

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

JOSEPHINE S. HIPSE Complainant

VS

JOSEPH HIPSE 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 JOSEPHINE S. HIPSE
is forever divorced from the said

JOSEPH HIPSE

for and on account of adultery
In accordance with the terms of agreement between the parties,
it is further adjudged and decreed that the custody of Sandra
Hipsh, infant child of the marriage and of the unborn child shall
be with Complainant subject to the right of Respondent to see said
children in reasonable daylight hours.

It is further ordered and decreed that Respondent pay the
costs of this proceeding together with \$50.00 for Complainant's
counsel, and the expenses of Complainant's approaching confinement,
and that in lieu of alimony he shall pay to Complainant the sum
of \$20.00 per week for support of said children.

This Court retains custody of this cause for the purpose of
making such further orders and decrees as shall from time to time
seem proper.

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 both parties

be, and ~~are~~ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that JOSEPH HIPSE

the Respondent pay the cost herein to be taxed, for which execution may issue.

This 23rd day of September, 19 44.

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

I, R. S. DUCK, 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 September, 19 44.

Register of Circuit Court, in Equity.

No. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

JOSEPHINE S. HIPSH

vs. Complainant.

JOSEPH HIPSH

Respondent.

DIVORCE DECREE

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

Your Petitioner, JOSEPHINE S. HIPSH MANTEUFFEL respectfully represents
and shows unto your Honor as follows:

1.

That on September 23, 1944, a decree of divorce was rendered by this
Court in which your Petitioner was Complainant and Joseph Hipsh was Respondent.

2.

That in, by and as a part of said decree your Petitioner was awarded the
custody of the child, Sandra Hipsh and also the unborn child which has since
been born and is named Michael Hipsh.

3.

That in said decree the Respondent was required to pay your Petitioner
the sum of TWENTY (\$20.00) DOLLARS per week for the support of said children.

4.

That the said Joseph Hipsh has failed and/or refused to comply with the
decree of the court and pay the alimony required.

Wherefore your Petitioner prays that your Honor will issue citation
to the said Joseph Hipsh requiring him to appear and show cause why he should
not be adjudged in contempt his failing to comply with the decree of this court.

Josephine S. Hipsh Manteuffel

Sworn to and subscribed before me on this the 20 day of September, 1946.

Shussler
Notary Public, Baldwin County, Alabama



Petitioner's Address is 351 A Baldwin Avenue, Alabama Village,
Chickasaw, Alabama.

TO HONORABLE J. W. HARRIS, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

ALABAMA, IN SENATE

Your petitioner, JOSEPH HISH, respectfully requests

and also your Honor as follows:

1.

That on September 28, 1944, a decree of divorce was rendered by this Court in which your petitioner was complainant and Joseph Hish was respondent.

2.

That as a part of said decree your petitioner was awarded the custody of the child, Sandra Hish and also the unborn child which has since been born and is named "Joseph Hish".

3.

That in said decree the respondent was ordered to pay your petitioner the sum of TWENTY (\$20.00) DOLLARS per week for the support of said children.

That the said Joseph Hish has failed and/or refused to comply with the

decree of the court and pay the alimony required.

Therefore your petitioner prays that your Honor will issue

an order compelling the said Joseph Hish to appear and show cause why he should not be held in contempt of the court.

Josephine S. Hish Manteuffel

Complainant

Josephine S. Hish Manteuffel

Joseph Hish

Respondent

Joseph Hish

Petition

Filed

9-20-46

R. S. Black
Registrar

Petitioner's address is 381 A Baldwin Avenue, Baldwin Village, Baldwin, Alabama.

JOSEPHINE S. HIPSH MANTEUFFEL.

Petitioner.

VS.

JOSEPH HIPSH.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

CITATION.

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA.

You are hereby commanded to cite Joseph Hipsh to be and appear before me at Bay Minette Alabama, on the 30th Day of September 1946. ~~xxx2x2x~~ at 2.P. M. and show cause as to why he should not be adjudged in contempt of Court and punished accordingly for an alleged violation of a decree of this Court, made and entered on September 23rd 1944.

You will serve a copy of this order on the said ~~Joseph Hipsh~~ Joseph Hipsh and make your return on the original order.

This 24th day of September 1946

F.W. Hare.

Register.

No. 1200. $\frac{1}{2}$

In Equity

JOSEPHINE S. HIPSH MANUEFFEL

VS.

