

WAIVER AND ANSWER

NELL MARY YATES,)	
)	
COMPLAINANT)	IN THE CIRCUIT COURT OF
)	
VS:)	BALDWIN COUNTY, ALABAMA
)	
ROBERT LOUIS YATES,)	IN EQUITY
)	
RESPONDENT)	

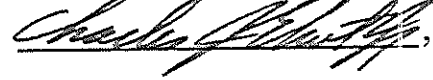
Comes the respondent in the above styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.
2. He admits the allegations contained in paragraph 2 of said bill of complaint.
3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.
4. He admits the allegations contained in paragraph 4 of said bill of complaint.
5. He admits the allegations contained in paragraph 5 of said bill of complaint.


Respondent

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, , a Notary Public in and for said County and State, do hereby certify that Robert Louis Yates, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 16th day of July, 1955.


Notary Public

RECORDED

Answered & waived

FILED
JUL 18 1955

ALICE & RAY, Registrar

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Kathryn Sute

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 Nell Mary Yates, Harvey B. Olson and
Genevieve Olson

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

_____, Complainant
and _____

Robert Louis Yates Respondent

on oath, to be by you administered, upon Nell Mary Yates, Harvey B. Olson & Genevieve Olson to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 16th day of July, 195 5

Willie J. French
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

DIVORCE DECREE

PRINTED BY MOORE PTC CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

NELL MARY YATES

Complainant

vs.

ROBERT LOUIS YATES

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Waiver and Answer 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 Nell Mary Yates is forever divorced from the said Robert Louis Yates for and on account of cruelty

It is ordered, adjudged and decreed that the said Nell Mary Yates is to have the custody of the minor children, Patricia Ann and Roxie Anna, with the right of Robert Louis Yates to visit them at all reasonable times.

It is further ordered, adjudged and decreed that the said Robert Louis Yates pay to the said Nell Mary Yates the sum of \$175 per month, beginning August 1st, 1955 for a period of one year.

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 payment of the cost of this suit.

It is further ordered that Robert Louis Yates the Respondent pay the cost herein to be taxed, for which executed may issue.

This 18th day of July, 1955

7 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. 3569

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JUL 19 1955

ALICE J. DUCK, Registrar

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

THIS AGREEMENT made and entered into by and between NELL MARY YATES hereinafter referred to as the party of the first part, and ROBERT LOUIS YATES hereinafter referred to as the party of the second part:

WITNESSETH:

Whereas, the parties hereto have been husband and wife for a period of eight years, and as a result of such union have two children, Patricia Ann, eight years of age, and Roxie Anna, six years of age; and

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

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

1. The said parties shall entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate, or otherwise act in any way so as to embarrass or humiliate the other party.
2. The party of the first part shall have the custody, control and support of the two children, with the right of the party of the second part to visit said children at all reasonable times.
3. The party of the second part agrees to pay to the party of the first part for the support and maintenance of herself and children, on or before the first day of August and each month thereafter for a period of one year, the sum of ONE HUNDRED SEVENTY FIVE & 00/100 DOLLARS (\$175.00).
4. The party of the second part does hereby give to the party of the first part their present automobile, which is free and clear of all encumbrances.

In the event the party of the first part insists on her express determination to file a suit for divorce against the party of the second part, it shall be thoroughly understood that the party of the second part denies and expects to continue to deny that she is in any way entitled to

a divorce, and in the event the court, upon hearing, should decide that the party of the first part is entitled to a divorce, then it is agreed and understood that this agreement and all of its terms shall be submitted to the court for its approval, and shall not be executed until and unless the court does approve the same.

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

IN WITNESS WHEREOF, the parties hereunto set their hands and seals this the 16th day of July, 1955.

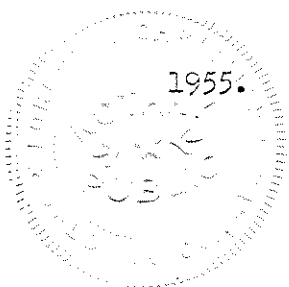
Nell Mary Yates
Nell Mary Yates

Robert Louis Yates
Robert Louis Yates

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, Forest A. Christian, a Notary Public in and for said County and State, do hereby certify that Nell Mary Yates and Robert Louis Yates, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 16th day of July,



Forest A. Christian
Notary Public

BILL OF COMPLAINT

STATE OF ALABAMA,)
)
 BALDWIN COUNTY.)

