

ALICE TITUS

vs.

J. H. TITUS

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, _____
Commission to Take Deposition, Depositions of Mrs. Alice Titus and Mrs. Flora
Hayes, and Request for Decree in Vacation

and in behalf of Defendant upon Answer and Waiver

R. S. Bush

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ALICE TITUS

VS.

J. H. TITUS

NOTE OF TESTIMONY

Filed in Open Court this 13th

day of March 1934

H. L. Smith

REGISTER

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

ALICE TITUS _____, Complainant

Vs.

J. H. TITUS _____, Defendant

To Hon. R. S. Duck _____, Register :

Answer & Waiver having been filed by the Respondent
In the above stated cause a ~~Defence Pleading~~ ~~Confession~~ ~~having been taken against the~~ ~~Defendant,~~
and evidence having been taken, and the cause being ready for submission for final decree, ~~and no~~
~~defence having been interposed,~~ the Complainant, by Beebe & 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.

BEEBE & HALL,

By: John Hall

Solicitor for Complainant.

RECORDED

No. _____ Page _____

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

ALICE TITUS

Vs.

J. H. TITUS

**REQUEST FOR DECREE IN
VACATION**

Filed March 13th, 1934

H. S. Dush

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA }
Baldwin County }

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

ALICE TITUS

COMPLAINANT

vs.

J. H. TITUS

RESPONDENT

I, O'Byrne J. Whitley

as ~~Register and~~ Commissioner

have called and caused to come before me Alice Titus and Mrs. Flora Hayes

witnesses named in the requirement for Oral Examination, on the 13th day of March

1941, at the office of Beebe & Hall,

in Ray Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Alice Titus

doth depose and say as follows:

My name is Alice Titus. I live at Fairhope, in Baldwin County, Alabama, and am over twenty-one years of age. The Respondent, J. H. Titus, also lives at Fairhope, in Baldwin County, Alabama, and is over twenty-one years of age.

The Respondent and I were married at Tampa, in the State of Florida, on April 11th, 1939, and immediately came to Fairhope, in Baldwin County, Alabama, where we lived together as husband and wife until February 24th, 1941; that the Respondent is a man of high and uncontrollable temper; that on various times he cursed, threatened and abused me and on several occasions did actual violence to my person, which necessarily endangered my life and health; that the conduct of the Respondent was such that I had every reasonable apprehension to believe and did actually believe that if I continued to live with him, he would do further violence to my person, which would necessarily endanger my life and health.

I, at no time while the Respondent and I lived together as husband and wife, gave him any cause for mistreating me, however, I learned that it is impossible for me to live with him, as his wife, and I was forced to leave him.

Alice Titus

I, O' Byrne J. Whitley 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 Hubert M. Hall

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 13th day of March 1941.

O' Byrne J. Whitley (L. S.)
Commissioner

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

ALICE TITUS

COMPLAINANT

J. H. TITUS

VS.

RESPONDENT

ORAL DEPOSITION

Filed March 13th, 1941

H. S. Duck, Register.

RECORDED IN

_____ Record

Vol. _____ Page _____

_____ Register

MRS. FLORA HAYES, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Flora Hayes. I am a resident of Fairhope, in Baldwin County, Alabama, and am personally acquainted with Alice Titus and J. H. Titus, both residents of Fairhope, in Baldwin County, Alabama. I have had occasion to see the Complainant and Respondent almost daily during the past several months. The Respondent, J. H. Titus, is a man of high temper and on various occasions I have heard him curse, threaten and abuse the Complainant. I know from my own personal knowledge that it was absolutely impossible for the Complainant to live with the Respondent, as his wife. The conduct of the Respondent was such, from my observation, that if the Complainant should continue to live with him, he would, in all probability, do further violence to her person, which would necessarily endanger her life and health. From my observation, it was impossible for the Complainant to live with the Respondent as his wife.

Mrs. Flora Hayes

ALICE TITUS,
Complainant,
VS.
J. H. TITUS,
Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Waiver, and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant and Respondent be and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ALICE TITUS shall not again marry, except to the said J. H. TITUS, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said J. H. TITUS, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs in this cause, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant be restored her former name: Alice Kiler.

Dated at Bay Minette, Baldwin County, Alabama, this 14th day of March, 1941.

J. W. Hare
Judge of the 21st Judicial Circuit of
Alabama.

THE STATE OF ALABAMA,
Baldwin County



CIRCUIT COURT

TO MRS. O'BYRNE J. WHITLEY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Alice Titus and Mrs. Flora Hayes

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Alice Titus

J. H. Titus is Complainant and J. H. Titus

is Defendant,

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

Witness 12th day of March, 19 41.

R. S. Bush

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$ _____

ALICE TITUS,
Complainant,
VS.
J. H. TITUS,
Respondent.

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

And now comes the Respondent, J. H. Titus, in his own proper person, and denies each and every allegation contained in the Complainant's Bill of Complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross-examine the witnesses on her behalf and agrees that this cause be submitted for final decree, forthwith, without further notice.

WITNESSES:

Laura Perkins
Fred A. Holt

J. H. Titus
Respondent.

Respondent was such as to give your Complainant every reasonable apprehension to believe, and she did actually believe that if she continued to live with the Respondent, he would do further actual violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said J. H. TITUS, 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.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, J. H. TITUS; that a further decree be entered restoring to your Complainant her former name, Alice Kiler; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: *Sturtee*

Solicitors for Complainant.

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STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

We command you, That you summon J. H. TITUS 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 ALICE TITUS against said J. H. TITUS, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 10th day of March, 1941.

R. S. Duck
Register.

ALICE TITUS,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA,
VS.)	IN EQUITY.
J. H. TITUS,)	
Respondent.)	

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

And now comes your Complainant, ALICE TITUS, and humbly complaining against the Respondent, J. H. TITUS, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That both your Complainant and Respondent are residents of Baldwin County, Alabama, and over twenty-one years of age.

SECOND:

That your Complainant and Respondent were married at Tampa, in the State of Florida, on April 11th, 1939, and lived together as husband and wife, until, on to-wit, February 24th, 1941.

THIRD:

That, on to-wit, February 24th, 1941, and at various times prior thereto, the Respondent cursed, abused and threatened the Complainant, and on various occasions did actual violence to her person by striking her; that the conduct of the

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Received in Sheriff's Office
this 10 day of March, 1941
W. R. STUART, Sheriff

*Entered 3-12-41
by Deputy J. J. Adams
of Witham and Adams
W. R. Stuart
Sheriff*

RECORDED

BILL OF COMPLAINT

ALICE TITUS,
Complainant,

VS.

J. H. TITUS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed Mar 10 1941
R. Stuart
Register*

RECORDED

ANSWER AND WAIVER:

ALICE TITUS,
Complainant,

VS.

J. H. TITUS,
Respondent.

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

Filed March 12th, 1941.

R. S. Much
Register.

RECORDED

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ALICE TITUS

Complainant

vs.

J. H. TITUS

Defendant

Commission To Take Deposition

COMMISSIONER:

Mrs. McByrne J. Whitley

Witnesses:

Alice Titus

Flora Mayes

RECORDED

FINAL DECREE OF DIVORCE:

ALICE TITUS,

Complainant,

VS.

J. H. TITUS,

Respondent.

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

*Filed March 14, 1941
R.S. Duck, Register*