

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

ELINOR MANNICH

, Complainant

vs.

CEDRIC MANNICH

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Confession~~
Answer of Respondent 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 Elinor Mannich is forever divorced from the said Cedric Mannich for and on account of cruelty.

The Complainant, Elinor Mannich is hereby awarded the care, custody and control of Deborah Ann Mannich, the minor daughter of said parties and Cedric Mannich shall have the right to visit such minor child at reasonable and proper times.

It is ORDERED, ADJUDGED AND DECREED by the Court that Cedric Mannich shall pay the said Elinor Mannich the sum of Forty Dollars (\$40.00) on the 1st day of each month beginning February 1, 1952 for the support and maintenance of Deborah Ann Mannich until further order of this court.

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 Cedric Mannich the Respondent pay the cost herein to be taxed, for which execution may issue.

This 10th day of January, 1952

Walter A. Madley
 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

ELINOR MANNICH

Complainant

vs.

CEDRIC MANNICH

Respondent

DIVORCE DECREE

ELINOR MANNICH

COMPLAINANT

VS

CEDRIC MANNICH

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY
NO. 2717

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

1.

He denies each and every allegation therein contained and demands strict proof of the same.

2.

He admits the allegations contained in paragraph first.

3.


He admits the allegation contained in paragraph second that he and the Complainant were married on May 1, 1944, and that they lived together as husband and wife until September 3, 1951, but denies all other allegations contained in said paragraph and demands strict proof of the same, except that he says that the Complainant on September 3, 1951, left their home and carried their baby with her and that she has remained away voluntarily since that time.

4.

He admits the allegations contained in paragraph three that there was born of the marriage between your Complainant and the Respondent a girl, Deborah Ann Mannich, who is now three years of age and is with the Complainant, but denies the allegation that he is not a fit and proper person to have the custody, care and control of said child.

5.

That for answer to paragraph four he says that he does not know the salary the Complainant is making and knows nothing about her having employed the firm of Chason & Stone as Solicitors to prosecute this proceeding; he admits that he is an able bodied man and working and earning approximately \$50.00 per week.


Solicitor for the Respondent

2717

ELINOR MANNICH

COMPLAINANT

VS

CEDRIC MANNICH

RESPONDENT

ANSWER

RECORDED

FILED

OCT 13 1951

ALICE L. DUCK, Registrar

ELINOR MANNICH

Complainant

vs.

CEDRIC MANNICH

Respondent

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,

admissions in answer and testimony of Elinor Mannich and

Mrs E. E. Mannich

and in behalf of Defendant upon

Register.

Sharon J. Stone Sec. for Comp.

RECORDED

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ELINOR MANNICH

Complainant

vs.

CEDRIC MANNICH

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

Register.

Printed By The Baldwin Times

STATE OF ALABAMA

BALDWIN COUNTY

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)
IN THE CIRCUIT COURT - IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Cedric Mannich 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 Elinor Mannich, as Complainant, against Cedric Mannich, as Respondent.

Witness my hand this 11th day of September, 1951.

W. J. Duck
Register.

ELINOR MANNICH,	§	
Complainant,	§	IN THE CIRCUIT COURT OF
vs.	§	BALDWIN COUNTY, ALABAMA
CEDRIC MANNICH,	§	IN EQUITY.
Respondent.	§	

Comes your Complainant, Elinor Mannich, and files this her Bill of Complaint for divorce against Cedric Mannich, and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant is a married woman over the age of twenty-one years and that the Respondent is over the age of twenty-one years; that both your Complainant and the Respondent are resident citizens of Baldwin County, Alabama, residing at Fairhope, Alabama, where they have resided for more than two years last past.

SECOND:

That your Complainant and the Respondent were married on heretofore to-wit, May 1, 1944, and lived together as man and wife until on account of the matters hereinafter complained of, your Complainant was compelled to leave the Respondent and live separate and apart from him; that on to-wit, September 3, 1951, at about 4:00 o'clock P. M., your Complainant went into the living room of the house in which she and the Respondent were living and the Respondent was to a very great extent under the influence of intoxicating liquor and at that time the Respondent struck your Complainant with his fist and told her to get out of the house and that he would kill her if she did not leave and your Complainant immediately left the home in which they were living and carried her baby with her and has not lived with the Respondent since that time.

THIRD:

That there was born of this marriage between the Complainant and the Respondent, a girl, Deborah Ann Mannich, who is now three years of age, which child is now in the custody of your Complainant; that your Complainant is a fit and proper person to have the care,

custody and control of such minor child and the Respondent is not a fit and proper person to have the custody, care and control of said minor.

