

3714

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROBERT NIMS, Complainant

vs.

EMMA JEAN NIMS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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

ROBERT NIMS, Complainant is forever divorced from the said EMMA JEAN NIMS, Respondent for and on account of

CRUELTY

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 ROBERT NIMS the Complainant pay the cost herein to be taxed, for which executed may issue.

This 26th day of April 1956

Hubert M. Steel 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

ROBERT NIMS

Complainant

vs.

EMMA JEAN NIMS

Respondent

DIVORCE DECREE

*Filed 11-24-54
Alice J. ...
Reynolds*

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ROBERT NIMS

Complainant

VS.

EMMA JEAN NIMS

Respondent

I, Grady P. Gilbert, Jr.

as ~~Register~~ and Commissioner

have called and caused to come before me Robert Nims and

W. W. Hammond

witnesses named in the Requirement for Oral Examination, on the 23 day of April
1956, at the office of James A. Hendrix
in Robertsdale, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Robert Nims and
W. W. Hammond doth depose and say as follows:

My name is Robert Nims. I am over twenty-one years old and live in Robertsdale, Baldwin County, Alabama, and have so resided for more than the past two years; Emma Jean Nims is over the age of twenty-one years and now resides in Uniontown, Alabama. Emma Jean and I were married at Robertsdale, Baldwin County, Alabama, on September 19, 1953. Emma Jean had gotten to the point where she was very hard to get along with, she was cross and irritable, and refused to sleep with me for the last week or so before we separated. She made threats of doing me physical harm and from her attitude, both physical and mental, I was afraid that she would commit actual violence upon me, which would endanger my life and health; the last of such threats occurred on or about March 25th, 1956, and since that time, and as a result of such threats, we have not lived together as husband and wife, nor have we in any way recognized each other as husband and wife. We had no children.

Robert Nims
Witness

My name is W. W. Hammond and I have known Robert Nims for the past fifteen or twenty years. He is over twenty-one years old and lives in Robertsdale, Baldwin County, Alabama, and has lived here all of his life; Emma Jean Nims is over twenty-one years old and did reside in Robertsdale with Robert; but now lives in Uniontown, Alabama. Robert and Emma Jean were married at Robertsdale, Baldwin County, Alabama, on about September 19, 1953. Some months ago Emma Jean became very dissatisfied, was cross and seemed to be very unhappy. I could tell that she and Robert were not getting along very well together; she made threats against Robert and at times refused to talk to him or see him at all; I believe the last of such threats occurred on March 25th, 1956, and since that time I do not believe they have lived together nor in any way recognized each other as husband and wife. They had no children.

W. W. Hammond
Witness

ORAL EXAMINATION.

I, Grady P. Gilbert, Jr., as ~~Register~~ and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself Grady P. Gilbert, Jr. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or 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 73 day of April, 1956.

Grady P. Gilbert, Jr.
(U.S.)

NO. 3774 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ROBERT NIMS

vs. Complainant

EMMA JEAN NIMS

Respondent.

Oral Deposition

Filed **FILLED** _____, 1956

APR 24 1956, Register.

ALICE L. WICK Recorded in

Record

Vol. _____ Page _____

Register

ROBERT NIMS,
Complainant
vs.
EMMA JEAN NIMS,
Respondent

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

ANSWER AND WAIVER

Comes now the Respondent, EMMA JEAN NIMS, and for answer to the Bill of Complaint heretofore filed against her in said cause as follows:

1. That she denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to her.

Emma Jean Nims
EMMA JEAN NIMS

Sworn to and subscribed before me this the 21 day of
April, 1956, at Union Town, Alabama.

J. R. Eckel
Notary Public, County,
Alabama

ROBERT NIMS

Complainant

vs.

EMMA JEAN NIMS

Respondent

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Answering Waiver and the dispositions of Robert Nims and

W. W. Hammond, as set out in the oral disposition.

and in behalf of Defendant upon

James G. Hendrix

Dince J. ...

Register.

No. 3774.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ROBERT NIMS

Complainant

vs.

EMMA JEAN NIMS

Respondent

NOTE OF TESTIMONY

Filed in Open Court this
day of APR 24 1956, 194.....

ALICE J. BUCK Registrar
Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Grady P. Gilbert, Jr.

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

as witnesses in behalf of Robert Nims in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

ROBERT NIMS

Complainant

and EMMA JEAN NIMS

Respondent

on oath, to be by you administered, upon _____ to take and certify the deposition S of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 23 day of April, 1956

Wiley S. Smith
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3774

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ROBERT NIMS

Complainant

VS.

EMMA JEAN NIMS

Defendant

COMMISSION TO TAKE DEPOSITION

FILED

APR 21 1956
COMMISSIONER:

ALICE J. ORR, Register

WITNESSES:

Robert Nims

W. W. Hammond

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ROBERT NIMS)
Complainant,)
vs.)
EMMA JEAN NIMS)
Respondent.)

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

To the Honorable Judge of the Circuit Court of Baldwin County,
Sitting in Equity:

Your complainant ROBERT NIMS, respectfully represents and shows
unto your Honor:

1. That complainant ROBERT NIMS is over the age of twenty-one
years and is a resident of Baldwin County, Alabama, and has been a
bona fide resident of said State for more than two years next proceeding
the filing of this Bill of Complaint; That EMMA JEAN NIMS is over the age
of twenty-one years and resides in Union Town, Alabama.

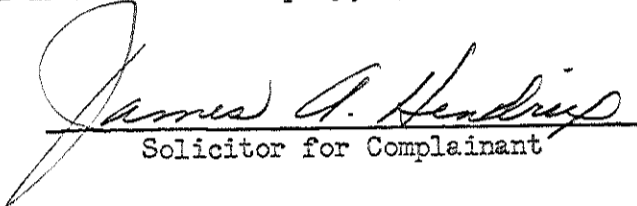
2. That your complainant and respondent were married on or
about, to-wit, September 19, 1953, at Robertsedale, Alabama.

3. The complainant, ROBERT NIMS, avers and charges that
respondent, EMMA JEAN NIMS, has made numerous threats of doing him
physican harm and from her manner and conduct toward him, he is
reasonably convinced that she will commit an actual violence upon his
person, attended with danger to his life or health; the latest of such
threats did occur on or about, to-wit, March 25, 1956, since which time
and as a result of such threats, complainant and respondent have not
lived together, nor in any way recognized each other as husband and wife.

4. Your complinant further avers that there were no children
born of the aforesaid marriage.

The premises considered, your complainant makes the said
EMMA JEAN NIMS a party respondent to this bill of complaint, and in order
that complainant may have relief herein prayed for, may it please
your Honor to cause the State's writ of subpoena to be issued, directed

to the said EMMA JEAN NIMS, commanding her to answer, plead or demur to this bill of complainant, 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 said respondent, granting the complainant the right to remarry; and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and that your complainant will ever pray, etc.


Solicitor for Complainant