(4172)

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 County, Alabama, Sitting in Equity, wherein Katherine B. Nuzum is Complainant, and Thomas K. Nuzum is Respondent, under and by virtue of the power conferred upon me by said agreement as such commissioner, caused the said Katherine B. Nuzum and the said Mrs. H. H. Myers, who were made known to me, to come before me at 2:00 o'clock, P.M., on November 26, 1957, at 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 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 26th day of November 1957.

Peggy Preston
COMMISSIONER

TESTIMONY OF MRS. KATHERINE B. NUZUM, WITNESS ON HER OWN BEHALF:

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 October 28, 1945 in Washington, D. C. Both myself and the Respondent are each over the age of twenty-one years and both myself and the Respondent are bona-fide resident citizens of the State of Alabama, and have been such for more than one year next preceding the filing of the Bill of Complaint here in. There are no children as issue of our marriage. The Respondent has committed actual violence upon my person, attended with danger to my life and health, and from his conduct there is reasonable apprehension of such violence being inflicted upon my person if I were to ever live with the Respondent again in any respect as husband and wife. The Respondent possesses a very quick and violent temper, especially when under the influence of alcoholic beverages. The Respondent has become angry with me on more than one occasion and jerked and shoved me about in a very rough and violent manner. On one particular occasion the Respondent became so enraged that he threw me to the floor and with his knee in my stomach, was choking me and he hit me in the nose causing it to bleed and become very sore. I was caused to wear bruised spots on my arms and body for several days after the Respondent's fit of temper. I do not ever intend to live with the Respondent again in any respect as man and wife because of his fast temper and because of cruelty and abuse.

Katherine B. Nuzum

MRS. KATHERINE B. NUZUM

C. C. Equity 35—1M—6-57 Note of Evidence

KATHERINE B. NUZUM

No.....VS

THOMAS K. NUZUM

Entered on _____

Min. Book No._____ Entry_____

~~XWX Elsworth 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 and Waiver and Agreement
3. Testimony of Katherin B. Nuzum and of Mrs. H. H. Myers, witness on behalf of the Complainant in this cause.

FILED, 11-27-57

Register

William Thayer

Solicitor—for Complainant

FOR RESPONDENT

Solicitor—For Respondent

No.....

Vs.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Filed .....FILED.....
.....NOV 27 1957 Register

Ent. Min. Book No. ALICE J. DUCK, Register Entry.....

C. C. Equity, Decree of Divorce—2M—12-53

THE STATE OF ALABAMA, ~~MOBILE~~ COUNTY
BALDWIN

KATHERINE B. NUZUM
Complainant,

No. vs.

THOMAS K. NUZUM
Defendant

CIRCUIT COURT
IN EQUITY
AT ~~MOBILE~~ ALABAMA
BALDWIN COUNTY
BAY MINETTE, ALABAMA

DECREE OF DIVORCE

This cause is submitted for decree on the pleadings, Answer and Waiver and the testimony as shown by the note of submission on file, and on consideration, it is ordered, adjudged and decreed by the Court that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Defendant be and the same are henceforth dissolved and annulled.

It is further ordered and decreed that Complainant and Defendant be, and hereby are permitted to again contract marriage, subject to such provisions of the law as regulate the marriage of divorced persons, and in no event before the expiration of sixty days after the rendition of this decree.

It is further ordered and decreed that the Complainant is the sole owner of the 1956 Ford PickUp Truck, and the "Flamingo" Brand house trailer along with all of the furniture and furnishings therein.

It is further ordered that The Respondent pay the cost of this suit, for which execution may issue

Dated, November 29, 1957

Hubert M Hall
Judge

CIRCUIT COURT OF MOBILE COUNTY

IN EQUITY

AT MOBILE, ALABAMA

No._____

VS.

DECREE

FILED

NOV 29 1957

ALICE J. DUCK, Register

KATHERINE B. NUZUM,	:	IN THE CIRCUIT COURT OF
Complainant,	:	BALDWIN COUNTY, ALABAMA
-vs-		IN EQUITY:
THOMAS K. NUZUM,	:	
Respondent.	:	NO._____

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

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

ONE

Complainant is the wife of the Respondent and they were married to each other on October 28, 1945 in Washington, D. C. 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 the State of Alabama, and have been such for more than one year next preceding the filing of the Bill of Complaint herein. There are no children as issue of their marriage.

TWO

The Respondent has committed actual violence upon the person of the Complainant, attended with danger to her life or health or from his conduct there is reasonable apprehension of such violence.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said Thomas K. Nuzum, 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.

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

KATHERINE B. NUZUM,

Complainant.

-vs-

THOMAS K. NUZUM,

Respondent.

Testimony of Katherine B. Nuzum, and of Mrs. H. H. Myers, witness on behalf of the Complainant.

COMMISSIONER'S FEE $7.50
Peggy Preston

Honorable Allen J. Tyler
Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama

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 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 Thayer

SOLICITOR FOR COMPLAINANT.

No. 4172

Bill of Complaint

KATHERINE B. NUZUM Complainant,	I	IN THE CIRCUIT COURT OF BALDWIN ~~MOBILE~~ COUNTY, ALABAMA
Vs.	I	IN EQUITY
THOMAS K. NUZUM Respondent.	I	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 on 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._____

2._____

X Thomas K. Nuzum
RESPONDENT

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

William Thompson
SOLICITOR FOR COMPLAINANT.

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

Respondent agrees that the Complainant is the owner of the pick up truck, the house-trailer and the house-trailer furniture. Respondent agrees to pay all attorne's fees and Court Costs herein not to exceed the sum of one hundred dollars.

X Thomas K. Nuzum
Respondent

Katherine B. Nuzum
Complainant

STATE OF ALABAMA

COUNTY OF MOBILE

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 18 day of November 1957.

Filed in Registers Office

_____195__

W.ELSWORTH HAUGHTON, REGISTER

William Thompson
NOTARY PUBLIC
(Please affix official seal)

No. 4172

Ans.