FOURTH:

That your Complainant does not own any real or personal property and has no money with which to support herself and said minor child and with which to employ an attorney to prosecute this cause; that she is now employed by Greers at Fairhope, Alabama, earning approximately \$22.50 per week. That the Respondent is an able bodied man and employed by the City Market & Grocery in Fairhope, Alabama, earning approximately \$55.00 a week. That your Complainant has employed Chason & Stone, Attorneys at Law, Bay Minette, Alabama, to prosecute this cause for her.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Cedric Mannich be made a party defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this court and the Statutes in such cases made and provided; that upon a final hearing of this cause that your Honor will grant unto your Complainant a divorce from the Respondent and will order and decree that she be allowed to remarry if she sees fit; that your Complainant be awarded the full custody, care and control of Deborah Ann Mannich and that the Respondent Cedric Mannich be required to pay a sufficient amount each week as alimony to your Complainant; as support for such minor child and that said Respondent be required to pay a reasonable solicitors fee to Chason & Stone, Solicitors for Complainant, for their services in prosecuting this cause. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Elinor Mannich

CHASON & STONE,
Solicitors for Complainant.

ELINOR MANNICH,

Complainant,

VS.

CEDRIC MANNICH,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 2717.

TESTIMONY TAKEN ON A HEARING OF THE ABOVE STYLED
CAUSE ON JANUARY 10, 1952.

APPEARED:

For Complainant,

Chason & Stone
Bay Minette, Alabama

For Respondent,

H. M. Hall
Bay Minette, Alabama

Elinor Mannich, having been first duly and legally
sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. What is your name?

A. Elinor Mannich.

Q. Are you the wife of Cedric Mannich?

A. Yes sir.

Q. Are you and Cedric Mannich both over the age of twenty-one years?

A. Yes sir.

Q. Where do you live?

A. Fairhope.

Q. Both of you live at Fairhope?

A. Yes sir.

Q. Have you lived at Fairhope for more than the last two years?

A. Yes sir.

Q. When did you and Cedric Mannich get married?

A. May 1, 1944.

Q. Did you live together as man and wife until September 3, 1951?

A. Yes sir.

Q. Did you leave him on September 3, 1951?

A. Yes sir.

Q. Have you lived with him as his wife since that time?

A. No sir.

Q. Just what happened on the third of September, 1951?

A. I was away from home and when I came in he struck me with his fist and threatened to kill me. He told me to leave or he would kill me and to never come back.

Q. Where did he hit you?

A. On my arm, my shoulder and back.

Q. Did you leave and take your child with you?

A. Yes sir.

Q. What's the name of your daughter?

A. Deborah Ann.

Q. How old is she?

A. Three.

Q. Since that time where have you and Deborah Ann been living?

A. At my mother's, Mrs. Kervin.

Q. At Fairhope?

A. Fairhope.

Q. Now do you take proper care of your child?

A. Yes sir.

Q. Do you work?

A. I work.

Q. Do you go home to lunch?

A. Yes sir.

Q. Then are you at home each night?

A. Yes sir.

Q. You work in Fairhope, do you not?

A. Yes sir.

Q. Who keeps your child while you are at work?

A. My mother.

Q. Do you all have a proper Christian home in which to raise your child?

A. Yes sir.

Q. Do you and your mother take good care of her?

A. Yes sir.

Q. Now, where is your husband employed at this time?

A. At the City Market and Grocery in Fairhope.

Q. Do you know what he is earning? Of your own knowledge?

A. No sir, I don't.

Q. Is Forty Dollars (\$40.00) a month, payable monthly a satisfactory amount for him to pay you for maintenance and support of your child?

A. Yes sir.

ON CROSS EXAMINATION

By Mr. Hall

No question

Mrs. Kervin, having been first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. Mrs. Kervin, what are your initials?

A. E. E.

Q. Mrs. E. E. Kervin?

A. Yes sir.

Q. Are you the mother of Elinor Mannich?

A. Yes sir, I am.

Q. Did she come to you on September 3, 1951 and bring the child with her?

A. She did.

Q. Did you observe any bruises on her shoulder at that time?

A. I did.

Q. Now, has she lived there with you and kept her child there with you since that time?

A. Yes sir.

Q. Has she lived with Cedric Mannich as his wife since September 3, 1951?

A. No.

Q. Are you willing for your child to be kept in your home?

A. Yes sir.

Q. Do you take care of the child while your daughter works?

A. Yes sir.

Q. Do you and your daughter maintain a Christian home for the child to be kept in?

A. We hope and feel like it is.

Q. Do you feel like your daughter is a proper person to have the care of the child?

A. Yes, I feel like she is. I feel like she is a pretty good girl.

ON CROSS EXAMINATION

By Mr. Hall

No question

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 10, 1952.

