

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

FRANCES M. WHITE

, Complainant

vs.

PATTEN A. WHITE

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said Frances M. White is forever divorced from the said Patten A. White for and on account of Cruelty.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that a property settlement having been entered into between the parties whereas the Complainant shall pay over to the Respondent the sum of \$200.00 and the Respondent shall deliver possession of the home place to the Complainant sixty days from date.

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 Frances M. White the Complainant pay the cost herein to be taxed, for which execution may issue.

This 21st day of January, 1952.

William J. Marshall, Jr.
Judge Circuit Court, In Equity.

I, Alice J. Duck 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

FRANCES M. WHITE

Complainant

vs.

PATTEN A. WHITE

Respondent

DIVORCE DECREE

FILED

JAN 22 1952

ALICE J. DUCK, Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FRANCES M. WHITE

, Complainant

vs.

PATTEN A. WHITE

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said _____ is forever divorced from the said _____ for and on account of

CRUELTY.

~~IT IS FURTHER ORDERED ADJUDGED AND DECREED That a property settlement having been entered into between the parties whereas the Complainant shall pay over to the Respondent the sum of \$200.00 and the Respondent shall deliver possession of the home place to the Complainant sixty days from date.~~

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 _____ Frances M. White the Complainant pay the cost herein to be taxed, for which execution may issue.

This 21st day of January, 1952-

Telfair J. Washburn, Jr.

Judge Circuit Court, In Equity.

I, Alice J. Duck

, 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.

FRANCES M. WHITE,

Complainant,

VS.

PATTEN A. WHITE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2685.

ORDER

In this cause IT IS ORDERED by the Court that the same be set down to be submitted for final decree on the 19th day of January, 1952 at 10:00 o'clock A. M., and that the witnesses be examined orally in open Court pursuant to Equity Rule 56 as amended May 21, 1943, Code of 1940, Title 7 Appendix.

The Register will give notice of this Order to the solicitors of record by sending a copy of this Decree by mail.

J. A. Madubury Jr.
Circuit Judge in Equity Sitting

FRANCIS L. WHITE

COMPLAINANT

VS

PATTEN A. WHITE

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 2685

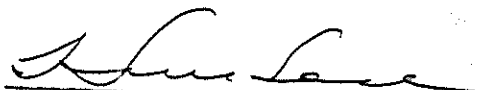
Now comes the Respondent and for answer to the Complainant's complaint says:

1.

He admits the allegations contained in paragraph one and two.

2.

He denies the allegations contained in paragraph three and demands strict proof of the same.


Solicitor for the Respondent

FRANCIS M. WHITE

COMPLAINANT

VS

PATTEN A. WHITE

RESPONDENT

IN THE CIRCUIT COURT OF

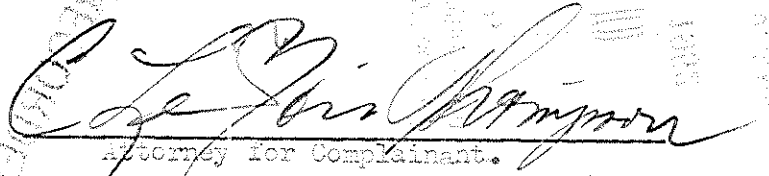
BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 2685

TO THE HONORABLE TELFAIR J. WASHBURN, JR., JUDGE OF THE 28th JUDICIAL
CIRCUIT, IN EQUITY SITTING:

Comes the Complainant in the above styled cause, which cause being
at issue, and moves the Court to have the said cause set down for final
submission at such time and place as your Honor may determine.


Attorney for Complainant.

2685

FRANCIS M. WHITE

COMPLAINANT

VS

PATTEN A. WHITE

RESPONDENT

RECORDED

From the law offices of
C. LeNoir Thompson
Bay Minette, Alabama

FILED

JAN 3 1952

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons PATTEN A. WHITE to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by FRANCIS M. WHITE as Complainant and against PATTEN A. WHITE as Respondent.

WITNESS my hand this the 19th day of July, 1951.

Deice L. Lerner
Register.

FRANCIS M. WHITE
COMPLAINANT
VS
PATTEN A. WHITE
RESPONDENT

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

TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Francis M. White, respectfully represents unto
your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents
of Baldwin County, Alabama, and over the age of twenty-one.

2.

That your Complainant and the Respondent married at Pensacola, Florida,
on December 18, 1929, and lived together as husband and wife until on
to-wit May 7, 1951.

3.

That on to-wit May 7, 1951, the Respondent threatened and abused
the Complainant and threatened to do actual violence to her person which
would necessarily endanger her life and health; that the conduct of the
Respondent was such as to give the Complainant every reasonable apprehension
to believe and she did actually believe that if she continued to live
with him he would do actual violence to her person which would necessarily
endanger her life and health.

