

4223

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JOYCE CARTER

Complainant

vs.

RAY DOUGLAS CARTER

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ 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 Joyce Carter is forever divorced from the said Ray Douglas Carter for and on account of Cruelty.

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant be and she is hereby awarded the custody and control of the minor child, Anita Marie Carter subject to the right of visitation on the part of the Respondent at reasonable times.~~

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Respondent be, and he is hereby required to pay to the complainant towards the maintenance and support of the minor child, Anita Marie Carter, the sum of TEN (\$10.00) a week.~~

It is futher 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 futher 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 futher ordered that Joyce Carter the Complainant pay the cost herein to be taxed, for which executed may issue.

This 10th day of February 1958

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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
FEB 11 1958
ALICE A. BRAX, Registrar

Law Offices Of
WILLIAM GRAYSON
65 St. Emanuel Street
MOBILE, ALABAMA



HON. ALICE J. DUCK
REGISTRAR OF EQUITY COURT
COUNTY COURT HOUSE
BAY MINETTE, ALABAMA

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

JOYCE CARTER,

Complainant,

-VS-

RAY DOUGLAS CARTER,

Respondent.

Deposition of Joyce Carter and of
Ruby Rogers, witness on behalf of the
Complainant.

Commissioners' FEE \$10.00
Peggy Preston

HON. ALICE J. DUCK
REGISTRAR OF EQUITY COURT
COUNTY COURT HOUSE
BAY MINETTE, ALABAMA

C E R T I F I C A T E

I, Peggy Preston, the commissioner named in an agreement contained in that certain cause now pending in the Honorable Circuit Court of ^{BALDWIN} ~~MOBILE~~ County, Alabama, Sitting in Equity, wherein Joyce Carter is Complainant, and Ray Douglas Carter is Respondent, under and by virtue of the power conferred upon me by said agreement as such commissioner, caused the said Joyce Carter and the said Ruby Rogers, who were made known to me, to come before me at 3:00 o'clock, P.M., on February 7, 1958, 19 , ~~at Room 205, First National Bank Building,~~ 65 St. Emanuel Street, Mobile, Alabama; that said witnesses were first duly sworn by me as stated; that they were then examined by Mr. William Grayson, Solicitor for Complainant, and they testified in response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near as might be identical language of the said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to the said witnesses, who assented to and signed the same in my presence and in the presence of said Solicitor for Complainant. These depositions are true and correct as given by the witnesses.

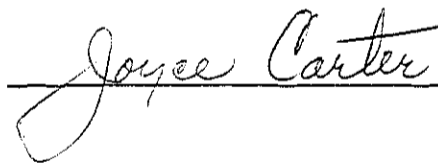
I further certify that I am not of counsel of or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof.

Witness my hand this 7th day of February 1958.


COMMISSIONER

TESTIMONY OF JOYCE CARTER, WITNESS ON HER OWN BEHALF:

My name is Joyce Carter and I am the Complainant in this cause and I am the wife of the Respondent. The Respondent and I were married to each other on November 28, 1946 in Mobile, Alabama. Both myself and the Respondent are each over the age of twenty-one years and were such at the time of the filing of the Bill of Complaint herein. Both myself and the Respondent are bona-fide resident citizens of Mobile County, Alabama and have been such for more than one year next preceding the filing of the Bill of Complaint herein. There is one minor child as issue of our marriage, Anita Marie Carter, age nine years. Said child lives and resides with me and I think that I am a fit and proper person to be granted her custody and control. The Respondent and I have lived separate and apart from each other's bed and board for two years, and I have actually lived in the State of Alabama during that period of time. I have not received any support whatsoever for myself from the Respondent during ^{said} two year period. The Respondent and I were living on Victory Drive in Mobile, Alabama at the time of of separation which was in November of 1955, over two years next preceding the filing of the bill of Complaint herein.



TESTIMONY OF RUBY ROGERS, WITNESS ON BEHALF OF THE COMPLAINANT.

I have known the Complainant in this cause for approximately two years. The Complainant is the wife of the Respondent and they were married to each other in November of 1946 in Mobile, Alabama. Both the Complainant and the Respondent are each over the age of twenty-one years and both the Complainant and the Respondent are bona-fide resident citizens of Mobile County, Alabama and have been such for more than one year next preceding the filing of the Bill of Complaint herein. There is one minor child as issue of their marriage, Anita Marie Carter, age nine years. Said child lives with her mother, and she is a fit and proper person to be granted the custody and control of said child. The Complainant has lived separate and apart from the bed and board of the Respondent for two years and without support from him for two years next preceding the filing of the Bill of Complaint herein. As stated, I have known the Complainant for approximately two years and I see her every day. I know of my own personal knowledge that she has not lived with the Respondent in any respect as husband and wife during said two years, as a matter of fact she has not lived with him since November of 1955. I also know that the Complainant has not received any support from the Respondent during that period of time, which has been for two years next preceding the filing of the Bill of Complaint herein.