Transcribed and filed this 10th day of January, 1952.

Ora S. Nelson
Court Reporter

ELINOR MANNICH,	¶	IN THE CIRCUIT COURT OF
Complainant,	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	IN EQUITY.
CEDRIC MANNICH,	¶	NO. 2717.
Respondent.	¶	

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

Comes now your Complainant Elinor Mannich, and respectfully represents and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That she is the Complainant in the above styled cause and that this Honorable Court rendered a decree of divorce in her favor and against the Respondent, Cedric Mannich, for and on account of cruelty on the 10th day of January, 1952. That in and by the terms of said divorce decree this Honorable Court ordered the said Cedric Mannich to pay to your Complainant the sum of Forty Dollars (\$40.00) on the 1st day of each month, beginning February 1, 1952, for the support and maintenance of Deborah Ann Mannich until further order of this Court.

SECOND:

That the Respondent did, in all respects, comply with the terms of the divorce decree referred to above up to and until November 2, 1952, when, on said date, the Respondent paid to your Complainant the sum of \$12.00, and on November 16, 1952, the sum of \$15.00 and on November 30, 1952, the sum of \$5.00. That your Complainant has received no payment for the support of her said daughter for the month of December.

THIRD:

Your Complainant further shows unto this Court that the said Cedric Mannich still resides in the State of Alabama, at Fairhope, Alabama, and that he is employed at Fairhope Ice & Creamery, and that his income is substantially the same as that which he was receiving on the date of the decree referred to above.

WHEREFORE, the premises considered, your Petitioner and Complainant respectfully prays that your Honor will cause an appropriate order to be entered directing Cedric Mannich to appear before this Court on a date to be specified therein and to show cause why he is not in contempt of this Honorable Court for failure to comply with the terms of the decree heretofore referred to, rendered on the 10th day of January, 1952. And your Complainant prays for such other, further and different orders and decrees as in the premises will be meet and proper.

Respectfully submitted,

Elinor Mannich
Elinor Mannich, Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Alice L. Miller, a Notary Public, in and for said County in said State, personally appeared Elinor Mannich, who is known to me and who after being by me first duly and legally sworn did depose and say under oath as follows:

That her name is Elinor Mannich and that she is one and the same person as the Complainant in the cause of Elinor Mannich versus Cedric Mannich and that her name is signed to the foregoing petition. That the facts alleged in the foregoing petition are true and correct.

Elinor Mannich
Elinor Mannich.

Sworn to and subscribed
before me this 2nd day of
December, 1952.

Alice L. Miller
Notary Public, Baldwin County, Ala.

ELINOR MANNICH,

Complainant,

vs.

CEDRIC MANNICH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2717.

This day came Elinor Mannich, the Complainant in the above styled cause and filed herein her verified petition praying for an order for Cedric Mannich to show cause why he should not be punished for contempt for failure to comply with the decree of this court heretofore rendered in this cause and upon the consideration of such petition it is ORDERED, ADJUDGED AND DECREED by this Court:

1. That the said Cedric Mannich do appear before this Court in his own proper person at 10:00 o'clock A. M. on the 22nd 9th day of December, 1952, at the courtroom in Bay Minette, Baldwin County, Alabama, then and there to show cause, if any he has, why he should not be punished for a contempt of court for and on account of the matters and things set out in the verified petition of the said Elinor Mannich;

2. That the Sheriff of Baldwin County, Alabama, shall forthwith serve upon the said Cedric Mannich a true and correct copy of this order and a true and correct copy of the petition referred to herein and the Sheriff shall make return thereof.

Done this 3rd day of December, 1952.

Telford J. Maddox
Judge.

2717

ORDER

ELINOR MANNICH,

Complainant,

vs.

GEDRIC MANNICH,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2717.

12-9-52

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

Executed Dec. 9. 1952
By Serving Copy on
Cedric Mannich

Sheriff
Taylor Wilkins
By
Edleigh Steadham

Filed 12-3-52

Orig. rec'd

Revised