JOSEPH HIPSH.

CITATION.

FAIRHOPE.

*Executed by serving
copy on Joseph Hipsh
Sept. 28, 1944
C. E. Garritt & wife
H. G. Hall Deputy Sheriff*

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

Your Petitioner, JOSEPHINE S. HIPSH MANTEUFFEL respectfully represents
and shows unto your Honor as follows:

1.

That on September 23, 1944, a decree of divorce was rendered by this
Court in which your Petitioner was Complainant and Joseph Hipsh was Respondent.

2.

That in, by and as a part of said decree your Petitioner was awarded the
custody of the child, Sandra Hipsh and also the unborn child which has since
been born and is named Michael Hipsh.

3.

That in said decree the Respondent was required to pay your Petitioner
the sum of TWENTY (\$20.00) DOLLARS per week for the support of said children.

4.

That the said Joseph Hipsh has failed and/or refused to comply with the
decree of the court and pay the alimony required.

Wherefore your Petitioner prays that your Honor will issue citation
to the said Joseph Hipsh requiring him to appear and show cause why he should
not be adjudged in contempt his failing to comply with the decree of this court.

Josephine S. Hipsh Manteuffel

Sworn to and subscribed before me on this the 20 day of September, 1946.

Shubert
Notary Public, Baldwin County, Alabama

Petitioner's Address is 351 A Baldwin Avenue, Alabama Village,
Chickasaw, Alabama.

*The Register is directed to issue
citation as prayed commanding respondent
to appear before me at the Court House in Bay
Minette, Ala. at 2 P.M. on Monday Sept. 30th 1946
This Sept. 23rd 1946
F. W. Hare, Judge*

Josephine S. Hipsh Manteuffel

Complainant

vs

Joseph Hipsh

Respondent

Petition

Filed
9-20-46
R.S. Quick
Registrar

Petition

and

Citation

Pending

JOSEPHINE S. HIPSH,
Complainant

E Q U I T Y

Vs.

CIRCUIT COURT OF

JOSEPH HIPSH,
Respondent

BALDWIN COUNTY, ALABAMA

TESTIMONY OF JOSEPHINE S. HIPSH and ALICE H. TROXEL,
WITNESSES FOR COMPLAINANT

The said witnesses appeared before me at the time and place hereinafter stated. After being duly sworn upon examination by Solicitor for Complainant testified as follows:

JOSEPHINE S. HIPSH

I am the Complainant in this cause. I am twenty-two years of age, and in October 1941 was married to Joseph Hipsh who is also over the age of twenty-one and, like myself, a bona fide resident of Baldwin County for more than five years past.

We have lived together as husband and wife fairly happily and have one child born to us, Sandra, now sixteen months of age, and we are expecting another child in March next. About two months ago, however, my husband commenced going with another woman with whom he seems to be infatuated. I tried to get him to give her up but without success and he freely admitted to me that he was having improper relations with her, going into considerable detail, but I can do nothing to make him give her up so have decided to leave him. His father and his three sisters have all tried to get him to give up this woman and come back to me without success and he goes with her constantly and I know from what he has told me and his infatuation for her that he is maintaining adulterous relations with her. For this reason I am leaving him. He and I talked the matter over and he says he will not resist any divorce and will make arrangements for the support of our children and my other necessary expenses. So it now seems that divorce is the only course left to me..

Josephine S. Hipsh

ALICE H. TROXEL

I am a sister of the defendant. For some time he has been much interested in an attractive young woman and this has made his wife unhappy. He has told her that he has been intimate with this girl and will not stop. My father and mother have both tried to get him to give her up without success. My husband and I have seen him with her on a number of occasions and know that they are very devoted and that he still goes with her. All of our family are fond of Josephine and sorry for her.

Alice H. Troxel

I, Mary F. Thomson, acting as Commissioner by agreement of parties hereby certify that in the case of Josephine S. Hipsh versus Joseph Hipsh, pending in the Equity side of the Circuit Court of Baldwin County, I caused Josephine S. Hipsh and Alice H. Troxel, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn upon examination by the Solicitor for the Complainant, they testified as is above written and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party of the cause or in anywise interested in the result thereof.

In witness thereof, I hereto set my hand and seal as Commissioner this the 9th day of September 1944.

Mary F. Thomson
Commissioner

E Q U I T Y

JOSEPHINE S. HIPSH,
Complainant

Vs.

