived together nor in any way recognized each other as husband and wife.

eyne Luell

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness <u>s</u> or had proom made before me of the identity of said witness<u>s</u>; 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 \_\_\_\_\_\_\_. 39thday of \_\_\_\_\_\_\_\_, 194\_53\_\_\_\_\_\_, 194\_53\_\_\_\_\_\_,

ie arlene Brannon (L. S.)

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Vol Filed Harold Dean Dabbs NO Fay Earnestine Dabbs IN CIRCUIT COURT, IN EQUITY. THE STATE OF ALABAMA **BALDWIN COUNTY** Page eposition) VS. PAGE Ħ Complainant Respondent. Register Register 194 Record

COMMISSION TO TAKE DEPOSITIONS THE STATE OF ALABAMA, CIRCUIT COURT Baldwin County. TO: Divis Arlana Brannon : 1.5 . . KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine \_ Fay Farnestine Dabbs and Joyce Suell . as witnesses in behalf of <u>Fay Earnestine Dabbs</u> in a cause pending in our Circuit Court in Baldwin County, of said State, wherein <u>Fay Earnestine Dadds</u> \_\_\_\_\_, Complainant\_\_ and <u>Harold Dean Dabbs</u> \_\_\_\_ Respondent\_\_\_ to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand. Witness \_\_\_\_\_ day of \_\_\_\_\_ ctober 195 3 Register. Commissioner's Fee, \$\_\_\_\_\_ Witness' Fees, \$\_

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No	
THE STATE OF ALABAMA	
THE STATE OF ALABAMA Baldwin County	
CIRCUIT COURT	
- Dabba	
Fay Earnestine Dabbs	
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Complainant—	
<b>v</b> s.	
Harold Dean Dabbs	:
Defendant—	
COMMISSION TO TAKE DEPOSITION	
COMMISSION TO TIME DEFENS	
COMMISSIONER	
<u>Dixie Arlene Brannon</u>	
WITNESSES:	
Fay Earnestine Dabbs	
Joyce Suell	
<u> </u>	
f . ·	

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times è. Carnestine Das THE STATE OF ALABAMA Baldwin County VS. IN EQUITY Circuit Court of Baldwin County This cause is submitted in behalf of Complaint upon the original Bill of Complaint, . De a tim antoand in behalf of Defendant upon\_ Register.