

3840

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

NANNETTE H. WHIDBEE

Complainant

vs.

RAY H. WHIDBEE

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ 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 Nannette H. Whidbee is forever divorced from the said Ray H. Whidbee for and on account of Cruelty.

IT IS FURTHER ORDERED ADJUDGED AND DECREED, that the Complainant, Nannette H. Whidbee, shall have the care, custody and control of the said minor child, Faith Ann Whidbee, age about 4 years.

IT IS FURTHER ORDERED ADJUDGED AND DECREED, that the Respondent, Ray H. Whidbee, shall pay to the Complainant, Nannette H. Whidbee, the sum of \$70.00 per month as maintenance and support of the said minor child, Faith Ann Whidbee, age about 4 years.

IT IS FURTHER ORDERED ADJUDGED AND DECREED, that the Respondent, Ray H. Whidbee, shall have reasonable rights of visitation of the said minor child, Faith Ann Whidbee, age about 4 years.

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 Ray H. Whidbee the Respondent pay the cost herein to be taxed, for which executed may issue.

This 9th day of August 1956

Hubert M. Hall

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 _____

RECORDED

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

NANNETTE H. WHIDBEE

Complainant

vs.

RAY H. WHIDBEE

Respondent

DIVORCE DECREE

Aug 8 1956
A. J. [unclear]
Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

NANNETTE H. WHIDBEE

Complainant

VS.

RAY H. WHIDBEE

Respondent

I, LOIS WILSON

as ~~Register and~~ Commissioner

have called and caused to come before me Nannette H. Whidbee and Sarah Rollin

witnesses named in the Requirement for Oral Examination, on the 4th day of August 1956, at the office of C. LeNoir Thompson in Bay Minette, Alabama, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Nannette H. Whidbee and Sarah Rollin doth depose and say as follows:

That my name is Nannette H. Whidbee, I am over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceeding. The respondent Ray H. Whidbee is also over the age of 21 and has been a resident of Baldwin County, Alabama since birth. We were married at Boston, Massachusetts on May 25, 1951 and lived together as husband and wife until on or about October 26, 1955 at which time the separation occurred. We have not lived together as husband and wife since that time. The cause of the separation was cruelty. My husband being of a jealous disposition would become very angry at the slightest provocation and his actions would frighten me considerably. On the occassion of the separation he became enraged of some ~~rumors~~ and mistreated me so that he placed me in fear of my life and health with his actions and threats so that we have never lived together since that time. I do not believe I will ever live with him again as his wife. We have one child Faith Ann Whidbee, age about 4 years, born as fruits of this marriage and I have had the care, custody and control of this child since birth. The Respondent has supported her and is willing to continue to support her and I respectfully ask that I be granted the sum of \$70.00 per month as maintenance and support for this child. I respectfully ask that I be granted the care, custody and control of our said child, Faith Ann Whidbee. I have no objections and have agreed for her father, Ray H. Whidbee to visit her at reasonable times and for her to visit with him at reasonable times. I ask for \$70.00 per month if the Respondent is in the Navy otherwise I ask for \$40.00 per month as maintenance and support.

Nannette H. Whidbee

That my name is Sarah Rollin, I know both parties to this cause. They are both over the age of 21 and residents of Baldwin County, Alabama and the respondent, Ray H. Whidbee has resided their since birth. So far as I know they were married at Boston, Massachusetts on May 25, 1951 and lived together as husband and wife until on or about October 26, 1955 at which time they separated, because of a difficulty. The respondent being of a very jealous nature would fly into a rage at the slightest provocation and on the occasion of the separation became enraged because of some rumors and mistreated the Complainant, Nannette and abused and threatened her so that she became in fear of her life or health. I do not believe they will ever live together again as husband and wife. They have one child as fruits of their marriage, Faith Ann Whibee, age about 4 years and the Complainant has had the care, custody and control of this child since birth and I respectfully represent that the Complainant is a fit suitable and proper person to have her care, custody and control.

Sarah Rollin

ORAL EXAMINATION.

I, Lois Wilson 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 es 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 es or had proom 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 4th day of August, 1956

Lois Wilson (L. S.)

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NO	PAGE
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
MAINETTE H. WHIDBEE	Complainant
vs.	
RAY H. WHIDBEE	Respondent
Oral Deposition	
Filed <u>Aug 7</u> , 195 <u>6</u>	Recorded in
<u>Lois Wilson</u> Register	Record
Vol. _____	Page _____
_____	Register

NANNETTE H. WHIDBEE

vs.

RAY H. WHIDBEE

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 Nannette H. Whidbee and Sarah Rollin.

and in behalf of Defendant upon Answer and Waiver.

C. L. W. Thompson

alice J. Duesch

AT Register.

RECORDED

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

NANNETTE H. WHIDBEE

vs.

RAY H. WHIDBEE

NOTE OF TESTIMONY

Filed in Open Court this

7th

day of

aug

, 1956

Alice J. Duck

Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS WILSON

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 Nannette H. Whidbee and Sarah Rollin.

a witnesses in behalf of Nannette H. Whidbee in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Nannette H. Whidbee

Complainant and Ray H. Whidbee

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

Witness 7th day of Aug, 1956

Alice J. Deeb Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

NANNETTE H. WHIDBEE

Complainant

VS.

