

3134

DIVORCE DECREE

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

FAY EARNESTINE DABBS

, Complainant

vs.

HAROLD DEAN DABBS

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree by Confession of~~  
Respondent's answer and waiver and Testimony as noted by the Register, and upon con-  
sideration 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

FAY EARNESTINE DABBS

is forever divorced from the

said

HAROLD DEAN DABBS

~~by Decree by Confession of~~

Upon consideration of the written agreement entered into between the complainant  
and respondent touching the custody of the minor child of the marriage and the  
support and maintenance for said child, it is further ORDERED, ADJUDGED and  
DECREEED by the Court as follows:

That said written agreement is hereby ratified and approved, and the care, control  
of the minor child of the marriage, namely, Harold Dean Dabbs, Jr., is awarded  
to the mother, the Complainant.

That the Respondent pay over to the Complainant the sum of Sixty Dollars (\$60.00)  
per month for the support and maintenance of said minor child, said payments to  
begin November 1, 1953 and continue monthly until further orders of the Court.

It is further 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 further ordered that the Complainant and Respondent be, and they are hereby permitted to  
again contract marriage upon the payment of the cost of this suit.

It is further ordered that Fay Earnestine Dabbs

the Complainant

pay the cost herein to be taxed, for which execution may issue.

This 31 day of October, 1953

*Robert M. Grier*

Judge Circuit Court, In Equity.

I, \_\_\_\_\_, Register of the Circuit  
Court of Baldwin County, Alabama, do hereby certify that the fore-  
going 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 10-31-53*  
*George J. Smith*  
*Pres*

FAY EARNESTINE DABBS  
Complainant)  
  
VS  
  
HAROLD DEAN DABBS  
Respondent )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
IN EQUITY

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 maintenance of the said minor child the sum of

Complainant avers that this is a reasonable 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 subpoena 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 will enter a decree divorcing your complainant from your 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.

*Arthur C. Epperson*  
Solicitor for Complainant

RESPONDENT'S ADDRESS:  
Harold Dean Dabbs  
83 AD VX-1  
Boca Chica Field  
Key West, Florida.

3134  
In the Circuit Court of  
Baldwin County, Alabama

RECORDED

Fay Earnestine Dabbs.

Comp.

Vs

Harold Dean Dabbs.

Resp.

Bill of Complaint.

FILED

OCT 20 1953

ALICE J. DUCK, Registrar

PAY EARNESTINE DABBS  
Complainant  
VS.  
HAROLD DEAN DABBS  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes the respondent in the above styled cause and accepts service of a bill of complaint hereto filed in this cause; waives notice of the filing of interrogatories 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 contained in paragraph three of said bill of complaint and demands strict proof of the same.
4. The respondent for paragraph four of said bill of complaint avers that the said agreement is a just and fair agreement and prays 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.

Harold Dean Dabbs  
Respondent

Judy C. G...  
Witness

H. E. ...  
Witness

RECORDED

IN THE CIRCUIT COURT OF  
of BALDWIN COUNTY, ALABAMA

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FAY EARNESTINE DABBS

Complainant

VS.

HAROLD DEAN DABBS

Respondent

\*\*\*\*\*

ANSWER and WAIVER

\*\*\*\*\*

FILED

OCT 29 1953  
ARTHUR C. LEPPER ON

ALICE T. FOLEY, ALABAMA  
FOLEY, ALABAMA

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 DABBS, herein after referred to as the party of the First part and HAROLD DEAN DABBS, 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 hereinafter 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 second 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 competent jurisdiction, at the residence of the party of the first part on or before the fifteenth day of each and every month, the sum of Sixty 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 thoroughly 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 the day 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.

Arthur C. Epperson  
WITNESS

L. C. McDonald  
WITNESS

Fay Ernestine Dabbs  
Party of the First Part

Harold Dean Dabbs  
Party of the Second Part

*Exhibit "A"* RECORDED

IN THE CIRCUIT COURT OF  
of BALDWIN COUNTY, ALABAMA

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FAY EARNESTINE DABBS

Complainant

VS.

HAROLD DEAN DABBS

Respondent

\*\*\*\*\*

AGREEMENT

\*\*\*\*\*

ARTHUR C. EPPERSON

ATTORNEY AT LAW

FOLEY, ALABAMA

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Fay Earnestine Dabbs Complainant  
VS.

Harold Dean Dabbs Respondent

I, Dixie Arlene Brannon  
as Register and Commissioner  
have called and caused to come before me Fay Earnestine Dabbs and Joyce Suell

witnesses named in the Requirement for Oral Examination, on the 29th day of October  
1953, at the office of Arthur C. Ennerson  
in Foley, Alabama, and having first sworn said Witnesss to speak the  
truth, the whole truth, and nothing but the truth, the said Fay Earnestine Dabbs and  
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 twenty-one (21) years.

Harold Dean Dabbs and I were lawfully married on the ninth day of January, 1951, at Lucedale, Mississippi. We have one (1) child, Harold Dean Dabbs, Jr., who was born on December twenty-sixth, 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 Earnestine Dabbs

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.

Joyce Suell

ORAL EXAMINATION.

I, Dixie Arlene Brannon, 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 as and read over to them and they signed the same in the presence of myself Dixie Arlene Brannon at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proom made before me of the identity of said witness as; 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 29th day of October, 194 53

Dixie Arlene Brannon (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
Pay Earnestine Dabbs	
vs.	Complainant
Harold Dean Dabbs	
	Respondent.
Oral Deposition	
Filed _____	, 194 _____
Register.	
Recorded in	
OCT 29 1953	
Vol. _____	Page _____
Register.	

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Dixie Arlene Brannen

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 Earnestine Dabbs and Joyce Snell

as witnesses in behalf of Fay Earnestine Dabbs in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Fay Earnestine Dabbs

\_\_\_\_\_, Complainant  
and Harold Dean Dabbs

\_\_\_\_\_, Respondent

on oath, to be by you administered, upon THEM  
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 30th day of October, 1953

Dixie Arlene Brannen  
Register.

Commissioner's Fee, \$\_\_\_\_\_

Witness' Fees, \$\_\_\_\_\_

No. \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Fay Earnestine Dabbs

Complainant—

vs.

Harold Dean Dabbs

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Dixie Arlene Brannon

WITNESSES:

Fay Earnestine Dabbs

Joyce Suell

Fay Ernestine Dabbe -  
Complainant

vs.  
Harold Dean Dabbe -  
Respondent

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, \_\_\_\_\_

Agreement of parties, Complainant's Deposition

and in behalf of Defendant upon \_\_\_\_\_

Arthur C. Epperson -

Archie J. Lusk

Register.