

(4023)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY SUE PHILYAW RAYBORN

Complainant

vs.

HUBERT LEE RAYBORN

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 Mary Sue Philyaw Rayborn is forever divorced from the said Hubert Lee Rayborn for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, Mary Sue Philyaw Rayborn, shall resume the use of her maiden name, Mary Sue Philyaw.

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 futher 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 Mary Sue Philyaw Rayborn the Complainant pay the cost herein to be taxed, for which executed may issue.

This 29 day of April 1957

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. 4023 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

MARY SUE PHILLYAW RAYBORN

Complainant

vs.

HUBERT LEE RAYBORN

Respondent

**DIVORCE DECREE**

**FILED**  
APR 29 1957  
ALICE J. BUCK, Registrar

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY SUE PHILYAW RAYBORN

Complainant

VS.

HUBERT LEE RAYBORN

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Mary Sue Philyaw Rayborn and Johnie Harris

witness es named in the Requirement for Oral Examination, on the 29th day of April 1957, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Mary Sue Philyaw and Johnie Harris doth depose and say as follows:

That my name is Mary Sue Philyaw Rayborn, I am over the age of 21 and a resident of Alabama and have been all my life. The Respondent Hubert Lee Rayborn is over the age of 21 and has been a resident of Alabama all his life. We were married in Escambia County, Alabama on or about September 30, 1950 and lived together as husband and wife until I was forced to leave the Respondent on October 1, 1956 because of the way he treated me. For some time prior to this occasion he would without any cause on my part fly into a rage and strike and beat me about the head and body and abuse me with words but on the occasion of our separation without fault on my part he beat and abused me so that I became in fear of my life or health and was forced to leave him. I have not lived with him as his wife since that time and will never live with him as his wife anymore. There are no children as fruits of our marriage and no property to be divided. I respectfully ask this Honorable Court for a divorce and for the right to resume the use of my maiden name which was Mary Sue Philyaw.

Mary Sue Philyaw Rayborn

That my name is Johnie Harris, I know both parties to this cause. They are both over the age of 21 and have been residents of Alabama all their life. They were married in Escambia County, Alabama on September 30, 1950 and lived together as husband and wife in Alabama until Mary Sue was forced to leave her husband Hubert Lee Rayborn because of his treatment and because it placed her in fear of her life or health. They have no children as fruits of their marriage and no property to be divided. I do not believe she will ever live with Hubert Lee Rayborn any more as his wife.

witnesses to signature  
Lois Wilson  
Helen McRae

Johnie (X) Harris  
his mark

**ORAL EXAMINATION.**

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition<sup>s</sup> on Oral Examination was taken down by me in writing in the words of the witness<sup>es</sup> 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<sup>es</sup> or had proom made before me of the identity of said witness<sup>es</sup>; 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 29th day of April, 1957.

Lois Wilson (L. S.)

NO. 4023 PAGE \_\_\_\_\_

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

HARRY SUE PHILLYAN RAYBORN  
vs.  
Complainant

HUBERT TEE RAYBORN  
Respondent

**Oral Deposition**

Filed \_\_\_\_\_, 1957

**FILED**  
Recorded in  
APR 29 1957  
Register.

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

MARY SUE PHILYAW RAYBORN

vs.

HUBERT LEE RAYBORN

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 Mary Sue Philyaw Rayborn and Johnie Harris.

and in behalf of Defendant upon Answer and Waiver.

*C. L. Thompson*

*W. J. Luck*

Register.

No. 4023

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

MARY SUE PHILYAW RAYBORN

vs.

HUBERT LEE RAYBORN

**NOTE OF TESTIMONY**

Filed in Open Court this \_\_\_\_\_

day of \_\_\_\_\_, 194

FILED  
APR 1 1947  
29

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 Mary Sue Phillyaw Rayborn and Johnie Harris

a witnesses in behalf of Mary Sue Phillyaw Rayborn in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

\_\_\_\_\_ , Complainant  
and Hubert Lee Rayborn

\_\_\_\_\_ 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 29 day of April, 1957

Arice J. Duke  
Register.

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

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

No. 4023

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

MARY SUE PHILLYAW RAYBORN

Complainant

VS.

