

4136

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNIE MAE REGISTER, Complainant

vs.

LEXIE WAYNE REGISTER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Answer & 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 ANNIE MAE REGISTER is forever divorced from the said LEXIE WAYNE REGISTER for and on account of

Cruelty

It is further ORDERED, ADJUDGED AND DECREED By the Court that the Complainant, Annie Mae Register be and she is hereby awarded the custody, care and control of the minor children, Patricia Ann Register and Vickie Lee Register, with the right of reasonable visitation on the part of the Respondent.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Respondent furnish the complainant with reasonable and proper support and maintenance and support for said children.

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 payment of the cost of this suit.

It is further ordered that Lexie Wayne Register the Respondent pay the cost herein to be taxed, for which executed may issue.

This 23rd day of December 19 57

[Signature] 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**

DEC 23 1957

ALICE J. BUCK, Register

ANNIE MAE REGISTER  
No.....VS  
LEXIE WAYNE REGISTER

Entered on \_\_\_\_\_  
Min. Book No. \_\_\_\_\_ Entry \_\_\_\_\_  
~~W. Elsworth Paughon, 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 & Agreement
- 3. Testimony of Annie Mae Register and of Betty Jo Johnson, witness on behalf of the Complainant in this cause.

FILED.....**FILED**.....  
DEC 12 1957 Register

*William Paughon*  
Solicitor—for Complainant

ALICE J. BECK, Register

**FOR RESPONDENT**

.....  
Solicitor—For Respondent



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 ~~MOBILE~~ <sup>BALDWIN</sup> County, Alabama, Sitting in Equity, wherein Annie Mae Register is Complainant, and Lexie Wayne Register is Respondent, under and by virtue of the power conferred upon me by said agreement as such commissioner, caused the said Annie Mae Register and the said Betty Jo Johnson, who were made known to me, to come before me at 3:00 o'clock, P.M., on December 11, 1957, at ~~Room 903, XXXXX~~ <sup>6 5 St. Emanuel Street,</sup> ~~NATIONAL BANK BUILDING,~~ 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. ~~of the record.~~ <sup>these depositions are true and correct as given</sup>

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 11th day of December 1957.

  
\_\_\_\_\_  
COMMISSIONER

TESTIMONY OF ANNIE MAE REGISTER, 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 July 25, 1946 in Leaksville, Mississippi. 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 Mobile County, Alabama and have been such for more than one year next preceding the filing of the Bill of Complaint herein. There are two minor children as issue of our marriage, Patricia Ann Register, age ten years and Vickie Lee Register, age eight years. Said children live and reside with me and I think that I am a fit and proper person to be granted their custody and control. I am a white lady of good moral character, The Respondent is a fit and proper person to be granted the right to see and visit with said minor children at all reasonable and seasonable times. I am employed at Brookley Field and the Respondent is employed at the International Paper Company in Mobile County. The Respondent and I have come to an agreement about of personal property he is to have the 1937 Ford automobile and the 1936 Criss-Craft Outboard motor boat, along with the two outboard motors he uses on it and the boat trailer. He has agreed to give me all of the household furniture and furnishings. Most of this furniture is located at 61 third Street, Prichard, Alabama at the present time. Respondent has also agreed that I should have the custody and control of our minor children unless I became remarried to another man in that event, if he has not married in the meantime, I have agreed that said children can go and live with HIM, of course, all of this is subject to what might be to the best interest as may be determined by this Honorable Court in the future.

The Respondent has inflicted actual violence upon the person of the Complainant, 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 man and wife. The Respondent possesses a very quick and mean temper which he lets get the best of him when things don't go to suit him

He displayed his temper more and more as the months and years went by. He has crused me for nasty names and has made threats to do me great bodily harm, since our marriage to each other. He has lost his temper and slapped me on several different occasions when he became angry with me for no reason whatsoever and he has also pushed me and jerked me about in a rough and violent manner on other occasions. He has such a violent temper that I goes out of his head and you can't reason with him. At times I have come so frightened with him that I have feared for my life and health. On one particular occasion the Respondent lost his temper and threw a cup of coffee in my face and then proceeded to throw the cup at me and hit me with it.

