

VIVIAN WILLIS NIX,
Complainant,

vs.

CHARLES L. NIX, JR.,
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

ANSWER AND WAIVER OF RESPONDENT

Comes Now Charles L. Nix, Jr., Respondent in the above-styled cause, and for answer to the Bill of Complaint filed in said cause, says:

1. That the allegations as to residence and age of the Complainant and the Respondent are admitted as true.

2. That the allegations as to the marriage of the Complainant and the Respondent are admitted as true.

3. That the Respondent denies each and every other allegation of the Bill of Complaint, separately and severally, and demands strict proof thereof.

4. And for further answer, the Respondent hereby expressly waives service of process, notice of demand for oral examination of Complainant's witnesses, of the issuance of Commission to take testimony, of notice of the time and place set for taking the same, of the right to cross-examine Complainant's witnesses, and of the right to introduce evidence in his own behalf; and he agrees that the cause may be submitted for final decree at any time on the pleadings and on the evidence of the Complainant, as noted by the Register.

Dated this th 29th day of March, 1940.

Charles L. Nix, Jr.
Respondent.

Witnesses to signature:

W. Berry
John Berry

The State Of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

CHARLES L. NIX, JR.,

of Myrtle Grove, Fla. -County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

VIVIAN WILLIS NIX

against said CHARLES L. NIX, JR.,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. Duck, Register of said Circuit Court, this 27th day of March, 1940, 193

R. S. Duck

, Register

N. B. — Any party defendant is entitled to a copy of the bill upon application to the Register.

VIVIAN WILLIS NIX,
Complainant,

vs.

CHARLES L. NIX, JR.,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

BILL FOR DIVORCE

TO THE HONORABLE F. W. HARE, Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity:

VIVIAN WILLIS NIX, Your Complainant, by this, Her Bill of Complaint presented against CHARLES L. NIX, JR., the Respondent, respectfully shows:

1. That Your Complainant is a resident of this State and County, and over the age of twenty one years.
2. That the Respondent is a resident of Myrtle Grove, in the State of Florida, and over the age of twenty one years.
3. That Your Complainant and the Respondent were married at Pensacola, Florida, on, to-wit: the 31st day of July, 1935, and that they lived together as man and wife until, to-wit: the 16th day of October, 1937.
4. That Your Complainant has been a bona fide resident citizen of the State of Alabama for more than twelve months next preceding the filing of this Bill of Complaint;
5. That Your Complainant has lived separate and apart from the bed and board of her said husband for two years, and without support from him for two years next preceding the filing of this Bill of Complaint, to-wit: commencing October 16, 1937, and continuing at the present time; and that she has been a bona fide resident in the State of Alabama during said period.
6. That at various times during said marriage, and on, to-wit: October 16, 1937, the Respondent committed actual violence on the person of the Complainant, which actual violence was attended with danger to her life or health, and that said acts of violence consisted of, to-wit: the Respondent did hit Your Complainant with his fists, causing her to suffer great pain and anguish, and causing her to become sick and sore.

7. That such separation was without fault on the part of Your Complainant.

THE PREMISES CONSIDERED, Your Complainant prays that the said CHARLES L. NIX, JR., be made a party Respondent to this Bill of Complaint, and that proper notice be served upon him, and that she be notified to answer within the time prescribed by law, and to abide by such orders as may be made in the premises.

COMPLAINANT FURTHER PRAYS that upon the submission of this Cause, a decree may be rendered in her favor forever divorcing Your Complainant and the Respondent, granting to them the right to re-marry should they so desire.

AND if the Complainant has not asked for the proper relief, the premises considered, she prays that the Court may grant to her such further additional, other, and different relief as to your Honor may seem meet, just, right, and proper, in Equity.


Solicitor for the Complainant.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VIVIAN WILLIS NIX Complainant

vs.

CHARLES L. NIX, JR. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree by Confession~~ on Answer and Waiver of Respondent, 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 VIVIAN WILLIS NIX is forever divorced from the said

CHARLES L. NIX, JR.

for and on account of Separation and Non-Support.

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.

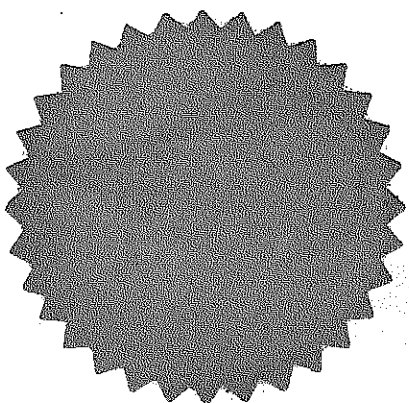
It is further ordered that Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that VIVIAN WILLIS NIX, the Complainant, pay the cost herein to be taxed, for which execution may issue.

This 10th day of August, 1940.

J. M. Hare
Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

STATE OF ALABAMA)
BALDWIN COUNTY)

To any Sheriff of the State of
Alabama:

You are hereby commanded to summon Mary DeGruy
who resides at 464 George Street, Mobile, Alabama
and is in business at 453 George Street, Mobile,
Alabama to appear within thirty days from the
service of this writ in the Circuit Court of
Baldwin County, to be held for said county at the
place of holding the same, then and there to
answer the Bill of Complaint of Catherine Federle.

