

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FRED E. WARNER

Complainant

vs.

HELEN B. WARNER

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conesso~~ on ~~Answer and 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 ~~FRED E. WARNER~~ is forever divorced from the said ~~HELEN B. WARNER~~ for and on account of

~~ABANDONMENT.~~ Upon consideration of the written agreement entered into between the Complainant and the Respondent touching the distribution of real and personal property by the parties, it is further ordered, adjudged and decreed by the Court that the said written agreement is hereby ratified and approved and a copy thereof marked Exhibit "A" and filed, along with this decree, in the records of the Probate Judge, Baldwin County, Alabama, and such other records as may be required.

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 payment of the cost of this suit.

It is further ordered that ~~Fred E. Warner~~ the ~~Complainant~~ pay the cost herein to be taxed, for which executed may issue.

This 20 day of June, 1955

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. 3552

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

FRED E. WARNER

Complainant

vs.

HELEN B. WARNER

Respondent

DIVORCE DECREE

FILED

JUN 20 1955

ALICE A. DICK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: SHIRLEY COPAS

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 Fred E. Warner and Mardelle Riggins

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

FRED E. WARNER

Complainant

and

HELEN B. WARNER

Respondent

on oath, to be by you administered, upon them

to take and certify the deposition of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 17 day of June, 1945

Alice J. Smith
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 3552

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

FRED E. WARNER

Complainant

VS.

HELEN B. WARNER

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Shirley Copas

WITNESSES:

Fred E. Warner

Mardelle Riggins

FRED E. WARNER

vs.

HELEN B. WARNER

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, _____

Testimony by Fred E. Warner and Mardelle Higgins

and in behalf of Defendant upon _____ Answer and Waiver

*Greenish M. Bailey**Henry H. Henshaw*
Register

No. 3553.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

FRED E. WARNER

vs.

HELEN B. WARNER

NOTE OF TESTIMONY

Filed in Open Court this
day of , 194.....

FILED
JUN 20 1955

ALICE J. DUCK, Register.

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

FRED E. WARNER

Complainant

VS.

HELEN B. WARNER

Respondent

I, Shirley Copas

as ~~Register and~~ Commissioner

have called and caused to come before me Fred E. Warner and Mardelle Riggins

witnesses named in the Requirement for Oral Examination, on the 13th day of June

1955, at the office of Ernest M. Bailey, Attorney at Law

in Fairhope, Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Fred E. Warner

Mardelle Riggins doth depose and say as follows:

My name is Fred E. Warner. I am the Complainant in the above cause. I am a bona fide resident citizen of Baldwin County, Alabama and over the age of twenty-one years. The Respondent is over the age of twenty-one years and is a resident of Falls Church, Virginia.

The Respondent and I were lawfully married in Los Angeles, California and lived together as man and wife until March, 1942. At that time the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continually since that time.

Fred E. Warner
Fred E. Warner

My name is Mardelle Riggins. I am over the age of twenty-one years and am a bona fide resident citizen of Baldwin County, Alabama. I have known the parties in this cause for approximately thirteen years.

I know that the Respondent, Helen B. Warner, has voluntarily and continually remained separate and apart from the Complainant, Fred E. Warner, since August, 1942.

Mardelle Riggins
Mardelle Riggins

ORAL EXAMINATION

I, Shirley Copas, 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 ES and read over to them and they signed the same in the presence of myself and Ernest M. Bailey, Attorney at Law, Fairhope, Alabama

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 18th day of June, 1955.

Shirley Copas (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

FRED E. WARNER

vs. Complainant

HELEN B. WARNER

Respondent

Oral Deposition

Filed _____, 19____

Register

Recorded in

Record

Vol. _____ Page _____

Register

STATE OF ALABAMA)
)
BALDWIN COUNTY)

IN THE CIRCUIT COURT -- IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Helen B. Warner 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 Fred E. Warner, as Complainant, against Helen B. Warner, as Respondent.

Witness my hand this _____ day of _____, 1955.

Register

FRED E. WARNER,
Complainant

VS.

HELEN B. WARNER,
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

BILL OF COMPLAINT

Comes now your Complainant, Fred E. Warner, and files this his Bill of Complaint for divorce against Helen B. Warner, and shows unto your Honors and this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the age of twenty-one years, and Complainant is a bona fide resident of said State for more than one year next preceeding the filing of this Bill of Complaint; that the Respondent is a resident of Falls Church, Virginia.

SECOND:-

That your Complainant and Respondent were lawfully married in Los Angeles, California and have lived together as man and wife until March, 1942. And that there are no minor children of their marriage.

THIRD:

Complainant further avers that the said Respondent on or about, to-wit, March, 1942 voluntarily abandoned the bed and board of Complainant, since which

time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant makes the said Helen B. Warner a party Respondent to this Bill of Complaint, and in order that Complainant may have the relief prayed herein for, may it please Your Honors to cause the State's writ of subpoena to be issued, directed to the said Helen B. Warner, commanding her to answer, plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause Your Honors will enter a decree divorcing your Complainant from said Respondent and that Your Honors will grant such other, further, or different relief as unto your Honors may seem just and proper as he may be in equity and good conscience entitled to receive.

FILED
June 20 1955
ALICE J. DUCK, Clerk

James M. Bailey

Attorney for Complainant

FRED E. WARNER,
Complainant

vs.

HELEN B. WARNER,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and ever paragraph thereof, says:

1. Respondent admits the allegations of the First Paragraph of the Bill of Complaint.
2. Respondent admits the allegations of the Second Paragraph of the Bill of Complaint as to the marriage, and date of separation, and as to the children of the marriage, but Respondent denies all other allegations of this paragraph and demands strict proof thereof.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of same. Respondent also waives notice of taking of testimony in this cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to her.

