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The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

Edyth M. Manning, Complainant.

VS.

William W. Manning, Respondent.

I, M. W. Richerson,

as Register and Commissioner

have called and caused to come before me Edyth May Manning

and Victor F. Gear,

witness named in the Requirement for Oral Examination, on the 21 day of February

1927, at the office of Register,

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 witnesses.

doth depose and say as follows:

OVER.

ORAL EXAMINATION.

I, T. W. Richerson, 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 ES and read over to them and they signed the same in the presence of myself and Hon. N. C. Stone, Atty for Complainant.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ES or had proof made before me of the identity of said witness ES; 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 21st day of February 1927.

T. W. Richerson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Rayth Newnam

vs. Complainant

William W. Jennings

Respondent

Oral Deposition

Filed February 21st, 1927.

T. W. Richerson, Register.

Recorded in

Record

Vol. _____ Page _____

Register

EDITH MAY MANNING, the complainant and a witness for complainant, being duly sworn, testifies as follows:-

My name is Edith May Manning and I am the complainant in this case against my husband, Wm. W. Manning, the defendant. Both I and the defendant are over 21 years of age and are bona fide residents of Foley, Baldwin County, Alabama, where we have lived continuously for the past six years. We were married on March 3rd., 1913 and lived to-gether as man and wife until last September when by reason of his treatment of me we ceased to live to-gether as man and wife. The defendant Wm. W. Manning for several months prior to our separation and on different occasions committed actual violence on my person attended with danger to life or health having slapped me several times on different occasions and at one time he hit me with his fist. On account of his action I had reason to apprehend the commission of further violence on my person attended with danger to life or health.

I gave him no just cause or excuse to treat me as he did.

Edith May Manning

VICTOR F. GAAR, a witness for complainant being duly sworn, testifies as follows:-

My name is Victor F. Gaar and I am 42 years of age. Live at Foley, Baldwin County, Alabama where I have resided for the past 17 years or more. I know both Edith May Manning, the complainant in this case and her husband Wm. W. Manning, who is the defendant.

I know that they are both over the age of 21 years and are both residents of Foley, Baldwin County, Alabama where they have lived continuously/more than two years next immediately preceding February 1st., 1927.

Although I was not present at the marriage ceremony I know that they have been residing to-gether as man and wife in Foley, Alabama as above stated.

I reside with my family just four doors from these parties in Foley Alabama and they have lived near me as above stated for several years. I have observed them and know that their relations have undergone a change recently that is, I mean to say they got along apparently alright when they first moved near us and this continued until the latter part of last year when it appeared that they were not getting along to-gether. This difference was noticeable to me from the general circumstances that I observed in connection with these parties, Edith May Manning being a frequent visitor at my house. On one occasion when she was at my house William Manning came there and without any ceremony at all opened the door and complained to his wife Edith May Manning that she was not staying at home and preparing his food. As soon as Mr. Manning said this he closed the door and left. From Mr. Manning's actions and what he said, he appeared to be angry.

Victor F. Gaar

EDITH MAY MANNING,
Complainant,

-vs-

WILLIAM W. MANNING,
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE,
STATE OF ALABAMA,
BALDWIN COUNTY.

THIS AGREEMENT, in duplicate, this February 21st., 1927, by and between Edith May Manning, complainant in her own proper person and by Norborne Stone, as her solicitor of record in the above styled cause, and William W. Manning, defendant therein in his own proper person and by Alfred H. Crovatt, as his solicitor of record, WITNESSETH:-

That in order to settle the matters relating to alimony both permanent and pendente lite, counsel fees for complainant and the custody, care and control of the children of the said Edith May Manning and William W. Manning, complainant and defendant, respectively in said cause, it is agreed as follows:-

That the defendant pay to the complainant in full for alimony both permanent and temporary the sum of Five Hundred and Seventy five dollars (\$575.00) same to be paid One Hundred Dollars (\$100.00) upon granting of decree of divorce and One Hundred Dollars (\$100.00) each year thereafter for three years and the balance of One Hundred Seventy-five Dollars (\$175.00) four years from date of decree. That this shall be in full settlement for said alimony.

That the defendant further pay counsel fees owing complainant's solicitor, Norborne Stone, and the court costs of this cause.

That the defendant William W. Manning shall retain the custody of the two children, Wesley Manning and Ernest Manning and they shall be maintained and educated by him; the custody of said children in the said William Wallace Manning shall be at all times subject to the right of Edith May Manning to visit and see the said children.

That this agreement insofar as the same relates to alimony, the custody and control of said children shall be incorporated in and made a part of the decree of divorce.

Witness the hands and seals of the parties hereto on this the day and year first above written.

Edith May Manning
Complainant.

William Manning
Defendant.

Norborn Stone
Solicitor for Complainant.

Alfred H. Crovatt
Solicitor for Defendant.

It is agreed that testimony be taken and this cause submitted without notice to defendant.

Norborn Stone
Solicitor for Complainant.

Alfred H. Crovatt
Solicitor for Defendant.

Filed 2/11/27

G. W. Ransom
Register

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 658

Vacation Term, 1927

Edyth M. Manning

Complainant

vs.

William W. Manning

Defendant

To T.W. Richerson, Register :

In the above stated cause a ~~Decree Pro Confesso~~ ^{an answer having been file & testimony taken} having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Norborne Stone,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Norborne Stone

Solicitor for Complainant.

8581 NOTE OF TESTIMONY

Edyth M. Manning

vs.

William W. Manning

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, answer of defendant and testimony of Edyth M. Manning and Victor F. Gaar and agreement as to alimony,

and in behalf of Defendant upon

T.W. Richerson

Register.