WHEREFORE, the premises considered, your Complainant prays that
your Honor will by proper procedure make the said Patten A. White party
Respondent to this bill of complaint requiring him to plead, answer or

demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent, and your Complainant prays for such other further, different or general relief as she may be in equity and good conscience entitled to receive.

C. Eric Thomas
Solicitor for Complainant.

Received in Sheriff's Office
this 19 day of July, 1951
TAYLOR WILKINS, Sheriff

Executed July 24, 1951
By Serving Copy on

Patten A. White

Sheriff
Taylor Wilkins
By
Edleigh Steadham

NO 26 85

FRANCIS M. WHITE

COMPLAINANT

VS

PATTEN A. WHITE

RESPONDENT

SUMMONS AND COMPLAINT

RECORDED

address:
Seminole, Ala.

From the law offices of
C. LeNoir Thompson
Bay Minette, Alabama

FILED

JUL 19 1951

ALICE J. DUCK, Register

FRANCES WHITE,

Complainant,

VS.

PATTEN A. WHITE,

Respondent.

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

TESTIMONY TAKEN IN OPEN COURT ON JANUARY 19, 1952.

APPEARED: For Complainant,

C. LeNoir Thompson

For Respondent,

H. M. Hall

Mrs. Frances H. White, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION
By Mr. Thompson

Q. You are Frances H. White?

A. Yes sir.

Q. And your husband is Patten A. White?

A. That's right.

Q. When were you married?

A. December 18, 1929.

Q. And you lived together as husband and wife in Baldwin County, up until the time of the separation for the past two years?

A. Yes sir.

Q. And at the time of the separation was that on May 7, 1951?

A. Yes sir.

Q. Now, during the time that you lived with him and particularly during the past two years what was the condition there in your home?

A. His excessive drinking and fussing, cursing me and threatening my life and the lives of my family, my father and my brothers and sisters.

Q. During that time did he have occasion to strike you at any time?

A. Yes, he did.

Q. State about what happened just at the time.

A. About six years ago he slapped me on one side the face and slapped me on the other. When I got up out of the chair to defend myself he knocked me down in the floor.

Q. Then, on the night before-

THE COURT: That was six years ago, you say?

you separated, was he drinking at that time?

A. Yes sir.

Q. The night before you separated was he drinking?

A. Yes.

Q. Well what did he do and say while he was in that condition that night?

A. He cursed me and threatened me.

Q. And state a little more clearly what took place?

THE COURT: Just tell me what happened.

MR. THOMPSON: Tell Judge what happened.

A. Well, there hadn't been any words passed or anything and he started cussing and fussing and told me the next time I left the place to be sure I took my clothes. He used the worst kind of language that could be used. Said before I left he was going to fix me so I wouldn't be of any more use to myself and anybody else.

Q. And that had been going on for some time?

A. That had been going on for years. My health got to where it was going down and he broke my nerves down to where I just couldn't stand it no longer.

Q. Now, he did that only when he was drinking?

A. Well, he's awful tempremental, high tempered sometimes when he was sober.

Q. And had he been drinking regularly or frequently at that time?

A. Continuously for two months.

Q. And you were afraid if you continued to live with him your health would be in worse condition ?

A. Yes sir.

Q. I failed to ask you one question: Are you both over the age of twenty-one?

A. Yes sir.

THE COURT: You were living in Baldwin County at the time this happened?

A. Yes sir.

Miss Geraldine White, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Thompson

Q. Now, your name?

A. Geraldine White.

Q. Geraldine White? This is your mother and father?

A. Yes sir.

Q. You were present in the home during the week, two weeks previous before the separation?

A. Yes sir.

Q. During that time did you see your father's condition?

A. Yes sir.

Q. And what was it?

A. He was drunk continually.

Q. And while that was going on what was his attitude toward your mother and the members of your family?

A. Well, cussing us.

THE COURT: Did he actually threaten you or your mother?

A. He didn't threaten me.

Q. Did he threaten your mother?

A. Yes sir, not during that two weeks?

Q. Not during that two weeks?

A. No sir.

Q. Did you hear him at any time previous to that within thirty days?

A. Yes, I have heard him.

Q. Now, did he become violent when he was drinking?

A. Yes sir.

Q. Do you know of any of his violence? Just tell the Judge what you saw when you were there?

A. Well, I know when he got drunk he would jump on me for not; I hadn't done anything. One time he hit me with a stick of stove-wood.

THE COURT: Toward your mother.

Q. What about your mother, did you see him?

A. Well, I saw him when he knocked her down at the Green Light.

Q. You saw that?

A. Chased us. Then we went running back and he followed us and we got out and left.

THE COURT: I think that's enough.

I, Ora S. Nelson, Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that The above and foregoing is a true and correct transcript of the testimony given on a hearing of this cause on January 19, 1952.

Transcribed and filed this 19th day of January, 1952.

Ora S. Nelson
Court Reporter