Helen B. Warner
Helen B. Warner
Respondent

STATE OF VIRGINIA)
COUNTY OF Arlington)

I, the undersigned notary public in and for said state and county, hereby certify that Helen B. Warner, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 14th day of June, 1955

My commission expires March 8th, 1957

Mary E. Zulwiler
Notary Public

RECORDED

3552

ANSWER AND WAIVER

FRED E. WARNER,
Complainant

vs.

HELEN B. WARNER,
Respondent

FILED
JUN 20 1955

CLIFF A. ROY, Registrar

FRED E. WARNER,
Complainant

vs

HELEN B. WARNER,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

S T I P U L A T I O N

THIS AGREEMENT, entered into this 14th day of June, 1955 by and between the parties hereto as a property division in lieu of alimony, WITNESSETH:

1. HELEN B. WARNER does hereby grant, bargain, sell, convey and quit-claim unto FRED E. WARNER all her right, title and interest in and to the following pieces of property, to-wit:

(a) a parcel of land located at 210 Pier Street in the City of Fairhope, Alabama, together with the improvements thereon. Subject, however, to a certain mortgage indebtedness thereon which FRED E. WARNER does hereby agree to assume.

(b) a parcel of land beginning at the SE corner of Fairhope Avenue and Bayview Street; thence S 417 ft along the E side of Bayview Street; thence E 190 ft to the SE corner of the R.C. Macon property for a point of beginning; thence E 50 ft to the SW corner of the P.A. Grassfield property; thence N 129 ft along the W side of the Grassfield property; thence S 129 ft to the point of beginning; thence W 50 ft to the NE corner of the R.C. Macon property. Situated in Section 18, T6S, R2E, Baldwin County, Alabama, together with the improvements and appurtenances thereon. SUBJECT, however, to a mortgage indebtedness thereon which the said FRED E. WARNER does hereby agree to assume.

(c) a parcel land located in Orchard Park Subdivision adjoining Keyser West Virginia, and more particularly described as follows: 292.7 ft fronting on Elkgarden Road and 216.6 ft fronting on White Street; 147.8 ft fronting on the West side and approximately 350 ft fronting on the South side. Being a part of said subdivision according to plat thereof in the County Records of Mineral County, West Virginia. Subject, however, to a mortgage indebtedness thereon which the said Fred E. Warner does hereby agree to assume.

TO HAVE AND TO HOLD unto the said FRED E. WARNER, his heirs and assigns, forever.

2. The parties hereto agree with each other that they shall each have, and are hereby vested, title to and interest in and to all personal property now in their respective possession or which may be listed in their respective names. HELEN B. WARNER is to have title to all household furnishings located at the property listed in (c) above. The said FRED E. WARNER shall have title to all items located therein and previously used in connection with an ice cream business. The said Fred E. Warner is hereby vested with full title and right of possession

EXHIBIT "A"

of all papers, manuscripts, dossiers, etc. located on or about the described premises.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals this 14th day of June, 1955.

Fred E. Warner
FRED E. WARNER

Helen B. Warner
HELEN B. WARNER

STATE OF ALABAMA)
BALDWIN COUNTY)

I, the undersigned notary public in and for the State of Alabama at Large, hereby certify that Fred E. Warner, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of this instrument, he voluntarily executed the same on the day the same bears date.

Given under my hand and seal this 11th day of June, 1955.
My Commission expires on July 14, 1958

Samuel B. Bailey
Notary Public

STATE OF VIRGINIA)
COUNTY OF Arlington)

I, the undersigned notary public in and for said state and county, hereby certify that HELEN B. WARNER, whose name is signed to the foregoing instrument and is known to me, or made known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, she executed the same voluntarily on this date.

Given under my hand and seal this 14th day of June, 1955.
My commission expires on March 8th, 1957

Mary E. Feltner
Notary Public

RECORDED

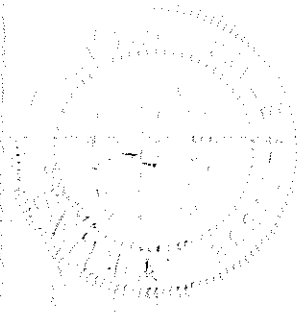
STIPULATION

FRED E. WARNER,
Complainant

vs.

HELEN B. WARNER,
Respondent

FILED
JUN 20 1955
FBI - NEW YORK, NEW YORK



3552

Handwritten note: 100-3552-100

Handwritten signature: [Illegible signature]

Handwritten note: 100-3552-100

of all papers, manuscripts, dossiers, etc. located on or about the described premises.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seals this 14th day of June, 1955.

Fred E. Warner
FRED E. WARNER

Helen B. Warner
HELEN B. WARNER

STATE OF ALABAMA)
BALDWIN COUNTY)

I, the undersigned notary public in and for the State of Alabama at Large, hereby certify that Fred E. Warner, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of this instrument, he voluntarily executed the same on the day the same bears date.

Given under my hand and seal this 14th day of June, 1955.
My Commission expires on July 14, 1958

Samuel R. Bailey
Notary Public

STATE OF VIRGINIA)
COUNTY OF Arlington)

I, the undersigned notary public in and for said state and county, hereby certify that HELEN B. WARNER, whose name is signed to the foregoing instrument and is known to me, or made known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, she executed the same voluntarily on this date.

Given under my hand and seal this 14th day of June, 1955.
My commission expires on March 8th, 1957

Mary E. Guler
Notary Public