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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Edyth M. Manning

vs.

William W. Manning

REQUEST FOR DECREE IN
VACATION

FILED Feb 21 1927

J. W. Rice
Register

RECORDED IN RECORD

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Register

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THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Edyth May Manning

vs

William W. Manning

NOTE OF TESTIMONY

Filed in Open Court this 21st
day of February, 1927

J. W. Rice
Register

RECORDED

EDITH MAY MANNING,)
Complainant,)
-vs-)
WILLIAM W. MANNING.)
Defendant.)

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

Comes the defendant, William W. Manning, by his solicitor of record, Alfred H. Crovatt, and for answer to the Bill of Complaint in this cause filed and to each and every paragraph thereof, separately and severally, says:-

(1). That he denies the allegations therein contained and demands strict proof thereof.


Solicitor for defendant.

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Filed 2/21/27

T. W. Richmond
Register

RECORDED

EDITH MAY MANNING,
Complainant,

-vs-

WILLIAM W. MANNING,
Defendant.

)
)
) IN THE CIRCUIT COURT-EQUITY SIDE.
) STATE OF ALABAMA.
) BALDWIN COUNTY.
)
)

TO THE HON. THE CIRCUIT COURT, STATE OF ALABAMA,
BALDWIN COUNTY, AND THE HON. JOHN D. LEIGH, JUDGE
THEREOF, SITTING IN EQUITY:-

Comes your complainant Edith May Manning and exhibits
this, her bill of complaint for divorce against William W. Mann-
ing and shows:-

(1). That both your complainant and the defendant are
over the age of 21 years and are bona fide residents of Foley,
Baldwin County, Alabama, where they have lived continuously for
the past 6 years.

(2). That your complainant and the defendant were
married on heretofore to-wit: March 3rd., 1913 and lived to-geth-
er as man and wife until to-wit: during the month of September,
1926, when on account of the matters hereinafter complained of,
your complainant was compelled to separate from the defendant.

(3). That the defendant has committed actual violence
on the person of your complainant attended with danger to life or
health having on several occasions shortly prior to their sep-
aration slapped her and struck her with his fist; ~~that~~
of the defendant during such period and up to the time of her sep-
aration was such that your complainant had reason to and did app-
rehend the commission of actual violence on her person attended
with danger to live or health.

(4). That there were born to your complainant and the
defendant by said marriage two children, Wesley, a son who is now

(page two)

13 years of age and Ernest, a son who is now 11 years of age, both of whom are living in the house where complainant and the defendant reside; that your complainant is a fit and proper person to have the custody and control of said children but that defendant is not such a fit and proper person.

(5). That your complainant is without any property or income but the defendant who is a barber by trade and who owns and operates a Barber Shop, earns a good salary and has a good income from said business. That the defendant is also possessed of real property consisting of a house and lot in which he has an equity of around \$1150.00 your complainant is informed and believes.

PRAYER FOR PROCESS AND RELIEF.

THE PREMISES CONSIDERED, complainant prays that all necessary orders, summons and notices be given the said William W. Manning necessary to make him party defendant hereto requiring him to appear, plead, answer or demur within the time and under the pains and penalties prescribed by law and this Court; that a reference be ordered held by the Register to ascertain the value and extent of the property and the earning capacity of defendant and to fix a suitable amount as alimony pendente lite and permanent and attorneys fees for complainant in this cause.

That upon a final hearing hereof your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between complainant and defendant be forever dissolved; that your complainant be again permitted to contract the marriage relation should she so desire and be granted the care, custody and control of said children and that it be decreed in her favor a suitable amount to be paid her by the defendant as permanent alimony and, as in duty bound, she will ever pray etc.

Edith May Manning
Complainant,

NORBORNE STONE,
Solicitor for Complainant,

(page three)

FOOT NOTE:-

The defendant is required to answer each and every paragraph of the foregoing Bill of Complaint from 1 to 5, both inclusive but answer under oath is hereby expressly waived.

Edith May Manning
Complainant.

WORBORNE STONE,
Solicitor for Complainant.

EDITH MAY MANNING,)
Complainant,)
-vs-)
WILLIAM W. MANNING,)
Defendant.)

IN THE CIRCUIT COURT-EQUITY SIDE
STATE OF ALABAMA.
BALDWIN COUNTY.

This cause coming on to be heard was submitted upon the Bill of Complaint, Answer of defendant, agreement as to alimony and custody of children and the 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 the defendant, be forever dissolved and that the complainant is forever divorced from the defendant.

It is further ordered that the said Edith May Manning be and she is hereby permitted to again contract the marriage relation provided that she shall not marry again except to the said William W. Manning until 60 days after this date and, if an appeal be taken in this cause, she shall not marry again except to the said William W. Manning during the pendency of said appeal.

It is further ordered and decreed that the complainant have and recover of the defendant as alimony \$575.00 same to be paid \$100.00 in cash at this time and \$100.00 each year thereafter for three years and the balance of \$175.00 four years from the date hereof, for which execution may issue.

It is further ordered that the care, custody and control of the children of said parties as named in the Bill of Complaint, to-wit: Wesley Manning and Ernest Manning, be and the same is hereby granted to William W. Manning subject to the right in Edith May Manning to visit and see the said children at all reasonable times.

It is further ordered that the defendant William W. Manning pay the costs of this cause for which execution may issue and if such execution is returned "No property found", then execution for the same may issue against the complainant.

Done this ²⁸22 day of February, 1927.

John D. Leigh
Judge of the Circuit Court-Equity Side,
Baldwin County, Alabama.

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Final Decree

Filed February 24/27
D. P. Williams
Register