

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FRANK V. RIEBE, Complainant

vs.

MYRTIS G. RIEBE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Declaratory Judgment~~ Respondent's 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

FRANK V. RIEBE is forever divorced from the said MYRTIS G. RIEBE

UPON consideration of the written agreement entered into between the complainant and respondent touching the custody of the minor child of the marriage and the support of the said minor child, it is further ordered and judged and decreed by the court: A: That the said written agreement is hereby ratified and approved and the care, custody and control of the minor child of the marriage namely Vicky Lynn Riebe, is a ward to the father, the complainant: B: That the complainant be completely responsible for the support and maintenance of said minor child: C: That the respondent, mother of said child and the maternal grandparents of said child be allowed to visit said child at reasonable times and places.

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 FRANK V. RIEBE the Complainant pay the cost herein to be taxed, for which executed may issue.

This 12 day of April, 1958

*Robert M. Hall*  
Judge Circuit Court, In Equity.

I, ALICE J. DUCK, 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 April, 1958

Register of Circuit Court, In Equity.

No. 4-2-64 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

APR 12 1958

ALICE J. DUCK, Register

FRANK V. RIEBE

Complainant

vs.

MYRTIS G. RIEBE

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, \_\_\_\_\_  
Respondent's answer and waiver: Commission to take oral deposition  
of the complainant's witness: Oral deposition of the complainant's  
witness and agreement of parties. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

*Arthur C. Esperson*  
Solicitor for the Complainant

*Alvin J. Duck*  
Register.

No. 42-104

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

FRANK V. RIEBE

Complainant

VS.

MYRTIS G. RIEBE

Respondent

**NOTE OF TESTIMONY**

Filed in Open Court this

day of

**FILED**

April

12 1958, 194 58.

ALICE J. DICK, Register.

Printed by the Baldwin Times

FRANK V. RIEBE     )  
Complainant     )  
                  )  
VS                )  
                  )  
MYRTIS G. RIEBE    )  
Respondent        )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
  
IN EQUITY

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

Your Complainant Frank V. Riebe, respectfully represents  
and shows unto your Honor:

1. That the complainant is over the age of twenty-one  
years of age and is a bona fide resident of Baldwin County,  
Alabama; that Myrtis G. Riebe is over the age of eighteen years  
and is a resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully  
married on or about to-wit: August 10, 1954, in Elberta, Alabama,  
and that of this union there is one minor Child, namely, Vicky  
Lynn Riebe, born November 17, 1956 and who is now residing with  
her father, the complainant.

3. Your complainant further avers that said respondent  
voluntarily abonded the bed and board of the complainant for  
more than one year next preceding the filing of the bill of com-  
plaint set out here, since which time the complainant and respondent  
have not lived together or in anyway recognized each other as  
husband and wife.

4. The complainant and respondent have entered into an  
agreement with reference to the custody, control, support and  
maintenance of the said minor child, a copy of which is hereto  
attached and marked Exhibit "A", and made a part hereof; and by  
the terms of which agreement the complainant shall have the care,  
control and custody of the said minor child of the marriage,  
with rights of visitation at reasonable times and places in the  
mother the respondent..

Your complainant avers that this is a reasonable, just  
and proper agreement and prays the Court that in the event a  
decree of divorce is given in this cause that the Court will decree  
that the parties keep and abide by the terms of said agreement.

The premises considered, your complainant makes the said  
Myrtis G. Riebe a party respondent to this bill of complain annd  
in order that the complainant may have the relief herein prayed  
for may it please your Honor to cause the State's writ of subpoena  
to be issued, directed to the said Myrtis G. Riebe, commanding her  
to answer, plead or demur to this bill of complaint within the  
time required by law; and that on a final hearing of this cause,  
that your Honor will enter a decree divorcing your complainant  
from the said respondent; and that your Honor will grant such other,  
further or different relief as unto your Honor may seem just and  
proper, and your complainant will ever pray.

  
Solicitor for the Complainant

4264

Frank V. Riebel

vs.

Myrtis R. Riebel

Bill of Complaint

FILED  
APR 12 1958  
ALICE J. DICK, Register

**THE STATE OF ALABAMA**  
Baldwin County.Circuit Court of Baldwin County, Alabama  
(In Equity)FRANK V. RIEBE

Complainant

VS.

