

73200

DIVORCE DECREE

Printed by Moore Printing Co.

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

BORDEN E. PHENIX

, Complainant

vs.

WILMA J. PHENIX

, Respondent.

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXXXXXXXX~~ on Respondent's answer & waiver 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

BORDEN E. PHENIX

is forever divorced from the

said WILMA J. PHENIX

for and on account of

ABANDONMENT

It is further ordered, adjudged and decreed by the Court that the Respondent resume her maiden name Wilma June Moreland.

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 BORDEN E. PHENIX the Complainant pay the cost herein to be taxed, for which execution may issue.

This 27 day of June, 1954

Hubert M. Hall

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.

No. 3280 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

BORDEN E. PHENIX

Complainant

vs.

WILMA J. PHENIX

Respondent

DIVORCE DECREE

FILED

6-22-54

ALICE J. DOCK, Register
ARTHUR C. EFFENDON
ATTORNEY AT LAW
FOLEY, ALABAMA

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Dixie A. Peterson

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 Borden E. Phenix
and Kenneth Butler

as witnesses in behalf of Borden E. Phenix in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Borden E. Phenix

_____, Complainant
and Wilma J. Phoenix

_____, 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 22 day of June, 195 4

Dixie A. Peterson
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3280

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

~~Wilma J. Phenix~~

Borden E. Phenix

Complainant—

VS.

Wilma J. Phenix

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Dixie A. Peterson

WITNESSES:

Borden E. Phenix

Kenneth Butler

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

BORDEN E. PHENIX

vs.

WILMA J. PHENIX

THE STATE OF ALABAMA


Baldwin County

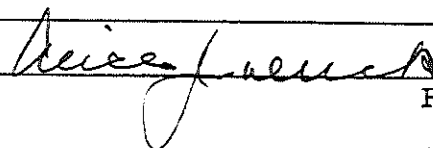
IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Oral Deposition of Complainant's witnesses

and in behalf of Defendant upon _____ Answer and Waiver.


Solicitor for Complainant


Register.

No. 3280

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

BORDEN E. PHENIX

vs.

WILMA J. PHENIX

NOTE OF TESTIMONY

FILED

Filed in Open Court this JUN 22 1954

day of AUGUST, 1945

ALICE J. DUCK, Register

Register.

Printed by the Baldwin Times

ARTHUR C. EPPERSON

ATTORNEY AT LAW

FOLEY, ALABAMA

BORDEN E. PHENIX)
Complainant)
VS.)
WILMA J. PHENIX)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Now comes the respondent, Wilma J. Phenix, and for answer to the bill of complaint herein says as follows:

1. She denies each and every material allegation contained in said bill of complaint and demands strict proof of the same.

2. The respondent hereby waives notice of the taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further, or different notice to which she might otherwise be entitled.

3. Defendant requests the Court to restore to her former name of Wilma June Moreland.

Wilma June Phenix
Respondent

Jay White
Witness

Esac Sadler
Witness

3280

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

*** *****

BORDEN E. PHENIX
Complainant

Vs.

WILMA J. PHENIX
Respondent

ANSWER AND WAIVER.

FILED
JUN 22 1954
ALICE J. DICK, Register

ARTHUR C. EPPERSON,
ATTORNEY AT LAW
FOLEY, ALABAMA

BORDEN E. PHENIX)
COMPLAINANT)
VS.)
WILMA J. PHENIX)
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:

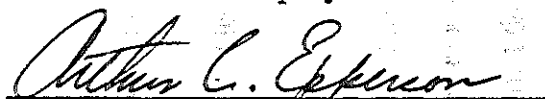
Your Complainant Borden E. Phenix, respectfully represents and
shows unto your Honor:

1. That the complainant is over the age of twenty-one years and
is a resident of said County and State, and has been a bona fide resident
of said County and State for more than one year next preceding the filing
of this Bill of Complaint; that Wilma J. Phenix is over the age of eighteen
years and is a resident of the State of Missouri.

2. That your complainant and respondent were lawfully married on
or about to-wit: January 26, 1952 at Pochahontas, Arkansas, and that of
this marriage there are no children.

3. Complainant further avers that 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 anyway re-
cognized each other as husband and wife.

