

395D

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

BETTY JEAN NORTHCUTT, Complainant

vs.

BILLY RAY NORTHCUTT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 Betty Jean Northcutt is forever divorced from the said Billy Ray Northcutt for and on account of

Cruelty - - Further ordered, adjudged and decreed that the Complainant be and she is hereby awarded the permanent care, custody and control of the minor child which will be born from the union of said parties. It is further ordered, adjudged and decreed that the Complainant be and she is hereby granted the right to resume her maiden name of Betty Jean Davenport, which she shall henceforth be known by.

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

This 24th day of January 1957

Hubert M. Stou

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. 2937 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JAN 24 1957

ALICE J. RUCK, Register

BETTY JEAN NORTHCUTT

vs.

BELLY RAY NORTHCUTT

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, _____
answer and waiver and the testimonies of Betty Jean Northcutt and Virgil
Brewton as set out in the oral depositions.

and in behalf of Defendant upon _____

James C. Hendrix

Beise J. ...
Register.

No. 3957

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

BETTY JEAN NORTHCUTT

vs.

BILLY RAY NORTHCUTT

NOTE OF TESTIMONY

Filed in Open Court this **FILED**
day of **JAN 24 1957**, 194

ALICE J. DUCK, Register
Register.

BETTY JEAN NORTHCUTT,

Complainant,

vs.

BILLY RAY NORTHCUTT,

Respondent.

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

ANSWER AND WAIVER

Comes now the Respondent, Billy Ray Northcutt, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

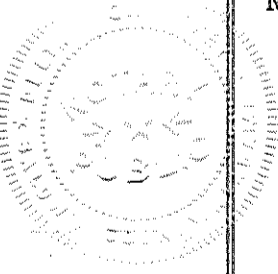
(1) That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

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 him.

Billy Ray Northcutt
Billy Ray Northcutt

Sworn to and subscribed before me
this 11 day of January, 1957.

Delta H. Gwaltney
Notary Public, Baldwin County, Alabama.



STATE OF ALABAMA)

BALDWIN COUNTY)

BETTY JEAN NORTHCUTT,

Complainant

vs.

BILLY RAY NORTHCUTT,

Respondent.

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

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, Betty Jean Northcutt, humbly complaining of the Respondent, Billy Ray Northcutt, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Betty Jean Northcutt, is over the age of eighteen 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 preceding the filing of this Bill of Complaint; that the Respondent is over twenty-one years old and is now living in Loxley, Alabama.

SECOND: That your Complainant and Respondent were married on September 29th, 1956, at Robertsdale, Alabama.

THIRD: That your Complainant avers and charges that the Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life and health; the last of such threats did occur on October 15, 1956, and as a result of said threats, Complainant and Respondent have not lived together since that time as husband and wife.

FOURTH: Your Complainant would further aver and show unto your Honor that the Complainant is now pregnant as a result of said marriage. That she expects the child to be born the latter part of May, 1957; and that your Complainant is a fit and proper person to be awarded the permanent care, custody and control of this expected child.

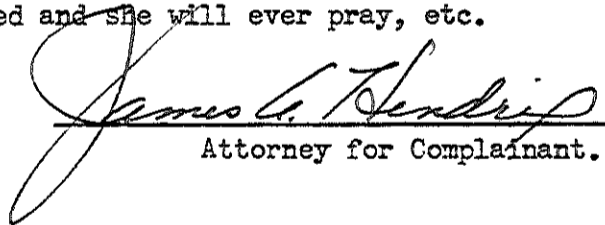
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Billy Ray Northcutt, be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered, the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage; that the Complainant be granted the permanent care, custody and control of the child expected to be born from the union of said parties; that the Complainant be granted the right to resume her maiden name.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.



Attorney for Complainant.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

BETTY JEAN NORTHCUTT COMPLAINANT

vs.

