

1079

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

JOHNNIE MILDRED PHILLIPS

Complainant

VS

JAMES TERRANCE PHILLIPS

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decrees 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said Johnnie Mildred Phillips
is forever divorced from the said

James Terrance Phillips

for and on account of Intolerable Cruelty

It is further ordered, adjudged and decreed by the Court that the Complainant
has the right to resume the use of her maiden name, Johnnie Mildred Maxie, if
she so desires,

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 either party
be, and _____ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

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

This 17th day of March, 1944.

A. M. Stare
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.

RECORDED

No. 1079 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

Phillips

vs. Complainant

Phillips

Respondent

DIVORCE DECREE

JOHNNIE MILDRED PHILLIPS
COMPLAINANT

VS

JAMES TERRANCE PHILLIPS
RESPONDENT

IN THE CIRCUIT COURT

BALDWIN COUNTY

ALABAMA

IN EQUITY

To the Honorable F. W. Hare, Judge of said Court, sitting in Equity:

Comes Your Complainant, Johnnie Mildred Phillips, and respectfully exhibits this, her Bill of Complaint against James Terrance Phillips, and shows unto Your Honor as follows:

First: Complainant and Respondent were married on June 14th 1941 at Empire, Alabama.

Second: Both parties to this action are of legal age.

Third: Both parties hereto have been residents of the State of Alabama for more than ten years past and Complainant resides, at present, in Baldwin County in said Alabama.

Fourth: On numerous occasions within the past six months, Respondent has treated Complainant with such cruelty and physical abuse so as to cause her to be apprehensive of her life, limb and health.

The premise considered, Complainant prays that said James Terrance Phillips, by appropriate process, be made defendant to this Bill and be required to answer same within the time prescribed by law and to obey such other orders and decrees as may be made in the premises.

Complainant prays, upon hearing of this cause, that a decree be rendered forever divorcing her from said Respondent, granting her the right to resume the use of her maiden name, JOHNNIE MILDRED MAXIE, granting the parties hereto the right to remarry should they so desire and granting such other, different and further relief as may seem proper in the premises.

E. A. Cramer



Solicitor for Complainant.

JOHNNIE MILDRED PHILLIPS)
Complainant)
vs)
JAMES TERRANCE PHILLIPS)
Respondent)

IN EQUITY
Circuit Court
Baldwin County
Alabama

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint says that he denies each and every allegation contained therein.

Respondent further waives notice for demand for oral examination of Complainant's witnesses, the issue of formal commission to take testimony, notice of the time and place of taking same and the right to cross examine or introduce evidence in his own behalf and agrees that this cause may be submitted at any time without further notice to him on the pleadings and Complainant evidence as noted by the Register for final decree.

James Terrance Phillips

State of Alabama
Baldwin County

Before me, E. Cramer, a Notary Public in and for said County and State, personally appeared James Terrance Phillips, who is known to me, and he acknowledged that he voluntarily executed the foregoing answer and waiver with full knowledge of its contents.

Given under my hand and official seal this 6th day of March, 1944.

E. Cramer

1079

RECORDED

Mason & Mair

Phillips

Phillips

Order Nov 1 1944

Phillips
Phillips

1079

RECORDED

Complaint

Phillips

978

Phillips

Filed Mar 9/1944
R. B. Burch
But

THE STATE OF ALABAMA }
 Baldwin County }

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

Johmie Mildred Phillips

COMPLAINANT

vs.

James Terrance Phillips

RESPONDENT

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Johmie Mildred Phillips and Norman Phillips

witnesses named in the requirement for Oral Examination, on the 6th day of March
 19444, at the office of E. A. Cramer, Attorney,

in Fairhope, Alabama, and having first sworn said witnesses to speak the
 truth, the whole truth, and nothing but the truth, the said Johmie Mildred Phillips

doth depose and say as follows:

James Terrance Phillips and I were married on June 14th 1941 at Empire, Alabama. I am 21 years old and he is 23. We have both been residents of the State of Alabama all of our lives. I have lived recently in Baldwin County. About six months ago, he began to mistreat me. It appears that he had become interested in another woman. He began to punch me about and slap me. It got so, after a while, that I feared him more and more until I could not continue to live with him. The last occasion was about a week ago at which time, he punched me several times and his brother, Norman, stopped him. My maiden name was Johmie Mildred Maxie and, if I am given a decree, I should like the right to resume the use of my maiden name.

Johmie Mildred Phillips

And the said Norman Phillips doth depose and say as follows:

I have known that things were not well with my brother James and his wife and I did see him mistreat her about a week ago. He slapped her several times. I know that they have both lived in Alabama all their lives and that Johmie Mildred is living in Baldwin County at present.

Norman Phillips

I, FRANCIS G. CRAWFORD 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 us and read over to Them and They signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness us or had proof made before me of the identity of said witness us; 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 6th day of March 1944.

Francis G. Crawford (L. S.)

No. 410 79

Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Phillips

COMPLAINANT

Phillips vs. _____

RESPONDENT

ORAL DEPOSITION

Filed

Mar 9, 1944

Phillips, Register.

RECORDED IN

Record _____

Vol. _____ Page _____

_____, Register

Johnnie Mildred Phillips.

THE STATE OF ALABAMA,
BALDWIN COUNTY

VS.

IN EQUITY

James Terrance Phillips.

CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

and Testimony of Johnnie Mildred Phillips, and Norma Phillips.

and in behalf of Defendant upon Answer & Waiver.

R. D. [Signature]
Register.

No. 1079.

RECORDED

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Johnnie Mildred Phillips.

VS.

James Terrance Phillips.

NOTE OF TESTIMONY

Filed in Open Court this 9th.

day of March, 1944



Register.

Moore Printing Co.