The premises considered, your complainant makes the said Wilma
J. Phenix 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 Wilma J. Phenix, commanding her to plead, answer or demur to
this bill of complaint 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 the respondent; that your Honor will order the
respondent to resume her maiden name of Wilma June Moreland; and that your
Honor will grant such other, further or different relief as unto your Honor
may seem just and proper, and your complainant will ever pray.


Solicitor for Complainant

3280

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

BORDEN E. PHENIX
COMPLAINANT

VS.

WILMA J. PHENIX
Respondent

BILL OF COMPLAINT

FILED
JUN 22 1954
ALICE J. DECK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
MOBILE, ALABAMA

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BORDEN E. PHENIX

Complainant

VS.

WILMA J. PHENIX

Respondent

I, Dixie A. Peterson, Foley, Ala.

as Register and Commissioner

have called and caused to come before me Borden E. Phenix and

Kenneth Butler

witness es named in the Requirement for Oral Examination, on the 22 day of June

1954, at the office of Dixie A. Peterson

in Foley, Alabama, and having first sworn said Witness es to speak the

truth, the whole truth, and nothing but the truth, the said Borden E. Phenix

doth depose and say as follows:

My name is Borden E. Phenix. I am twenty-one years of age. I am a bona fide resident of Baldwin County, Alabama, and have been a bona fide resident for more than one year before filing suit for divorce of Baldwin County, Alabama. Wilma J. Phenix is nineteen years of age and now lives in Rolla Missouri.

Wilma J. Phenix and I were lawfully married in Pochahontas, Arkansas, January 26, 1952. Her name before we were married was Wilma June Moreland. We don't have any children.

After we was married we lived together for about two weeks with her parents. I then came back to Foley, Alabama and she was going to come as soon as I found a place for us to live. I rented an apartment a few days after I got back to Foley and wired her I had an apartment. I didn't hear from her for several days, then I got a letter saying she didn't want to come. I tried to persuade her to come and in the last two years I have rented three other places for us to live but she always refused to come. Several months ago she wrote me and said that she had found someone she loved more than she did me. She voluntarily abandoned me more than one year before I filed for divorce and we have not recognized each other as husband and wife since that time, NOR HAVE we lived together.

Borden E. Phenix

My name is Kenneth Butler. I am now and have always been a resident of the State of Alabama. I live in Foley, Alabama. I am over twenty-one years old. I have known Borden E. Phenix for more than two years. He has been back here in Foley for two years I would say since he got married. I have never seen or met his wife. Borden has rented places for them to live several times but she has never come here. They have never lived together of my knowledge since he returned to Foley a couple of years ago.

Kenneth Butler

ORAL EXAMINATION

I, Dixie A. Peterson, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself

Dixie A. Peterson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 22 day of June, 1954.

Dixie A. Peterson (L.S.)

No. <u>3780</u>	Page
The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
BORDEN E. PHENIX	COM
vs.	Complainant
WILMA J. PHENIX	Respondent
Oral Deposition	
Filed <u>FILED</u>	JUN 22 1954
ALICE J. BUCK, Register	
Vol. _____	Page _____
Record _____	
Register _____	

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

(3280)

DIVORCE DECREE

Printed by Moore Printing Co.

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

JAMES LEE COOK, Complainant

vs.

ESMINA COOK, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree-Pro-Confesso on Answer & Verdict 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

Marie Lee Cook is forever divorced from the said James Lee Cook for and on account of

Cruelty

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 Marie Lee Cook the Defendant pay the cost herein to be taxed, for which execution may issue.

This 10th day of July, 1954

Hubert M. Hall

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.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

JOHN L. COLE

Complainant

vs.

JENNIE COLE

Respondent

DIVORCE DECREE

FILED
JUL 10 1954
ALICE J. DIX, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MAMIE LEE COOK

Complainant

VS.