BILLY RAY NORTHCUTT RESPONDENT

I, KENNETH NAKANO

as ~~Register and~~ Commissioner

have called and caused to come before me Betty Jean Northcutt

witness _____ named in the requirement for Oral Examination, on the 18 day of January
19 57, at the office of Kenneth Nakano

in Territory of Hawaii, Alabama, and having first sworn said witness _____ to speak the
truth, the whole truth, and nothing but the truth, the said Betty Jean Northcutt

doth depose and say as follows:

My name is Betty Jean Northcutt. I am over eighteen years old and have lived in Baldwin County, Alabama, for more than the past two years; Billy Ray Northcutt is over twenty-one years old and lives in Loxley, Alabama. Billy Ray and I were married on September 29, 1956, at Robertsdale, Alabama. Billy Ray has made threats of doing me personal harm and I am convinced that should I continue to live with him he would committ an actual violence on my person which would endanger my live and health; the last of these threats occured on about October 15, 1956, and as a result thereof we have not lived together as husband and wife since that date. I am pregnant as a result of said marriage and I expect said child to be born in the latter part of May, 1957 and I feel that I am a fit and proper person to be awarded the permanant care, custody and control of this child. My name before this marriage was Betty Jean Davenport and after the divorce I wish to again assume the name and be granted the right to so do, of Betty Jean Davenport.

Betty Jean Northcutt

I, KENNETH NAKANO as ~~Register~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to her and she signed the same in the presence of myself and Mrs. Raymond Davenport at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 18th day of January, 1957.

[Signature] (L. S.)
 NOTARY PUBLIC FIRST JUDICIAL CIRCUIT
 TERRITORY OF HAWAII
 MY COMMISSION EXPIRES FEBRUARY 9 1957

No. 395-9 Page

THE STATE OF ALABAMA,
 BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

BETTY JEAN NORTHCUTT

COMPLAINANT

vs.

BILLY RAY NORTHCUTT

RESPONDENT

ORAL DEPOSITION

Filed 19

FILED
 RECORDED IN
 JAN 24 1957

ALICE H. DICK, Register

Vol. Page Record

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: GERTRUDE M. BANKESTER

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 VIRGIL BREWTON

a witnesses in behalf of Betty Jean Northcutt in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Betty Jean Northcutt is

Complainant
and Billy Ray Northcutt is

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

Witness 22 day of Jan, 1957

Wesley J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3957

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

BETTY JEAN NORTHCUTT

Complainant

VS.

BILLY RAY NORTHCUTT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Gertrude M. Bankester

WITNESSES:

Virgil Brewton

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THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

BETTY JEAN NORTHCUTT COMPLAINANT

vs.

BILLY RAY NORTHCUTT RESPONDENT

I, GERTRUDE M. BANKESTER

as ~~Register and~~ Commissioner

have called and caused to come before me Virgil Brewton

witness named in the requirement for Oral Examination, on the 22 day of January

1957, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Virgil Brewton

doth depose and say as follows:

My name is Virgil Brewton. I have known Betty Jean Northcutt for more than the past fifteen years. She is over eighteen years old and have lived in Baldwin County, Alabama, for more than the past two years; Billy Ray Northcutt is over twenty-one years old and lives in Loxley, Alabama. Billy Ray and Betty Jean were married on September 29, 1956, at Robertsdale, Alabama. Billy Ray has made threats of doing her personal harm, and I am convinced that should she continue to live with him, he would commit an actual violence on her person which would endanger her live and health; the last of these threats occured on about October 15, 1956, and as a result thereof, they have not lived together as husband and wife since that date. She is pregnant as a result of said marriage and she expects said child to be born in the latter part of May, 1957, and I feel that she is a fit and proper person to be awarded the permanent care, custody and control of said child. Her name before this marriage was Betty Jean Davenport and after the dirorce she wishes to again assume the name and be granted the right to so do, of Betty Jean Davenport.

Virgil Brewton

I, GERTRUDE M. BANKESTER as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness _____ and read over to her and she signed the same in the presence of myself and James A. Hendrix _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof 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 22 day of January, 1957

Gertrude M. Bankester (L. S.)

No. 395-7 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

BETTY JEAN NORTHCUPTT

COMPLAINANT

BILLY RAY NORTHCUPTT

vs.

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

FILED

JAN 24 1957 Register:

ALICE L. DUCK, Register

Record

Vol. _____ Page _____ Register:

Register:

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: KENNETH NAKANO

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 BETTY JEAN NORTHCUTT

a witnesses in behalf of Betty Jean Northcutt in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Betty Jean Northcutt is

Complainant

and Billy Ray Northcutt is

Respondent

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

Witness 22 day of Jan, 1957

Deice J. Smith
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 3957

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

BETTY JEAN NORTHCUTT

Complainant

VS.

BILLY RAY NORTHCUTT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Kenneth Nakano

WITNESSES:

Betty Jean Northcutt

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