

2312

BE PART,.

JAMES WHITE AND CAROL ANN WHITE.

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

TO THE HONORABLE TELPAIR J. MASHBURN JR., JUDGE OF THE TWENTY-  
EIGHTH JUDICIAL CIRCUIT, IN EQUITY:

Comes the Petitioner, CLAYTON H. WHITE, who represents  
and shows unto your Honor as follows:

1.

That his name is CLAYTON H. WHITE, that he is over the  
age of twenty-one years and a resident of Baldwin County,  
Alabama and has been more than ten years next preceeding .

2.

That your Petitioner and BLANCHE L. WHITE, were married  
August 6, 1944 and that as fruits of this marriage there  
were born two children, JAMES WHITE age 4 and CAROL ANN WHITE  
age 3.

3.

That on or about, to-wit May 24, 1949, your Petitioner's  
wife abandoned him, and departed from Alabama without any  
fault on the part of your petitioner, taking with her the two  
children aforesaid, that your petitioner at a subsequent date  
followed her to her destination, Grants Pass, Oregon, for the  
purpose of affecting a reconciliation. That your petitioner  
remained there approximately five weeks seeking the reconciliation  
and during which time the said BLANCHE L. WHITE abandoned the  
children and went to Siat Valley, California, where your  
petitioner located her by telephone. That your petitioner  
urged her to return to the children which she refused, where-  
upon, your petitioner returned to Alabama bringing the children  
aforesaid and has them domiciled with him in the home of  
your petitioner's mother and father, Mr. and Mrs. Brooks White,  
near Foley, Alabama.

PRAYER

WHEREFORE, THE PREMISES CONSIDERED, your petitioner prays that your Honor will be proper process, make the said BLANCHE L. WHITE, party Respondent to this cause of action in order that your Petitioner may have the relief hereinafter prayed for, requiring her 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.

That on final hearing of this cause that your Honor will adjudge and decree that the care, custody, and control of JAMES WHITE AND CAROL ANN WHITE be entrusted to your petitioner to insure adequate attention of the said children, and that pending such hearing your Honor will grant temporary custody of JAMES WHITE AND CAROL ANN WHITE to your petitioner.

Clayton H. White  
PETITIONER

C. LeNoir Thompson  
SOLICITOR FOR PETITIONER

STATE OF ALABAMA }  
BALDWIN COUNTY. }

Before me, C. LeNoir Thompson, a Notary Public, in and for said County in said State, personally appeared CLAYTON H. WHITE, who being duly sworn deposes and says, that he has knowledge of the foregoing allegation and that they are true to the best of his knowledge, information and belief.

C. LeNoir Thompson  
Notary Public

EX PARTE,

JAMES WHITE AND CAROL ANN WHITE

I IN THE CIRCUIT COURT OF

I BALDWIN COUNTY, ALABAMA

I IN EQUITY

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE TWENTY-EIGHTH JUDICIAL CIRCUIT, IN EQUITY:

Comes the Respondent, Blanche L. White, and in answer to the petition of Clayton H. White, says as follows:-

1. Respondent admits the allegations of paragraph 1 of the petition.

2. Respondent admits the allegations of paragraph 2 of the petition.

3. Respondent admits that the petitioner brought their children as aforesaid from Grants Pass, Oregon, to Baldwin County, Alabama, and that they are domiciled with his mother, Mrs. Brooks White, who resides near Foley, Alabama, but Respondent denies that she abandoned the complainant and denies he followed her to her destination, but states that they went to Grants Pass, Oregon, together from Foley, Baldwin County, Alabama.

Respondent further denies that petitioner was seeking a reconciliation in that they lived together in Grants Pass, Oregon, as husband and wife, and denies that she abandoned the children and went to Seiad Valley, California, but states that she went to Seiad Valley, California, with petitioner's knowledge and consent and that she wished to take the children with her but was assured by petitioner that he would properly care for them in Grants Pass, Oregon, during her two day absence.

Respondent demands strict proof of the allegations of paragraph 3 as hereinabove denied.

Respondent and Cross Complainant further shows unto your Honor as follows:-

1. That she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama.

2. That Respondent and Cross Complainant avers that the said Clayton H. White did voluntarily abandon your Cross Complainant on, to-wit, July 2, 1949, before the filing of this bill and that he has not lived with the Cross Complainant since that abandonment, which

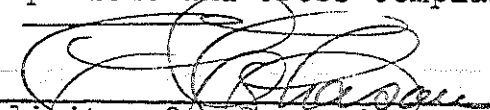
said abandonment was through no fault on the part of the Cross Complainant.

