

1674

STATE OF ALABAMA  
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS;

WE COMMAND YOU, that you summon PHOEBE LUELLA SHIPP to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by FRANCIS SHIPP against the said PHOEBE LUELLA SHIPP and further do and perform what the said Judge shall ordere and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS R. S. DUCK, Register of said Circuit Court, this 2nd day of ~~February~~ <sup>March</sup>, 1944.

R. S. Duck

FRANCIS SHIPP  
COMPLAINANT  
  
VS  
  
PHOEBE LUELLA SHIPP  
RESPONDENT

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

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

Now comes your complainant, FRANCIS SHIPP, and humbly complaining against the respondent, PHOEBE LUELLA SHIPP, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and are both over the age of twenty one years;

2.

That they were married at Pensacola, Florida, on October 12, 1935,

3.

That on, to-wit, November 4th, 1943, the Respondent committed the act of adultery with one Herbert Vannell; that on, to-wit, November 5th, 1943, the Respondent committed the act of adultery with Allen Lacey; that the Respondent has also committed acts of adultery with other parties; that the said acts of adultery on the part of the Respondent were without the consent and approval of the Complainant, and that the Complainant has not condoned the said acts of adultery.

4.

That there was born to said marriage between your Complainant and

the Respondent, three children, ages five, three and two years respectively, Mary Edna Shipp, Billie Francis Shipp and Robert Henry Shipp; that the said Mary Edna Shipp and Billie Francis Shipp are now with the Complainant and the said Robert Henry Shipp is in the custody of the Respondent; that on account of the conduct of the Respondent as herein alleged, she is not a suitable, fit and proper person to have the care, custody and control of the said minor children; that the Complainant owns his own home and is a suitable, fit and proper person to have the care, custody and control of the said children.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said PHOEBE LUELLA SHIPP party Respondent to this cause of action, requiring her 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 your Honor will, upon the hearing hereof, enter an order and decree granting to the complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the Respondent, and that he be awarded the care, custody and control of the said minor children, Mary Edna Shipp, Billie Francis Shipp and Robert Henry Shipp.

Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

Francis Shipp  
Complainant

BEEBE & HALL

By Shurtee  
Solicitors for Complainant.

FRANCIS SHIPP  
Complainant

vs

PHOEBE LUELLA SHIPP  
Defendant

No. \_\_\_\_\_  
In the Circuit Court of Baldwin County  
Alabama.

A N S W E R

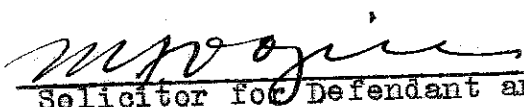
Comes the defendant, Phoebe Luella Shipp, and for answer and cross bill to the bill of complaint filed against her in this cause, says:

1 - She admits the allegations of paragraphs one and two of the bill of complaint.

2 - She denies the allegations of paragraph numbered 3 of the bill of complaint.

3 - She admits that there were born of the marriage the three children mentioned in paragraph numbered 4 of the bill of complaint, but she avers that their ages are as follows: Mary Edna, four years of age; Billy Francis, two and a half years of age; and Robert Henry, one and a half years of age. She admits that she has the custody and control of the said Robert Henry Shipp, and that the complainant has the custody and control of the said Mary Edna and Bill Francis Shipp. She denies the allegation of the bill of complaint that she is an unfit person to have the custody and control of the children, and she avers that in fact she is a fit and proper person to have their custody and control, and that the complainant is not a fit and proper person to have their custody and control.

This defendant and cross complainant prays that this answer may be taken also as a cross bill, and that upon the hearing of this cause this Honorable Court will render a decree, granting to this defendant and cross complainant the care and custody and control of the said three children, but decreeing that the complainant and cross respondent furnish and pay a reasonable amount for the future support of the children, and granting to this defendant and cross complainant such other relief as she may be entitled to.

  
Solicitor for Defendant and  
Cross Complainant.

FRANCIS SHIPP  
Complainant

vs

PHOEBE LUELLE SHIPP  
Defendant

No.

In the Circuit Court of Baldwin County  
Alabama.

A N S W E R

Comes the defendant, Phoebe Luella Shipp, and for answer and cross bill to the bill of complaint filed against her in this cause, says:

1 - She admits the allegations of paragraphs one and two of the bill of complaint.

2 - She denies the allegations of paragraph numbered 3 of the bill of complaint.

3 - She admits that there were born of the marriage the three children mentioned in paragraph numbered 4 of the bill of complaint, but she avers that their ages are as follows: Mary Edna, four years of age; Billy Francis, two and a half years of age; and Robert Henry, one and a half years of age. She admits that she has the custody and control of the said Robert Henry Shipp, and that the complainant has the custody and control of the said Mary Edna and Bill Francis Shipp. She denies the allegation of the bill of complaint that she is an unfit person to have the custody and control of the children, and she avers that in fact she is a fit and proper person to have their custody and control, and that the complainant is not a fit and proper person to have their custody and control.

This defendant and cross complainant prays that this answer may be taken also as a cross bill, and that upon the hearing of this cause this Honorable Court will render a decree, granting to this defendant and cross complainant the care and custody and control of the said three children, but decreeing that the complainant and cross respondent furnish and pay a reasonable amount for the future support of the children, and granting to this defendant and cross complainant such other relief as she may be entitled to.

Solicitor for Defendant and  
Cross Complainant.

FRANCIS SHIPP,

COMPLAINANT

-vs-

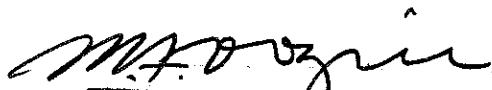
PHOEBE LUELLA SHIPP

DEFENDANT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY NO \_\_\_\_\_.

Comes the defendant in this cause and moves the Court to direct a reference be held in this cause, and that the complainant might be required to pay the defendant alimony pendente lite and permanent alimony and that he be required to pay for the support of his children and that he be further required to pay the solicitor of the defendant a proper fee for his services in this cause.

  
Solicitor for defendant.

10/14

10/14

Shipp

Shipp

Answered Cross  
Bill

10/23/1944  
Bill  
Shipp

1074

Banklunt

Marie Shipp  
2

Phoebe Jewella Shipp

~~Bank~~ Mar 2, 1944  
Phoebe Jewella Shipp

1

[Faint, mostly illegible text, possibly a legal notice or affidavit]

1624

*Shirley B. [illegible]*

*James and Pearl [illegible]*

*Richard [illegible] 23/1944*  
*[illegible]*

[Faint, mostly illegible text, possibly a legal notice or affidavit]



1074

Maria

Shirley

Shirley

A

ABC

Jan 25 1944  
D. P. Smith