

(2280)

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

NELL BEVERLY WILMORE Complainant

VS.

FRANK W. WILMORE Respondent

I, Alice H. Beck

as Register and Commissioner

have called and caused to come before me Nell Beverly Wilmore and
Mrs. L. P. Redding

witnesses named in the Requirement for Oral Examination, on the 20 day of February, 1950
1948, at the office of Alice H. Beck

in Foley, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Nell Beverly Wilmore and
Mrs. L. B. Redding doth depose and say as follows:

My name is Nell Beverly Wilmore, I am twenty-one years of age, and I am a resident of Baldwin County Alabama, and have lived in this County continuously for the past eight years. My husband Frank W. Wilmore is twenty-seven years old and is a resident of Baldwin County, Alabama. Frank and I were Married in Pascagoula, Miss.. I went home the day after because of the fact that our marriage was to be kept secret, a wish of his, because of his Mother. He promised that he would live with me as soon as he found work. He then decided to go into the army, believing that he could do better there. After being in about six months he was discharged and come home without my knowing it and when I saw him he said that he didn't intend to live with me to start with and didn't now or ever and that he was going away again. He stayed with his mother the time he was here and then went to Denver Colorado to go to college. He has never supported me in the time we've been married and even though I've asked that he let me live with him, I have gotten no response from him. He has always given me the excuse that he couldn't support me and that he doesn't want to be tied down. We have never lived together in the time we have been married and he has never admitted to any one that we were married nor has he ever supported me in any way. Frank and I were married on August 4th, 1948 in Pascagoula, Mississippi.

Nell Beverly Wilmore

My name is Mrs. L. B. Redding. I am the Mother of Beverly Nell Wilmore. I am a resident of Baldwin County, Alabama and have lived here for the past eight years. My daughter came home on August the fifth, 1948 and when I wanted to know where she had been showed me her marriage certificate that she had married Frank Wilmore. She told me that Frank Wanted to keep it a secret until he could find work then they would live together. Frank then went off to the army and then after about six months he came back but didn't even come around to see Beverly. She finally saw him at his house and he told her that he didn't intend to support or live with her. I can assure you that as far as I can discover he never has supported her in any way or lived with her since they were married. Beverly has been living with me all of the time and supporting herself.

Mrs. L. B. Redding

ORAL EXAMINATION.

I, Alice H. Beck, 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 Alice H. Beck 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 20 day of February, 1950, 194

Alice H. Beck (L. S.)

NO. 2240 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

NEIL BEVERLY WILMORE

vs. Complainant

FRANK W. WILMORE

Respondent.

Oral Deposition

Filed FEB 20 1950, 194

FILED

Register.

Recorded in

ALICE H. BECK, Register Record

Vol. Page , Register.

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

Beirf. Leuck
Register

Case 2240

Page _____

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

NELL BEVERLY WILMORE

Complainant

VS.

FRANK W. WILMORE

Respondent

NOTE OF SUBMISSION

FILED

FEB 20 1950

ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
COLEY, ALABAMA

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: ALICE H. BECK, FOLEY, ALABAMA

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 NELL BEVERLY WILMORE AND MRS. L.B. REDDING

as witnesses in behalf of NELL BEVERLY WILMORE in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

NELL BEVERLY WILMORE

_____, Complainant
and _____

FRANK W. WILMORE

_____, Respondent

on oath, to be by you administered, upon NELL BEVERLY WILMORE AND MRS. L.B. REDDING to take and certify the deposition S of the witness MS and return the same to our Court, with all convenient speed, under your hand.

Witness 20 day of February, 1950, 194

Alice H. Beck

Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 2240

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

NELL BEVERLY WILMORE

Complainant

vs.

FRANK W. WILMORE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

ALICE H. BECK

WITNESSES:

NELL BEVERLY WILMORE

MRS. L. B. REDDING

ARTHUR C. EPPERSON
ATTORNEY AT LAW

NELL BEVERLY WILMORE |
Complainant |
VS. |
FRANK W. WILMORE |
Respondent |

CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY
No _____

Now comes the respondent, Frank W. Wilmore, and for answer to the bill of complaint herein says as follows:

1. He admits the allegations of paragraphs one, two, and three of said bill of complaint.
2. He denies each and every material allegation contained in paragraph four of the said bill of complaint and demands strict proof of same.
3. The respondent hereby waives notice of taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further, or different notice to which he might otherwise be entitled.

Oliver H. Beck

Witness

Vivian M. Dicks

Witness

Frank W. Wilmore
RESPONDENT

RECORDED
CIRCUIT COURT IN EQUITY
BALDWIN COUNTY, ALABAMA

NELL BEVERLY WILMORE

Complainant

VS.

FRANK W. WILMORE

Respondent

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ANSWER AND WAIVER OF
RESPONDENT

FILED
FEB 20 1950
ALICE L. DICK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

NELL BEVERLY WILMORE §
 Complainant |
 VS. |
 |
FRANK W. WILMORE |
 Respondent |

CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY
No. _____

TO THE HONORABLE TELEFAIR J. MASHBURN, Jr., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, Nell Beverly Wilmore, and respectfully represents and shows to your Honor:

1. That she is over the age of twenty-one and is a bona-fide resident of Baldwin County, Alabama; that the respondent Frank w. Wilmore, is over the age of twenty-one and is a bona fide resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or about to-wit, the fourth day of August, 1948 at Pascagoula, Mississippi.

3. That your complainant and respondent have been bona fide residents of the State of Alabama for more than two years next preceding the filing of this bill of complaint.

4. That the said respondent voluntarily and without fault on the part of the complainant, 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 nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Frank W. Wilmore 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 cause the State's writ of subpoena to be issued, directed to the said Frank W. Wilmore, Commanding him to answer, plead or demur to this bill of complaint, whith in 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 said respondent, granting the complainant the right to remarry, and

granting the complainant the right to resume her maiden name; 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

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

NELL BEVERLY WILMORE

, Complainant

vs.

FRANK W. WILMORE

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Declaratory Judgment~~

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 Nell Beverly Wilmore is forever divorced from the

said Frank W. Wilmore for and on account of

- ABANDONMENT -

It is further ordered, adjudged and decreed that the

Complainant be, and she is hereby, authorized and empowered to

resume the use of her maiden name, Nell Beverly Redding.

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 Nell Beverly Wilmore

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

This 20th day of February, 19 50

Julius J. Masbury, Jr.
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.

2280

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Complainant
vs.

Respondent

DIVORCE DECREE

FILED
FEB 20 1950
ALICE J. DUCK, Register