ISIDORE COOK

Respondent

I, Lynlaene Nixon

as Register and Commissioner

have called and caused to come before me Mamie Lee Cook and Celia Byrd

witnesses named in the Requirement for Oral Examination, on the 14th day of July

1954, at the office of C. L. Blair Thompson

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Mamie Lee Cook and Celia Byrd

doth depose and say as follows:

That my name is Mamie Lee Cook, I am over the age of 21 and a resident of Baldwin County, Alabama, and have been more than two years next preceding the Respondent is over the age of 21 and has been a resident of Baldwin County, Alabama, more than two years next preceding. We were married in Pensacola, Florida, on July 5, 1946 and lived together as husband and wife until on, to-wit, September 17, 1953, at which time the Respondent threatened and abused your petitioner threatening to do actual violence to her person which would necessarily endanger her life or health, his conduct being such that your petition, the complainant herein, had every reason to believe and she does believe that if she continued to live with him he would actually endanger her life or health and further that on November 19, 1953, the said Respondent drew a pistol on your complainant threatening to kill me and I have not lived with him as his wife since the date of our separation. I know I will never live with him any more as his wife.

Mamie Lee Cook

That my name is Celia Byrd, I know both parties to this cause they are both over the age of 21 years and resident of Alabama and have been from the time of their marriage until their separation, the separation occurred in Baldwin County, Alabama, the Respondent from time to time threatened the Complainant with bodily harm and on November 19, 1953 drew a pistol on her and threatened to kill her. She has not lived with him as his wife since that time nor some time prior to that.

Celia Byrd

ORAL EXAMINATION

I, Lurline Mifflin, as ~~Register~~ and Commissioner hereby certify that the foregoing deposition on 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 and C. Leloin Thomson

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 10th day of July, 1951
Lurline Mifflin (L. S.)

No. _____	Page _____
The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
ISMAEL COCK	vs. Complaintant
Respondent	
Oral Deposition	
Filed _____, 19____	FILED
	JUL 30 1954
	Recorded in
	ALICE J. DICK, Register
Vol. _____	Page _____
	Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO:

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 Mamie Lee Cook and Corlie Bond

as witnesses in behalf of Mamie Lee Cook in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Mamie Lee Cook

_____, Complainant
and _____

Ismael Cook

_____, Respondent

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 10th day of July, 1954

W. J. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons ISHMAEL COOK 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 MAMIE LEE HARVILLE COOK as Complainant and against ISHMAEL COOK as Respondent.

WITNESS my hand this the _____ day of _____, 1954.

Register

MAMIE LEE HARVILLE COOK	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	IN EQUITY
ISHMAEL COOK	Ø	
RESPONDENT	Ø	

TO HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY ALABAMA.

Your Complainant, Mamie Lee Harville Cook, 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 twenty-one years of age.

2.

That your Complainant and the Respondent married at Pensacola, Florida, on July 5, 1946, and lived together as husband and wife until, on to-wit: September 17, 1952.

3.

That on, to-wit, November 19, 1953, 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.

There was born as fruits of this marriage between the Complainant and the Respondent four children; Clarence Eugene Cook, age 5; Henry Lee Cook, age 3; Alfred Carl Cook, age 2; and Charles William Cook, age 5 months; that the mother of said children is a suitable, fit and proper person to have the care, custody and control of the said children.

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

The care, custody and control of the children, now being in the Baldwin County Public Welfare Department, no petition is offered concerning said children, and your Complainant prays for such other further, different or general relief as she may be in equity and good conscience entitled to Receive.


Solicitor for Complainant.

703281

SUMMONS & COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

JUN 23 1954

ALICE J. DUCK, Register

C. LeNoir Thompson
Attorney at Law
Bay Minette, Alabama

ISMAEL COOK

vs.

ISMAEL COOK

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, _____

answer of Defendant and testimony of witnesses, Ismael Cook and Carlos Ford

and in behalf of Defendant upon _____

C. J. Thompson

Reice J. Hensley
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

PARIS LEE COCK

vs.

ISHMAEL COCK

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED

Register.

JUL 10 1954

Printed by the Baldwin Times

ALLEN J. WICK, Register

MAMIE LEE COOK,

COMPLAINANT,

VS

ISHMAEL COOK,

RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages and marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without notice.

James J. Barner
Clutter, Milton Fla *Ishmael Cook*

STATE OF FLORIDA

COUNTY OF _____

I, J. F. Blocker, a Notary Public in and for said County, in said State hereby certify that Ishmael Cook, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 23 day of June, 1954.

John F. Blocker
Notary Public,

State at Large

Comm. Exp Feb 11 1956