JOSEPH HIPSH, Respondent

- - -

DEPOSITIONS OF JOSEPHINE S.
HIPSH and ALICE H. TROXEL

Filed

9-20-44

*A.S. Clarke
Register*

JOSEPHINE S. HIPSH,
Complainant,

vs

JOSEPH HIPSH,
Respondent.

E Q U I T Y.

CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA.

Comes Joseph Hipsh, Respondent in the above cause and for answer to the Bill of Complaint says that he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses, of the issue of commission to take testimony, of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Joseph Hipsh
Respondent.

STATE OF ALABAMA:
BALDWIN COUNTY:

Before, me, the undersigned Notary, personally appeared this day Joseph Hipsh who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Given under my hand and official seal this the 7th day of September, 1944.

Clifford B. Raines
Notary Public, Baldwin County, Ala.

1200

JOSEPHINE S. HIPSH,
Complainant

versus

JOSEPH HIPSH,
Respondent.

ANSWER AND WAIVER.

Filed 9-20-44

R.S. Senck
Register

Josephine S Hipsh

VS.

Joseph Hopsh

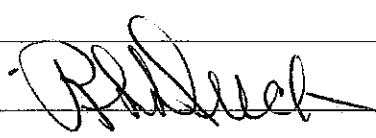
THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

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

Testimony of Josephine S Hipsh and Alice H Troxel.

and in behalf of Defendant upon Answer and waiver

 Register.

RECORDED

No. 1200.

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Josephine S Hipsh

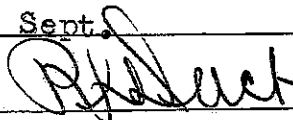
VS.

Joseph Hipsh.

NOTE OF TESTIMONY

Filed in Open Court this 20th

day of Sept. 1944



Register.

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

Comes JOSEPHINE S. HIPSH, and by this her Bill of Complaint, presented against JOSEPH HIPSH, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that both are now and have been for more than five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Pensacola, Florida, in October 1941, and lived together as husband and wife in Fairhope since that date and until the last of August 1944.

THIRD: That within the last few months the Defendant has become infatuated with a divorcee who works where he does and has neglected Complainant for this woman with whom he is avowedly and flagrantly committing adultery, but at exact times and places unknown to Complainant by her direct knowledge although when reproached for his conduct Defendant admits his adulterous relations and refuses to discontinue same.

FOURTH: That after repeated efforts to induce Defendant to give up this woman in which entreaties Complainant has been joined by Defendant's parents who sympathize with her and condemn the acts of their son, Complainant has terminated all marital relations with Defendant and has lived separate and apart from him since August 30th, 1944.

There has been born to this marriage a daughter Sandra now about two years of age and Complainant is now pregnant with another child expected in the early spring.

THE PREMISES CONSIDERED, Complainant prays that Joseph Hipsh be made party defendant to this cause, and by proper process required to answer this Bill within the time required by Law.

Complainant further prays that upon the hearing of this

cause a decree be rendered forever divorcing her from said Joseph Hipsh, granting her the custody of the children by said marriage and a suitable amount to pay for Complainant's Solicitor in this cause and for the support of the children above described as well as the right to marry again should she so desire and such other, further or different relief as to equity may seem meet.

Elliott S. Rinsley
Solicitor for Complainant

JOSEPHINE S. HIPSH,
Complainant

Vs.

JOSEPH HIPSH,
Respondent

E Q U I T Y
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

It is agreed between the parties hereto that in the event a Decree of Divorce is rendered same may contain the following provisions.

FIRST: The care and custody of Sandra Hipsh, the infant child of the marriage and of the unborn child shall be in Complainant subject to the right of the father to see said children at all reasonable daylight hours.

SECOND: Complainant makes no claim for alimony other than for the expense of the present proceeding and for all expenses of her approaching confinement which Respondent is to pay.

THIRD: For the support of the children of the marriage Respondent is to pay to Complainant or to leave at some place mutually agreed upon the sum of \$20.00 per week.

FOURTH: The Court shall retain custody of this cause for the purpose of making such further orders as from time to time seem proper.

Executed this the 8th day of September 1944.

Josephine S. Hipsh
Joseph Hipsh

1310

EQUITY

JOSEPHINE S. HIPSH,
Complainant

Vs.

JOSEPH HIPSH,
Respondent

AGREEMENT

Filed

9-20-44

*R.S. Luck
Register*