

DIVORCE DECREE

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

VIVIAN JUANITA SUTTON, Complainant

vs.

CLEMENT FRANCIS SUTTON, 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 Vivian Juanita Sutton is forever divorced from the said Clement Francis Sutton for and on account of

Voluntary abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, BY the Court, that the Complainant be and she is hereby awarded the care, custody and control of the two minor children Clement Ronald Sutton and Mary Isabell Sutton, with the right of the respondent to visit at reasonable times. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondant pay to the Complainant the sum of EIGHTY (\$80.00) DOLLARS per month.

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 the payment of the cost of this suit.

It is further ordered that Clement Francis Sutton the Respondent, 7 pay the cost herein to be taxed, for which execution may issue.

This 15th day of March, 1954

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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Vivian Juanita Sutton

Complainant

vs.

Clement Francis Sutton

Respondent

DIVORCE DECREE

FILED

MAR 15 1954

ALICE J. DUCK, Register

Vivian Juanita Sutton

vs.

Clement Francis Sutton

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 of Respondent and testimony of Vivian Juanita Sutton~~

and Dorothy Stapleton

and in behalf of Defendant upon _____

Walter D. Beasley
by Mary J. Walters, Jr. - atty

David J. Hurd

Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Vivian Juanita Sutton

vs.

Clement Francis Sutton

NOTE OF TESTIMONY

Filed in Open Court this 8th

day of March, 1945

Adrian J. Williams
Register.

Printed by the Baldwin Times

STATE OF ALABAMA

BALDWIN COUNTY

This agreement made and entered into on this the 1st day of March, 1954, by and between Vivian Juanita Sutton, hereinafter referred to as the Party of the First Part and Clement Francis Sutton, hereinafter referred to as the Party of the Second Part, WITNESSETH:

WHEREAS, the Parties heretofore have been husband and wife for a period of six years, and as a result of such union have two children, Clement Ronald Sutton age 5 and Mary Isatell Sutton, age 2; and

WHEREAS said parties have definitely concluded that under conditions now existing it is impractical for them to live together as man and wife.

NOW, THEREFORE, in consideration thereof, and of mutual agreements hereinafter made they have mutually agreed to a complete separation under the following expressed terms and conditions:

1. The said parties shall entirely and completely separate as husband and wife, live separate and apart, as they have been for the past several years, and neither party hereinafter shall in any way harass, threaten, intimidate or otherwise act in anyway so as to embarrass or humiliate the other party.

2. The Party of the First Party shall have the control, custody and support of their two children. The Party of the Second Part shall have the right at reasonable and convenient times to visit the said children and to have the said children to visit him for reasonable periods of time.

3. The Party of the Second Part further agrees to pay the Party of the First Part EIGHTY (\$80.00) DOLLARS per month for the care, support and maintenance of the said children. In addition thereto the Party of the Second Part agrees to pay medical expenses and the premiums on a certain educational policy which is now in effect for the benefit of Clement Ronald Sutton with the Southern Live and Health Insurance Company.

This agreement has been made and executed by the parties hereto on the day and date hereinabove first set forth, in good faith and with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely,

Vivian Juanita Sutton
Clement F. Sutton

RECORDED

VIVIAN JUANITA SUTTON

COMPLAINANT

VS

CLEMENT FRANCIS SUTTON

RESPONDENT

AGREEMENT

EXHIBIT "A"

FILED

MAY 2 1954

ALICE A. BARK, Registrar

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons CLEMENT FRANCIS SUTTON 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 VIVIAN JUANITA SUTTON, as Complainant and against Clement Francis Sutton, as Respondent.

Witness my hand this the _____ day of March, 1954.

Register

VIVIAN JUANITA SUTTON

COMPLAINANT

VS

CLEMENT FRANCIS SUTTON

RESPONDENT

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

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Your Complainant, Vivian Juanita Sutton, respectfully represents unto
your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one years
of age and bona fide residents of Baldwin County, Alabama, and have been for
more than one year next preceding the filing of this bill of complaint.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi,
on January 17, 1948, and lived together as husband and wife in Baldwin County,
Alabama, until on to-wit, April 9, 1951.

3.

That on, to-wit April 9, 1951, the Respondent voluntarily abandoned
the bed and board of your Complainant and has remained away voluntarily
and continuously since that time.

4.