Ruby Rogers

JOYCE CARTER
Complainant,
Vs.
RAY DOUGLAS CARTER
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN
~~MOBILE~~ COUNTY, ALABAMA
IN EQUITY
NO. _____

ANSWER AND WAIVER

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint herein admits the allegations as to the ages, residences and marriage and denies the other allegations of said Bill of Complaint and demands strict proof thereof.

Respondent agrees that the testimony in this cause may be taken by deposition or oral examination, and waives notice of the time and place of the taking of such testimony and agrees that this cause may be submitted for final decree at any time. Respondent waives all notices to which he or she may be entitled by law in this cause. Respondent agrees that Peggy Preston may take the testimony in this cause as commissioner, without the issuance of a commission.

ATTEST:

1. Jack Coche
2. Ray Douglas Carter

Ray Douglas Carter
RESPONDENT

Complainant agrees that Peggy Preston may take the testimony in this cause as commissioner, without issuance of a commission.

William Simpson
SOLICITOR FOR COMPLAINANT.

Note: The Space below is intended for "Agreements Between the Parties"

Complainant releases the Respondent from all claims of alimony and support, both temporary and permanent, as to herself alone, Respondent agrees to pay to the Complainant the sum of \$10.00 a week as support and maintenance for Anita Marie Carter, and Respondent agrees that the Complainant should be granted the custody and control of said minor child, subject to his right to see and visit with said child at all reasonable times, and Respondent agrees to deed all his right, title and interest in the real estate located at 2071 E. Victory Drive, Mobile, Alabama over to the Complainant and Complainant agrees to pay the balance due on said home.

Ray Douglas Carter
Respondent
Joyce Carter
Complainant

STATE OF _____
COUNTY OF _____

Before me, the undersigned authority, in and for said State and County personally appeared the above named Respondent, whose name is signed to the foregoing instrument, and who was made known to me, acknowledged before me this day, that being informed of the contents of the instrument, said Respondent executed the same voluntarily on the day same bears date.

Witness my hand and seal this _____ day of _____ 195__.

Filed in Registers Office
_____ 195__
W.ELSWORTH HAUGHTON, REGISTER

NOTARY PUBLIC
(Please affix official seal)

JOYCE CARTER,
Complainant,

-vs-

RAY DOUGLAS CARTER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN
~~MOBILE~~ COUNTY, ALABAMA

IN EQUITY:

NO. _____

BALDWIN

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF ~~MOBILE~~ COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto
this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they were
married to each other on November 28, 1946 in Mobile, Alabama.
Complainant is a bona-fide resident citizen of Mobile County,
Alabama and she has been such for more than two years next
preceding the filing of the Bill of Complaint herein.
Complainant has actually lived and resided in the State of Alabama
for more than two years next preceding the filing of the bill
of complaint herein. Respondent is a bona-fide resident citizen
of Mobile County, Alabama. Both the Complainant and the Respondent
are each over the age of twenty-one years. There is one minor
child as issue of their marriage, Anita Marie Carter, age nine years.
Said child live and resides with the Complainant and she is a fit
and proper person to be granted its custody and control.

TWO

The Complainant has lived separate and apart from the bed
and board of the Respondent for two years and without support
from him for two years next preceding the filing of this bill of
complaint; and she has bona-fide resided in this State during said
period.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of
this cause, will make the said Ray Douglas Carter, party-respondent

hereto and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent and that she will be awarded the custody and control of said minor child, and Complainant further prays for such other, further and different relief as in equity she may be due, and as in duty bound she will ever pray, etc.

William Danson
SOLICITOR FOR COMPLAINANT.

4223

Joyce Carter vs

Ray Douglas Carter

Bill of Complaint

FILED
FEB 6 1958

Alice J. Beck, Register

JOYCE CARTER

No. _____ VS

RAY DOUGLAS CARTER

Entered on _____

Min. Book No. _____ Entry _____

~~XXXXXXXXXXXXXXXXXXXXXXXXXX~~
~~W. Easworth Haughton, Register~~

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

- 1. Bill of Complaint
- 2. Answer & Waiver
- 3. Testimony of Joyce Carter and of Ruby Rogers, witness for the complainant in this cause.

FILED, 9-8-58
W. Easworth Haughton Register

William A. Garson
Solicitor—for Complainant

FOR RESPONDENT

Solicitor—For Respondent

