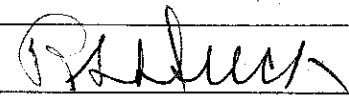


Louise Whitten.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 VS.  
 William Whitten.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,  
 and <sup>T</sup>estimony of Camplainant ant an witnesses.

and in behalf of Defendant upon answer and Waiver.

 Register.

1064

The State Of Alabama, Baldwin County  
CIRCUIT COURT, IN EQUITY

Louise Whitten. Complainant

VS

William Whitten. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decrees Pro Confesso~~  
on \_\_\_\_\_ 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,  
and that the said Louise Whitten.  
is forever divorced from the said

William Whitten.

for and on account of Abandonment.

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 Louise Whitten and William Whitten.  
be, and they are hereby permitted to again contract marriage upon the payment of the cost of  
this suit.

It is further ordered that Louise Whitten.  
the Complainant. pay the cost herein to be taxed, for which execution may issue.

This 25<sup>th</sup> day of February, 19 44.

A. M. Lane  
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.

Louise Whitten,  
Complainant

In Baldwin County Alabama, In Equity.

vs

William Whitten  
Defendant.

To the Honorable F.W.Hare, Judge of said Court:-

Comes our Oratrix Louise Whitten, and Humbly complaining showeth to the Court;


First

That she is a resident of Baldwin County Alabama, and over twenty one years of age; and has resided continuously in the state of Alabama for a period of more than ~~two~~ years next before the filing of this her bill of complaint, and that her husband William Whitten is residing in Montgomery Alabama and is over twenty one years of age.

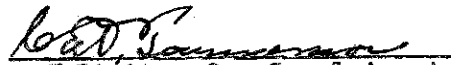
Second

Oratrix shows to the Court that she intermarried with Defendant in the state of Texas, before she was of legal age, and without the consent of her Mother, her Father being at the time dead. That she endeavored to make Defendant a faithful and an affectionate wife, but that Defendant after the marriage and return to Alabama, seemed to be restless and dissatisfied, and went away or voluntarily abandoned Oratrix, her bed and board, without cause on her part, and has never returned and lived with her since said abandonment by him, and has not contributed during the whole of ~~the~~ time to her support and that She is now trying to work and care for herself and her old mother. That <sup>there</sup> is no issue of the marriage.

Premises considered, Oratrix prays this Honorable Court to take jurisdiction of this case, and cause the states subpoena to issue to him under the ~~under the~~ rules and subject to the penalties of Law; and that after a full hearing of this cause a full and final divorce be granted to Oratrix and that she be allowed to marry again. And as in duty bound Oratrix will ever pray. &c.

  
C.E.O. Timmerman  
Solicitor for Complainant

Note: The Defendant is hereby requested to make answer to each allegation contained in the foregoing bill of Complaint, but oath is waived.

  
Solicitor for Complainant.

*in Equity*

Under and By virtue of a commission issued to me out of the circuit court of Baldwin County Alabama in a case in which Louise Whitten is complainant and William Whitten is Defendant, I have called and caused to come before me the following named witnesses for the Complainant, viz:- Louise Whitten, the complainant and Mrs T.P Conner and Artie Manor, who being duly sworn to speak the truth, the whole truth and nothing but the truth, do say;

The witness Louise Whitten says;  
I am the complainant and Defendant is my husband, we married in the state of Texas, in December 1939,; I have been a bonufide residence of the state of Alabama for the last three years next before filing this bill of Complaint and am 22 years old, Defendant is about 40 years old and resides in Montgomery Alabama.

*from*  
We are not liveing together now, because in Febuary 1941, Defendnat voluntarily abandoned me my bed and bosrd, and I have never seen or heard of him since only through other, and has never contributed and thing to my support.

*Louise Whitten*

The witness T.P.Conner being firty sworn say :  
I know both parties to this suit the are husband and wife, were married away from this atote, and their marriage certifficate states the said marriage took place in the state of Texas: Compleinant is 22 years old and resides in Baldwin county Alabama, an has resided continously in Alabama all her life except the short time she was away when married. Defendant is in my judgement about 45 years old and resides in Montgomery Alabama.

Complainant and Defendant do not live together, for the simple reason that He voluntarily abandoned Complainant and her bed and board in the early part of 1941 and has never been sen by any of us since, and never contributed and thing to her support.

*Mrs J.P. Conner*

The witness Artie Manor being duly sworn says;  
I know each party to this suit, and they are husband and wife, were married some where betwween November 1939 and 1841 in Fe Mrch 1941, Complainant is 22 yers ols and lives in Baldwin county Alabama and has loved continously in sai state all of her life only while away of her marriage trip. Defendant is much older than Complainant but I do not know his age.

Complainant and Defendant do not live together and have not for more than 2 full years. Defendant voluntarily abandoned complainant, her bed and board in Febuary 1941. and he has not returned since and if he has done any thing for her I have not heard of it.

*Artie Manor*

Im Sallie Irwin, the commissioner, hereby certify that the witnesses whose names are signed to the foregoing testimony, gave in their testimony under oath before me, and thaey were made known to me as the identical witnesses whose names are signed to their testimony and apperas in my commission.

I further certify that I am not of counsel or of kin to either of the parties to thus suit or in any way interested in the result thereof.

Done this ~~xxxx~~ \_\_\_ day of Febuary 1944.

*Sallie Irwin*  
Commissioner.

Louise Whitten,  
Complainant | In the Circuit court of Said in County Alabama  
  
vs | in Equity.  
  
William Whitten  
Defendant. |

To the Honor ble F.W.Hare, Judge of said Court.

Comes William Whitten, Defendant in the above cause and makes answer thereto as follows;

1--- Defendant admits the allegation contained in the first paragraph of said bill to be true as stated.

2--- Defendant denies each allegation contained in the second paragraph of said bill of complaint ( Except that part thereof in which complainant alleges her marriage to Defendant in the state of Texas and their return to Alabama) and she demands strict proof thereof.

Wm Whitten  
Defendant.

And now comes the Defendant in the above stated cause and accepts service of summons in said cause and waives service thereof by the Sheriff.

Defendant William Whitten further appearing as Defendant in said above stated cause, waives notice of the time and place when Complainant will take testimony and agrees for this cause to be submitted for final decree.

Wm Whitten  
Defendant.

I, \_\_\_\_\_ hereby certify that the Defendant William Whitten who is known to me, and after being informed of the contents of bill of complaint and answer thereto, acknowledged before me that he signed said answer, waiver and consent for final submission voluntarily on the day the same bears date. Given under my hand this \_\_\_\_\_ day of February, 1944.

W.G. Graham  
Notary Public  
Henry White

The State of Alabama, {  
Baldwin County

CIRCUIT COURT

To ~~Arthur Jackson~~ Sally Irwin

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

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Louise Whitten.

Complainant

and

William Whitten.

Defendant,

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

Witness 22nd day of Feb. 19 44



REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

~~Louise Whitten.~~

---



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VS.

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William Whitten.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,  
and Testimony of Complainant and witnesses.

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and in behalf of Defendant upon answer and Waiver.

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*[Signature]* Register.

**RECORDED**

No. 1064.

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Louise Whitten.


VS.

William Whitten.

**NOTE OF TESTIMONY**

Filed in Open Court this 24th.

day of Feb. 1944

  
Register.