That there was born to the marriage between your Complainant and the
Respondent, two children, Clement Ronald Sutton, age 5 and Mary Isabell
Sutton, age 2, who are now and has been all of their lives with their mother,

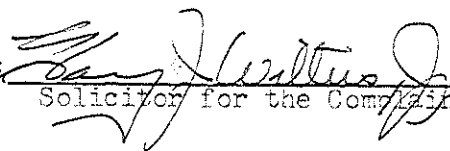
the Complainant; that your Complainant is a suitable, fit and proper person to have their care, custody and control; that there has been an agreement entered into by the Complainant and Respondent concerning the care, control and custody of the children, and their support and maintenance. The said agreement is hereto attached and marked as Exhibit "A".

WHEREFORE the premises considered, your Complainant prays that your Honor will by proper process make the said Clement Francis Sutton 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 final hearing hereof Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; That your Complainant be awarded the permanent care, custody and control of the minor children, Clement Ronald Sutton and Mary Isabell Sutton; that the agreement entered into between the parties in contemplation of divorce be incorporated into this complaint and made a part hereof and that the court render a final decree incorporating the same therein; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

WILTERS & BRANTLEY

BY:


Solicitor for the Complainant

3207

RECORDED

VIVIAN JUANITA SUTTON

COMPLAINANT

VS

CLEMENT FRANCIS SUTTON

RESPONDENT

BILL OF COMPLAINT

FILED

MAR 2 1954

ALICE J. BUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

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 Vivian Juanita Sutton and Dorothy Stapleton

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

Vivan Juanita Sutton

and Clement Francis Sutton

Complainant

Respondent

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

Witness I day of March, 1954

Reisner-Warwick
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Vivian Juanita Sutton

Complainant—

vs.

Clement Francis Sutton

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Vivian Juanita Sutton

Complainant

VS.

Clement Francis Sutton

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Vivian Juanita Sutton and Dorothy Stanleton

witnesses named in the Requirement for Oral Examination, on the 2nd day of March

1954, at the office of Wilters & Brantley

in Bay Minette, Alabama, and having first sworn said Witness to speak the

truth, the whole truth, and nothing but the truth, the said Vivian Juanita Sutton and

Dorothy Stanleton doth depose and say as follows:

My name is Vivian Juanita Sutton. I am the Complainant in the above styled case and over the age of twenty-one and a bona fide resident of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this bill of complaint. The Respondent and I were married at Lucedale, Mississippi, on January 17, 1948, and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, April 9, 1951. The Respondent is a resident of Alabama and over the age of twenty-one years. On or about April 9, 1951, the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time.

There was born to our marriage two children, Clement Ronald Sutton, age 5 and Mary Isabell Sutton, age 2, who are now living with me and have been since our separation. I am a suitable, fit and proper person to have the care, control and custody of our two children.

Vivian Juanita Sutton

My name is Dorothy Stanleton. I am the sister of Vivian Juanita Sutton, the complainant in this cause. I have known her and the Respondent ever since their marriage. I am living with the Complainant and I know that the Complainant and the Respondent have not lived together for more than one year next preceding the filing of the bill of complaint.

Dorothy Stanleton

ORAL EXAMINATION

I, Evelyn Watts, as Register ~~and Commissioner~~ hereby certify that the foregoing deposition...on Oral Examination was taken down by me in writing in the words of the witness...es and read over to them and they signed the same in the presence of myself and Harry J. Wilters Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness...es or had proom 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 2nd day of March, 1954

Evelyn Watts (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

Vivian Juanita Sutton

vs. Complainant

Clement Francis Sutton

Respondent

Oral Deposition

Filed 3-8, 1954

Recorded in

Charles M. Wilters Register

Record

Vol. _____ Page _____

Register

VIVIAN JUANITA SUTTON

COMPLAINANT

VS

CLEMENT FRANCIS SUTTON

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause, as to ages, residence, marriage, and children, but denies all other allegations contained therein 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 the Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Clement F. Sutton

STATE OF ALABAMA
BALDWIN COUNTY

I, Harry J. Wilkins, a Notary Public, in and for said County, in said State, hereby certify that Clement Francis Sutton, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal on this the 1 day of March, 1954.

Harry J. Wilkins
Notary Public, Baldwin County, Alabama

RECORDED

VIVIAN JUANITA SUTTON

COMPLAINANT

VS

CLEMENT FRANCIS SUTTON

RESPONDENT

ANSWER AND WAIVER

FILED

MAR 2 1954

ALICE J. RUCK, Register