3. That Clayton H. White has contributed nothing to the support of the children, James White and Carol Ann White for over seven months prior to the filing of this bill with the exception of approximately three weeks at which time he was working in Grants Pass, Oregon, and contributed to Cross Complainant's support and the support of the minor children as aforesaid.

4. Cross Complainant further avers that Clayton H. White is twenty-five years of age, physically strong, and in perfect health and is able to earn a substantial income,

WHEREFORE, THE PREMISES CONSIDERED, your Cross Complainant, Blanche L. White, prays that service be had upon Clayton H. White in accordance with the law and the statutes in such cases made and provided, requiring Clayton H. White to plead, answer or demur to this her cross bill within the time required by law and practices of this Honorable Court, and that upon a final hearing of this cause, your Honor will adjudge and decree that Blanche L. White have the care, custody and control of James White and Carol Ann White, minors, and that your Honor will order the said Clayton H. White to pay to her for support of these minor children such sum as appears to your Honor to be adequate and just upon the hearing of the evidence in this case, and that your Honor will grant to your Cross Complainant such other, different and general relief to which she may be entitled, and as in duty bound she will ever pray.

  
Respondent and Cross Complainant

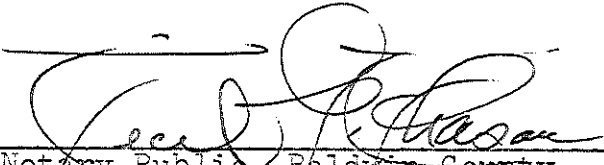
  
Solicitor for Respondent and Cross Complainant

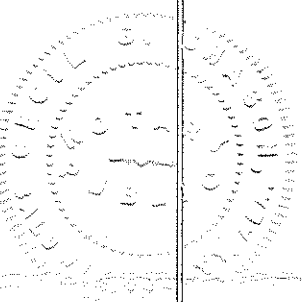
STATE OF ALABAMA

BALDWIN COUNTY

I, Cecil G. Chason, a Notary Public in and for said County in said State, personally appeared Blanche L. White, who being duly sworn, deposes and says that she has knowledge of the foregoing allegations and that they are true to the best of her knowledge, in-

formation and belief.

  
Notary Public, Baldwin County  
State of Alabama.



EX PARTE,

JAMES WHITE AND CAROL ANN WHITE.

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

TO THE HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE TWENTY-  
EIGHTH JUDICIAL CIRCUIT, IN EQUITY:

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and shows unto your Honor as follows:

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wife abandoned him, and departed from Alabama without any  
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upon, your petitioner returned to Alabama bringing the children  
aforesaid and has them domiciled with him in the home of  
your petitioner's mother and father, Mr. and Mrs. Brooks White,  
near Foley, Alabama.

PRAYER

WHEREFORE, THE PREMISES CONSIDERED, your petitioner prays that your Honor will by proper process, make the said BLANCHE L. WHITE, party Respondent to this cause of action in order that your Petitioner may have the relief hereinafter prayed for, requiring her 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.

That on final hearing of this cause that your Honor will adjudge and decree that the care, custody, and control of JAMES WHITE AND CAROL ANN WHITE be entrusted to your petitioner to insure adequate attention of the said children, and that pending such hearing your Honor will grant temporary custody of JAMES WHITE AND CAROL ANN WHITE to your petitioner.

Clayton H. White  
PETITIONER

C. LeNoir Thompson  
SOLICITOR FOR PETITIONER

STATE OF ALABAMA §  
BALDWIN COUNTY. §

Before me, C. LeNoir Thompson, a Notary Public, in and for said County in said State, personally appeared CLAYTON H. WHITE, who being duly sworn deposes and says, that he has knowledge of the foregoing allegation and that they are true to the best of his knowledge, information and belief.

C. LeNoir Thompson  
Notary Public

EX PARTE

JAMES WHITE AND CAROL ANN WHITE

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

DECREE

This cause coming on to be heard is submitted on the  
Petitioner's petition and prayer for temporary custody pending  
final hearing and the same being considered and understood by the  
Court, the Court is of the opinion that Petitioner is entitled  
to the relief prayed for; It is therefore

ORDERED, ADJUDGED AND DECREED that pending final  
hearing in this cause the care, custody and control of the minor  
children of the Petitioner, Clayton H. White and Blanche L. White,  
his wife, is awarded temporarily to Clayton H. White, the Petitioner.

Done and ordered this 7th day of July, 1949.

J. Fair A. Madlbury, Jr.  
Judge