Witness my hand this 29 day of March 1940.


Register in Chancery

State of Alabama)
Baldwin County)

To any Sheriff in the State of
Alabama:

You are hereby commanded to summon P. J. DeGruy
who resides at 464 George Street, Mobile Alabama and
is in business at ~~453~~ 453 George Street, Mobile Alabama
to appear within thirty days from the service of this
writ in the Circuit Court of Baldwin County, to be held
for said County at the place of holding the same, then
and there to answer the Bill of Complaint of Catherine
Federle.

Witness my hand this 29 day of March 1940


Register in Chancery

THE STATE OF ALABAMA
Baldwin County

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

VIVIAN WILLIS NIX

COMPLAINANT

VS.

CHARLES L. NIX, Jr.

RESPONDENT

I, Cornelia Hall,

as ~~Register and~~ Commissioner

have called and caused to come before me Vivian Willis Nix and Alice Willis,

witnesses named in the Requirement for Oral Examination, on the 10th day of May,
1940, at the office of myself
in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,
the whole truth, and nothing but the truth, the said Vivian Willis Nix

doth depose and say as follows:

I am the Complainant in this case. I live at Foley, in Baldwin County, Alabama, and have so lived there for ~~the~~ all my life, and for the 12 months next preceding the filing of the complaint in this case. I am 30 years of age. The Respondent, Charles L. Nix, Jr., is a resident of Myrtle Grove, Florida, and about 37 years old. He and I were married in Pensacola, Florida, on July 31, 1935, and lived together as man and wife until October 16, 1937, when we separated, and I have been living separate and apart from him without support from him ~~for~~ since that time, and I have been a bona fide resident citizen of this State during said period of time. We separated without fault on my part.

(Signed): Vivian Willis Nix

The said Alice Willis doth depose and say on oath as follows;

Vivian Willis Nix, the Complainant, is my sister. She and Charles L. Nix, Jr., were married in 1935, and lived together until about October 16, 1937, when they separated without fault on her part, and have lived separate and apart since that time. She has had no support from him during such separation. She has been a resident citizen, bona fide, of this State during said period.

(Signed): Alice Willis

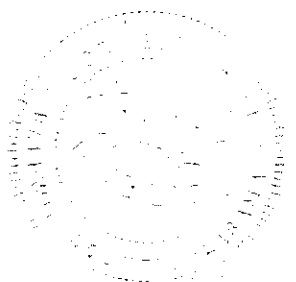
ORAL EXAMINATION

I, Cornelia Hall, as ~~Register~~ Commissioner hereby certify that the foregoing deposition ~~s~~ on Oral Examination was taken down in writing by me in the words of the witness ~~s~~ and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ~~s~~ or had proof made before me of the identity of said witness ~~s~~ 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 10th day of May, 19 40.

Cornelia Hall (L. S.)
As Commissioner.



No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Vivian Willis Nix,

Complainant

Vs.

Charles L. Nix, Jr.

Respondent

ORAL DEPOSITION

Filed May 11, 19 40

R. S. Durb, Register

RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

submission (WD)

VIVIAN WILLIS NIX

VS.
CHARLES L. NIX, JR.,

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, Testimony
of Vivian Willis Nix and of Alice Willis, for the Complainant,
Request for Decree in Vacation by Leslie Hall, Solicitor for the
Complainant,

and in behalf of Defendant upon Answer and Waiver of right to submit evidence.

Leslie Hall
Solicitor for Complainant.
Register

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 622

Term, 1940

VIVIAN WILLIS NIX

, Complainant

Vs.

CHARLES L. NIX, JR.

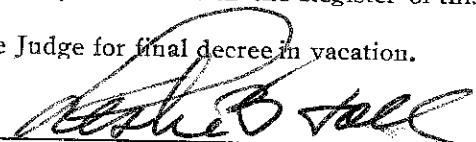
, Defendant

To R.S. DUCK

, Register :

In the above stated cause an answer and waiver filed by
~~Answer Pro Confess~~ having been ~~taken against~~ the Defendant,
and evidence having been taken, and the cause being ready for submission for final decree, and no
evidence in (same being waived)
defense having been interposed, the Complainant, by LESLIE HALL

_____ 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.



Solicitor for Complainant.

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

VIVIAN WILLIS NIX,

Vs.

CHARLES L. NIX, JR.

**REQUEST FOR DECREE IN
VACATION**

Filed August 9, 1940

R. S. Durkin

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

No. 622 ^{10/10} RECORDED

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VIVIAN WILLIS NIX

VS.

CHARLES L. NIX, JR.

NOTE OF TESTIMONY
Submission

Filed in Open Court this 9

day of August 1940

R.S. Dorch

REGISTER

In Equity No.

RECORDED

VIVIAN WILLIS NIX,
Complainant,

vs.

CHARLES L. NIX, JR.,
Respondent,

BILL FOR DIVORCE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed in office this

27 day of March, 1940.

R. S. Durb
Register,

by Harold Thompson
as Deputy Register.