NELLMARY YATES,)

COMPLAINANT)

VS:)

ROBERT LOUIS YATES,)

RESPONDENT)

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN
 COUNTY,

Sitting in Equity:

Your complainant, Nell Mary Yates, respectfully represents
 and shows unto your Honor:

1. That the complainant is over the age of twenty-one years
 and is a resident citizen of said State and County; that Robert Louis
 Yates is over the age of twenty-one and resides in Baldwin County,
 Alabama.

2. That your complainant and respondent were lawfully married
 on or about, to wit: August 2, 1947, at San Diego, California.

3. Your complainant avers and charges that the said respondent
 did on or about the 13th day of July, 1955, and many times previous
 thereto assault, beat, hit and strike complainant; that said respondent
 has committed actual violence on her person attended with danger to her
 health or life; complainant avers and charges that respondent has made
 numerous threats of doing her physical harm and from his manner and conduct
 toward her, she is reasonably convinced that he will commit an actual
 violence upon her person, attended with danger to her life or health.

4. There has been born to said marriage two children, namely,
 Patricia Ann age 8, and Roxie Anna age 6, and the complainant alleges that
 she is a person of good moral character and a prudent parent and is a
 suitable person to take proper care of said minor children.

5. That complainant and respondent have entered into an agreement
 with reference to custody and support of minor children, a copy of which is
 hereto attached as Exhibit A and made a part hereof, and by the terms of
 which agreement the complainant is to have custody of said minor children

with the right of the respondent to visit them at reasonable times.

The respondent agrees to pay to the complainant the monthly sum of \$175 per month on the first day of every month for a period of one year.

Complainant avers that this is a reasonable, just and proper agreement and prays the court that in the event a decree of divorce is given in this cause that the court will decree that the parties keep and abide by the terms of said agreement.

The premises considered, your complainant makes the said Robert Louis Yates a party respondent to this bill of complaint, and in order that the complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Robert Louis Yates, commanding him to answer, plead or demur to this bill of complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said respondent; and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray, etc.

Nell Mary Yates
Complainant
W. G. [Signature]
Solicitor for Complainant

3569.

RECORDED

Hell Mary yates
vs

Robert Louis yates

Bill of Complaint

FILED

JUL 18 1955

W. A. BUCK, Register

Nell Mary Yates,Complainantvs.Robert Louis Yates,Respondent

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, _____

Commission to take testimony, depositions of Nell Mary Yates, _____

Harvey B. Olson and Genevieve Olson, and agreement between the parties, _____

and in behalf of Defendant upon _____ Waiver and Answer _____

Willie Mae Yates
Salveston

Genevieve Olson
Register.

No. 3569.....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this

day of 194.....

Register.

Printed By The Baldwin Times

3569

ORAL EXAMINATION.

I, Kathryn Sute, 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 Forest A. Christian

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 16th day of July, 194 55

Kathryn Sute (L. S.)

NO. 3569 PAGE _____

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

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 194 _____

FILED

JUL 18 1955

Register.

MADE 1.0000, Register

Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

NELL MARY YATES

Complainant

VS.

ROBERT LOUIS YATES

Respondent

I,

Kathryn Sute

as Register and Commissioner

have called and caused to come before me Nell Mary Yates, Harvey B. Olson and
Genevieve Olson

witnesses named in the Requirement for Oral Examination, on the 15 day of July
1945, at the office of Forest A. Christian, Attorney at Law
in Foley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said NELL MARY YATES
doth depose and say as follows:

My name is Nell Mary Yates. I am the complainant in the
divorce proceedings of Nell Mary Yates vs. Robert Louis Yates. We were
married on August 2, 1947, at San Diego, California, and we have lived
as husband and wife in Baldwin County, Alabama for past several months.
For many years we have not gotten along well and my husband gets mad
and strikes me every once in a while. On July 14, 1955, my husband
kicked me on the leg and left a large black and blue mark. Sometimes he
hits and kicks me when he is drunk. I am in fear of my life and health,
and I do not dare to live with him any longer.

Nell Mary Yates
Nell Mary Yates

Genevieve Olson and Harvey B. Olson, first being duly sworn
depose and say as follows:

We live next door to Nell Mary Yates and Robert Louis Yates.
We know that Robert Yates has struck and kicked his wife Nellie Yates
on several occasions and especially on July 14th. She has a black and
blue mark on her leg which was caused by her husband kicking her. She
has come to our house for protection on several occasions.

We believe that Nellie Yates is a proper and suitable person
of good moral character to have the care and custody of the two minor
children.

Genevieve Olson
Genevieve Olson

Harvey B. Olson
Harvey B. Olson