MYRTIS G. RIEBE

Respondent

I, Justine Gardner  
as Register and Commissioner  
have called and caused to come before me

witness named in the Requirement for Oral Examination, on the 12 day of April  
1945, at the office of Justine Gardner  
in Foley, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said Frank V. Riebe  
doth depose and say as follows:

My name is Frank V. Riebe. I am a resident of Baldwin County, Alabama and have been all of my life. I am over 21 years of Age. Myrtis G. Riebe is a resident of Foley, Baldwin County, Alabama, and is over the age of Eighteen years.

I legally married MYrtis G. Riebe in Elberta, Alabama, on August 10, 1954, and we have one child Vicky Lynn Riebe, born November 17, 1956 and who I have in my custody.

Myrtis G. Riebe voluntarily abandoned me over a year ago without fault on my part since which time we have not lived together or recognized each other as husband and wife.

I and Myrtis Riebe have entered into an agreement with reference to the control and custody of our minor child Vicky Lynn Riebe which agreement is marked Exhibit "A" and made a part of my testimony. I am to have the care, control and custody of Vicky and Myrtis can visit with her at reasonable times and places. I think this is a reasonable agreement.

Frank V. Riebe

ORAL EXAMINATION.

I, Justine Gardner, 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 \_\_\_\_\_ and read over to him and he signed the same in the presence of myself Justine Gardner

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proom made before me of the identity of said witness \_\_\_\_\_; 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 12 day of April, 1945

Justine Gardner (L. S.)

NO. 4264 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194

**FILED**

Register.

APR 12 1958  
Recorded in

ALICE J. DICK, Register Record

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

Register.



Exhibit A

STATE OF ALABAMA

BALDWIN COUNTY

THIS AGREEMENT made and entered into on this the third day of January, 1958, by and between FRANK RIEBE, hereinafter referred to as the party of the first part and MYRTIS RIEBE, hereinafter referred to as the party of the Second Part:

WITNESSETH:

Whereas, the parties hereto have been husband and wife since August 10, 1954 and as a result of such union have one minor child Vicky Lynn Riebe born November 17, 1956, and

Whereas the parties have been separated and living apart for more than one year and have definitely concluded that it is impractical for them to live together as man and wife; and

Whereas, the party of the first part is contemplating bringing an action for divorce and it is the desire of the parties hereto to settle the matter of the control and custody of the said minor child of the marriage without litigation,

Now, therefor, in consideration thereof, and of the mutual agreements as hereinafter made, they have mutually agreed to the following terms and conditions:

1. The care, control and custody of the said minor child Vicky Lynn Riebe, shall be in the father, the Party of the first part.

2. The Party of the Second Part shall have the right of visitation with the said child of the marriage at all reasonable times and places.

3. That in the event the party of the first part insists on his express determination to file suit for divorce against the party of the second part, it shall be thoroughly understood that the party of the second part denies and expects to continue to deny that the party of the first part is in anyway entitled to a divorce, and in the event that the Court, upon hearing should then decide that the party of the first part is entitled to a divorce, then it is agreed and understood that this agreement and all of its terms shall be submitted to the Court for its approval and shall not be executed until and unless the Court does approve the same.

This agreement has been made and executed in good faith by the parties hereto on the day hereinabove set forth, with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely.

Dipie A. Law  
Witness

Justine Sanders  
Witness

Frank V. Riebe  
Party of the First Part

Myrtis A. Riebe  
Party of the Second Part

4264

FILED  
APR 12 1958  
ALICE J. DUCK, Register

FRANK V. RIEBE     )  
    Complainant    )  
                    )  
VS                    )  
                    )  
Myrtis G. Riebe    )  
    Respondent     )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes the respondent in the above-styled cause and accepts service of a bill of Complaint hereto filed in this cause; waives notice of the filing of interrogatories in this cause, and the right to cross same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree; and for answer to the complainant's bill of Complaint heretofore filed in this cause the respondent says:

1. She admits the allegations in paragraph one of the said Bill of Complaint.

2. She admits the allegations of paragraph two of the said Bill of Complaint.

~~3. She denies each and every material allegation con-~~  
tained in paragraph three of thge said bill of complaint and re-  
quires strict proof thereof.

4. The respondent for answer to paragraph four avers that said agreement is a just and fair agreement and prays that should the Court grant the complainant a divorce, that said agree-  
ment be incorporated into the Decree and made a part thereof.

*Myrtis G. Riebe*

*Dipie A. Law*

Witness

*Justine Gardner*

Witness

4264

Answers  
+  
Waiver

FILED  
APR 12 1958

ALICE J. DICK, Register