HUBERT LEE RAYBORN

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

TOIS WILSON

WITNESSES:

MARY SUE PHILLYAW RAYBORN

JOHNIE HARRIS

*[This section contains a very faint, illegible document, likely a deposition transcript, with some handwritten notes and a signature line at the bottom.]*



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Hubert Lee Rayborn, 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 Mary Sue Philyaw Rayborn as Complainant and against Hubert Lee Rayborn, as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 1957.

Register.

\*\*\*\*\*

MARY SUE PHILYAW RAYBORN  
COMPLAINANT  
VS  
HUBERT LEE RAYBORN  
RESPONDENT



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.  
CASE NO. \_\_\_\_\_

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

Your Complainant, Mary Sue Philyaw Rayborn, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Alabama and has been all her life; The Respondent is over the age of 21 and a resident of Alabama and has been all his life.

2.

That your Complainant and the Respondent married in Escambia County, Alabama on September 30, 1950 and lived together as husband and wife in Baldwin County, Alabama until on or about October 1, 1956.

3.

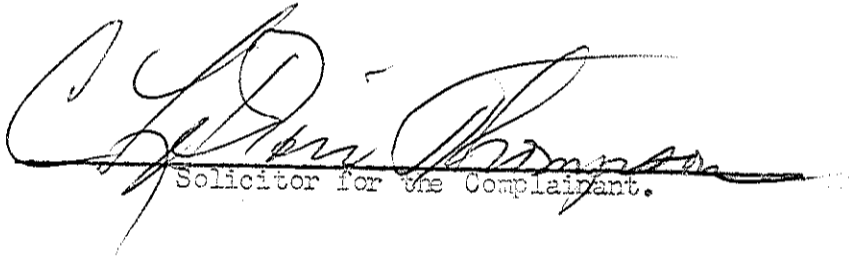
That on or about October 1, 1956, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant every 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 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 Hubert Lee Rayborn, 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 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.

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

4023

MARY SUE PHILLYAW RAYBORN

COMPLAINANT

VS

HUBERT LEE RAYBORN

RESPONDENT

\*\*\*\*\*

SUMMONS AND COMPLAINT

\*\*\*\*\*

**FILED**

APR 29 1957

**ALICE J. BUCK, Register**

From the law offices of  
C. LeNoir Thompson  
Attorney-At-Law  
Ray Minette, Alabama.

*[Faint, illegible text from the reverse side of the document, appearing as bleed-through.]*

MARY SUE PHILLYAW RAYBORN

COMPLAINANT

VS

HUBERT LEE RAYBORN

RESPONDENT

Ø  
Ø  
Ø  
Ø  
Ø

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

CASE NO. \_\_\_\_\_

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

The Respondent admits the allegations as the 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 Complainants witnesses; and agrees that this cause be submitted for final decree without further notice.

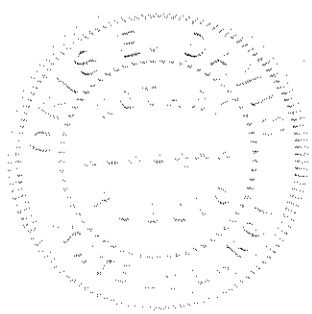
*His*  
Hubert Lee Rayborn *X*  
*Mark*

Witnesses:  
*Helen Jones*  
*Fluence Kinnery*

STATE OF ALABAMA  
ESCAMBIA COUNTY

I, *Ovis E. Davis*, a Notary Public, in and for said County, in said State, hereby certify that Hubert Lee Rayborn, 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 seal on this the *29th* day of *April*, 1957.



*Ovis E. Davis*  
Notary Public, Escambia County, Alabama.

Notary Public, Alabama State of 1955  
My Commission Expires March 22, 1958

4023

MARY SUE PHILLYAW RAYBORN

COMPLAINANT

VS

HUBERT LEE RAYBORN

RESPONDENT

\*\*\*\*\*

ANSWER AND WAIVER

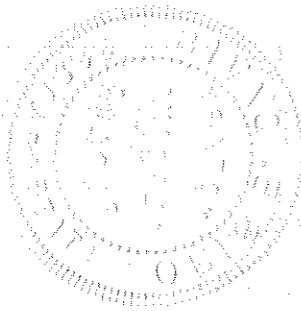
\*\*\*\*\*

FILED

APR 29 1957

MURK I. BUCK, Register

From the law offices of  
C. LeNoir Thompson  
Attorney-At-Law  
Bay Minette, Alabama



Faint, illegible text from the reverse side of the document, appearing as bleed-through.