

(3416)

DIVORCE DECREE

PRINTED BY MOORE PTC. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VERMELL W. CUSHING, by next friend,  
JIMMO RIBBINS, Complainant

vs.

~~ELMER LEONARD CUSHING~~, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 Vermell W. Cushing is forever divorced from the said Elmer Leonard Cushing for and on account of Abandonment

It is further ordered, adjudged and decreed by the court that the Complainant be and she is hereby given the right to resume the use of her maiden name, Vermell Ribbins.

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 Vermell W. Cushing the Complainant pay the cost herein to be taxed, for which executed may issue.

This 1st day of December, 1954

Hubert M. Free  
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. 3416 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

DEC 1 1954

ALICE J. DUCK, REGISTER

VERMELL W. CUSHING, by next friend,  
LILLIE WIGGINS,

COMPLAINANT,

VS

ELMER LEONARD CUSHING,

RESPONDENT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

*Elmer Leonard Cushing*

STATE OF FLORIDA

COUNTY OF ESCAMBIA

I, B. V. Adams, Notary Public, in and for said County, in said State, hereby certify that Elmer Leonard Cushing, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 30 day of November, 1954.

*B. V. Adams*

Notary Public, Escambia County, Fla.

FILED

12-1-54

ALICE J. BUCK, Clerk

Commission Expires February 2, 1956

VERNELL W. CUSHING, by next friend  
LILLIE WIGGINS,

COMPLAINANT,

VS

RESPONDENT.

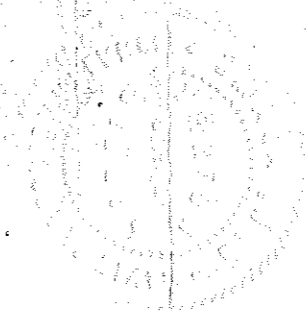
Answer & Waiver

FILED

DEC 1

1954

ALICE J. HUCK, Register



TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Elmer Leonard Cushing 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 Vernell W. Cushing, by next friend, Lillie Wiggins, as Complainant and against Elmer Leonard Cushing, as Respondent.

Witness my hand this the \_\_\_\_ day of November, 1951.

Clerk

VERNELL W. CUSHING, by next friend,  
LILLIE WIGGINS,

COMPLAINANT,

VS

ELMER LEONARD CUSHING,

RESPONDENT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA:

Your Complainant, Vernell W. Cushing, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and has been all her life, that the Respondent is now residing in Pensacola, Florida; that your Complainant is over the age of 16 years and the Respondent is over the age of 21 years.

2.

That your Complainant and the Respondent married in Lucedale, Mississippi, on July 27, 1952, and lived together as husband and wife until on or about November 29, 1952.

3.

That on, to-wit, November 29, 1952, while your Complainant and Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There were no children born as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Elmer Leonard Cushing, party Respondent to this bill of complaint requiring him 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.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED  
12-1-54

ALICE L. BROWN, Clerk

*C. E. [Signature]*  
Solicitor for the Complainant.

3416

VERMELL W. CUSHING, by next friend  
LILLIE WIGGINS,

COMPLAINANT,

VS

ELLEN LEONARD CUSHING,

RESPONDENT

Complaint

C. LeHoar Thompson  
Attorney at Law  
Bay Minette, Alabama

FILED

DEC 1 1954

ALICE J. DUCK, Register

VERMELL W. CUSHING, by next friend

LILLIE WIGGINS

vs.

ELMER LEONARD CUSHING

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, \_\_\_\_\_

Testimony of Vermell W. Cushing and Lillie Wiggins

and in behalf of Defendant upon Answer & Answer \_\_\_\_\_

*Chas. H. Brown*

*Wm. J. Duck*

Register.



No. 3416

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

vs.

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ....., 194.....

**FILED**  
**DEC 17**

1954

Register.

Printed By The Baldwin Times

Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Byrleene Nixon

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Vernell W. Cushing and Lillie Higgins

as witnesses in behalf of Vernell W. Cushing in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Vernell W. Cushing

Complainant

and

Elmer Leonard Cushing

Respondent

on oath, to be by you administered, upon \_\_\_\_\_ to take and certify the deposition 3 of the witness 33 and return the same to our Court, with all convenient speed, under your hand.

Witness 1st day of Dec, 1945

Beirig J. Luck Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 3416

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

VERMELL W. CUSHING, by next friend  
LILLIE WIGGINS

Complainant

VS.

ELMER LEONARD CUSHING

Respondent

I, Lyrleene Nixon

as Register and Commissioner

have called and caused to come before me Verrell W. Cushing and Lillie Wiggins

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 1<sup>st</sup> day of December

1954, at the office of C. LeNair Thompson

in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the

truth, the whole truth, and nothing but the truth, the said Verrell W. Cushing

doth depose and say as follows:

That my name is Verrell W. Cushing, I am over the age of 16 years and a resident of Baldwin County, Alabama, and have resided here all my life. The Respondent, Elmer Leonard Cushing, is over the age of 21 years and is presently residing at Pensacola, Florida. We were married in Lucedale, Mississippi, on July 27, 1952, and lived together as husband and wife until on, to-wit, November 29, 1952, at which time he abandoned me without fault on my part. There are no children as fruits of this marriage and no property to be divided. I know that I will never live with him again as his wife and respectfully ask this Honor Court for a divorce. I also respectfully ask this court for the right to resume the use of my maiden name, Verrell Wiggins.

Verrell W. Cushing

That my name is Lillie Wiggins, I know both parties to this cause, the Complainant, is over the age of 16 years and a resident of Baldwin County, Alabama, and has been all of her life. The Respondent is over the age of 21 and is presently residing in Pensacola, Florida. They were married in Lucedale, Mississippi on July 27, 1952, and lived together as husband and wife until the Respondent abandoned the Complainant without fault on her part on November 29, 1952. They have never lived together since as husband and wife and I do not believe that they will ever live together again.

Lillie Wiggins

ORAL EXAMINATION

I, Lurleane Nixon, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness as and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proom made before me of the identity of said witness as; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 1<sup>st</sup> day of December, 1954.

Lurleane Nixon (L. S.)

No. 3416 Page \_\_\_\_\_

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

vs. Complainant

Respondent

Oral Deposition

Filed \_\_\_\_\_, 19\_\_\_\_

FILED  
DEC Registered in  
Register

ALICE J. DICK, Register  
Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register