RAY H. WHIDBEE

FILED

AUG 7 1956

ALICE J. DUCK, Register Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

NANNETTE H. WHIDBEE

SARAH Rollin

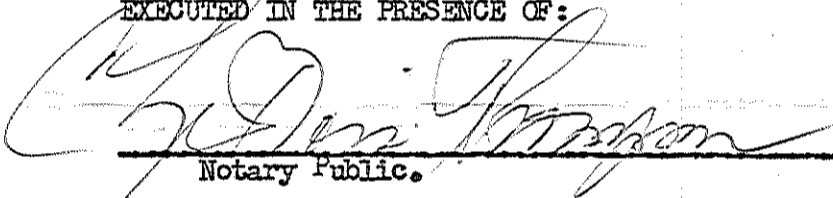
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STATE OF ALABAMA
BALDWIN COUNTY

The parties to this divorce recognizing the need and necessity of adequate maintenance and support of FAITH ANN WHIDBEE, age about 4 years, fruits of the marriage between said parties agree that a reasonable support for the said child would be a sum not less than \$40.00 a month but during a period of time when the said RAY H. WHIDBEE is in the Armed Services that said reasonable sum shall be an amount approximating \$70.00.

Ray H. Whidbee
Margaret H. Whidbee

EXECUTED IN THE PRESENCE OF:


Notary Public.

NANNETTE H. WHIDBEE

COMPLAINANT

VS

RAY H. WHIDBEE

RESPONDENT

FILED
AUG 7 1956
ALICE J. DUCK, Registrar

From the Law Offices of
C. LeNoir Thompson
Bay Minette, Alabama

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons RAY H. WHIDBEE , 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 NANNETTE H. WHIDBEE as Complainant and against RAY H. WHIDBEE , as Respondent.

WITNESS my hand this the 25 day of August, 1956.

Alice J. Dreck
Register.

NANNETTE H. WHIDBEE, COMPLAINANT	∩	IN THE CIRCUIT COURT OF
	∩	BALDWIN COUNTY, ALABAMA
VS	∩	IN EQUITY.
RAY H. WHIDBEE, RESPONDENT.	∩	CASE NO. <u>3841</u>
	∩	

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

Your Complainant, Nannette H. Whidbee, respectfully represents unto Your Honorand this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama, and has been more than two years next preceeding; The Respondent is over the age of 21 and a resident of Baldwin County, Alabama, and has been more than two years next preceeding.

2.

That your Complainant and the Respondent married at Boston, Massachusetts on May 25, 1951, and lived together as husband and wife in Baldwin County, Alabama, until October 26, 1955.

3.

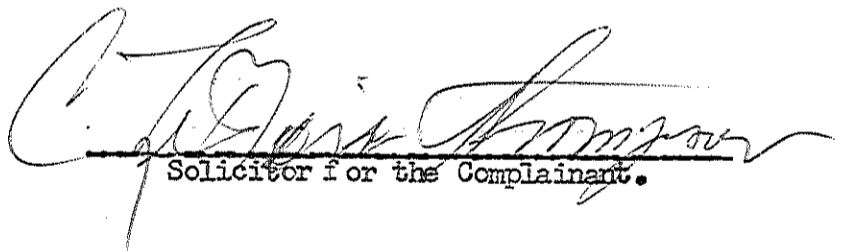
That on October 26, 1955, and on several ocassions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health . The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

There was born as fruits of this marriage between the Complainant and the Respondent one child, Faith Ann Whidbee, age about four years, 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 Ray H. Whidbee, 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 both parties an absolute decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent and that a decree be made awarding the Complainant, who now has the care, custody and control of the infant child, Faith Ann Whidbee, age about four years, the care, custody and control of said child pending further orders of this court; and your Complainant further prays that your Honor will determine the sum of \$70.00 per month payable on the part of your Complainant as a reasonable amount for the support and maintenance of said minor child; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

3841

MANNETTE H. WHIDBEE
COMPLAINANT
VS
RAY H. WHIDBEE
RESPONDENT

* * * * *

SUMMONS AND COMPLAINT

* * * * *

From the law offices of
C. LeNoir Thompson
Bay Minette, Alabama

FILED

AUG 7 1956

ALICE J. DUCK, Register

NANNETTE H. WHIDBEE

COMPLAINANT

VS

RAY H. WHIDBEE,

RESPONDENT

ANSWER & WAIVER

FILED

AUG 7 1956

ALICE J. DUCK, Register

From the Law Office Of
C. LeNoir Thompson
Bay Minette, Alabama

NANNETTE H. WHIDBEE,	Ø	IN THE CIRCUIT COURT OF
	Ø	BALDWIN COUNTY, ALABAMA
COMPLAINANT,	Ø	
	Ø	IN EQUITY.
VS	Ø	
	Ø	
RAY H. WHIDBEE,	Ø	
	Ø	
RESPONDENT.	Ø	

Comes the parties, complainant and defendant, in the above styled cause and respectfully move this Honorable Court to set aside, vacate and hold for naught the decree of divorce rendered in said cause on to-wit, August 8, 1956, and to dismiss the said cause out of court, and respectfully show unto this Honorable Court that they have become reconciled, and feel that the reconciliation is for the benefit of their minor child and for the advancement of their family life.

Witness this the 25 day of August, 1956.

Nannette H. Whidbee

Ray H. Whidbee

C. LeNoir Thompson

C. LeNoir Thompson
Attorney

FILED
AUG 22 1956
ALICE J. BUCK, Register

Min. Entry

NANNETTE H. WHIDBEE,	§	IN THE CIRCUIT COURT OF
COMPLAINANT,	§	BALDWIN COUNTY, ALABAMA
VS	§	IN EQUITY.
RAY H. WHIDBEE,	§	
RESPONDENT.	§	

This cause coming on to be heard is submitted upon the motion of the parties to this cause to set aside and vacate decree of divorce rendered August 8, 1956, and to dismiss the said cause out of Court, and the same being considered by the Court the court is of the opinion that said motion should be granted:

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the decree of divorce rendered in this cause on August 8, 1956, be and the same is hereby set aside, vacated and held for naught, and the said cause be and the same is hereby dismissed out of court.

Done this the 27 day of August, 1956.

Hubert M. Lee
Judge