*Annie M. Register*

TESTIMONY OF MRS. BETTY JO JOHNSON, WITNESS ON BEHALF OF THE  
COMPLAINANT.

My name is Mrs. Betty Jo Johnson and I have known both the Complainant and the Respondent for approximately three years. The Complainant is the wife of the Respondent and they were married to each other on July 25, 1946 in Leaksville, Mississippi. 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. Both the Complainant 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. There are two minor children as issue of their marriage, Patricia Ann Register, age ten years and Vickie Lee Register, age eight years. Said children live and reside with the Complainant and she is a fit and proper person to be granted their custody and control. The Respondent is a fit and proper person to be granted the right to see and visit with said children at all reasonable and seasonable times. The Respondent has inflicted actual violence upon the person of the Complainant, attended with danger to her life and health, and from his conduct there is reasonable apprehension of such violence being inflicted upon the person of the Complainant, if she were to ever live with the Respondent again in any respect as man and wife. The Respondent has a very high temper which he loses quite often when he doesn't get his way and when things don't go to suit him. I have been present when the Respondent has lost his temper with the Complainant and has abused her with nasty and vulgar names. The Complainant has exhibited bruised places and black eyes to me on several different occasions which were the result of the Respondent's beating her up. I do not think it is safe for the Complainant to ever live with the Respondent again because of his high temper and his cruel treatment of her.

Mrs. Betty Jo Johnson  
15





ANNIE MAE REGISTER  
 Complainant,  
 Vs.  
 LEXIE WAYNE REGISTER  
 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 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. \_\_\_\_\_

*[Signature]*  
 \_\_\_\_\_  
 RESPONDENT

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

*[Signature]*  
 \_\_\_\_\_  
 SOLICITOR FOR COMPLAINANT.

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

Respondent agrees that the Complainant should be granted the custody and control of their two minor children, subject to his right to see and visit with said child at all reasonable times and he does further agree to furnish the Complainant with reasonable and proper support and maintenance for said children. Complainant agrees that the Respondent should have the right to the custody of their minor children in the event she elects to marry again and provided that Respondent has not married again. The Complainant admits that the Respondent is the owner of the 1957 Ford automobile and the 1956 Cris-Craft Boat, motors and trailer. Respondent admits that the Complainant is the owner of the household furniture and furnishings.

*[Signature]*  
 \_\_\_\_\_  
 Respondent  
*[Signature]*  
 \_\_\_\_\_  
 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 9th day of December 1957.

Filed in Registers Office  
 \_\_\_\_\_ 195\_\_\_\_\_  
 W.ELSWORTH HAUGHTON, REGISTER

*[Signature]*  
 \_\_\_\_\_  
 NOTARY PUBLIC  
 (Please affix official seal)



ANNIE MAE REGISTER,  
Complainant,

IN THE CIRCUIT COURT OF  
BALDWIN  
MOBILE COUNTY, ALABAMA

IN EQUITY:

-vs-

LEXIE WAYNE REGISTER,  
Respondent.

NO. \_\_\_\_\_

TO THE HONORABLE JDDGES OF THE CIRCUIT COURT OF BALDWIN  
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 July 25, 1946 in Leaksville, Mississippi  
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 are two minor children  
as issue of their marriage, Patricia Ann Register, age ten years  
and Vickie Lee Register, age eight years. Said children live  
and reside with the Complainant and she is a fit and proper  
person to be granted their custody and control, the Respondent  
is a fit and proper person to be granted the right to see and visit  
with said children at all reasonable and seasonable times.

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 Lexie Wayne Register, 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 Complainant prays that she will be awarded the custody and control of their two minor children, subject to the Respondent's right to see and visit with said children at all reasonable times, 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.

  
SOLICITOR FOR COMPLAINANT.

