

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LUTHER MIZELL

, Complainant

vs.

FRANCES BATES MIZELL

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ 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 Luther Mizell is forever divorced from the said Frances Bates Mizell for and on account of Abandonment.

It is further ordered, adjudged and decreed by the Court that the Complainant be and she is hereby given the right to resume the use of her maiden name, Frances Bates.

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 Luther Mizell the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of July, 1955

Hunter 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. 3561 Page 62

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

LUTHER MIZELL

Complainant

vs.

FRANCES BATES MIZELL

Respondent

DIVORCE DECREE

FILED

JUL 8 1955

ALICE J. DUCK, Register

LUTHER MISSELL

COMPLAINANT

VS

FRANCES BATES MISSELL

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, 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 Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

The Respondent requests right to resume use of maiden name of Frances Bates.

Frances Bates Missell

STATE OF ALABAMA

Mobile COUNTY

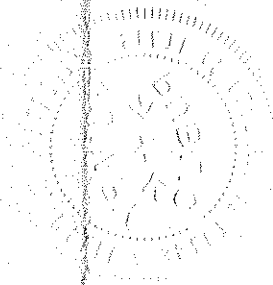
I, Elizabeth W. Ingram, a Notary Public, in and for said County in said State, hereby certify that Frances Bates Missell, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this 5th day of July, 1955.

Elizabeth W. Ingram
Notary Public, State of Alabama

RECORDED

3561



Ans & Waiver

FILED

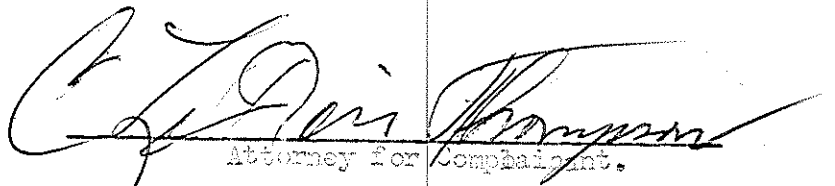
JUL 7 1955

ALICE J. DECK, Register

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 a final hearing hereof award to him a decree of divorce forever barring the bonds of matrimony existing between your Complainant and the Respondent, and that he be granted such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

FILED
July 7 1930
ALICE J. BUCK, Clerk


Attorney for Complainant.

RECORDED 3561

LUTHER MIZELL

COMPLAINANT

VS

FRANCES BATES MIZELL

RESPONDENT

SUMMONS AND COMPLAINT

FILED

JUL 7 1955

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama

THE STATE OF ALABAMA

Baldwin County.

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

Complainant

VS.

FRANCES BATES MIZELL

Respondent

I, Lois Howard

as Register and Commissioner

have called and caused to come before me Luther Mizell and Pauline Bankesterwitness es named in the Requirement for Oral Examination, on the 7th day of July
1955, at the office of C. LeNoir Thompsonin Bay Minette, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Luther Mizell and Pauline
Bankester doth depose and say as follows:

That my name is Luther Mizell, I am over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceeding. The Respondent is over the age of 18 and is presently a resident of Mobile County, Alabama. We were married at Lucedale, Mississippi on October 18, 1953 and lived together as husband and wife until on or about May 15, 1954 at which time the Respondent abandoned me without fault on my part. We have not lived together as husband and wife since that date. There are no children as fruits of this marriage and no property to be divided. I know that we will never live together again as husband and wife. I have no objection to the Respondent resuming the use of her maiden name Frances Bates.

Luther Mizell

That my name is Pauline Bankester, I know both parties to this cause. The Complainant Luther Mizell is over the age of 21 and a resident of Baldwin County, Alabama and has lived here more than two years next preceeding. The Respondent, Frances Bates Mizell, is over the age of 18 and is presently residing in Mobile County. They were married at Lucedale, Mississippi on October 18, 1953 and lived together as husband and wife until on or about the 15th of May, 1954 at which time the Respondent abandoned the Complainant without fault on his part. There are no children born of this marriage and no property to be divided. I do not believe they will ever live together again as husband and wife.

Pauline Bankester

ORAL EXAMINATION.

I, Lois Howard, as Register and Commissioner hereby certify that the foregoing deposition s 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 C. LeNoir Thompson

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 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 7th day of July, 1955

Lois Howard (L. S.)

NO. 3561 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

LUTHER MITZELL

vs. Complainant

FRANCIS BATES MITZELL

Respondent.

Oral Deposition

Filed , 1955

FILED

Register.

JUL 7 1955

Alice J. Brock, Register Record

Vol. Page Register

FILED

JUL 7 1955

Alice J. Brock, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS HOWARD

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Luther Mizell and Pauline Bankster

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

and Frances Bates Mizell, Complainant

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

Witness 7th day of July, 1956

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

Reing L. Jackson Register.

No. 3561

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

LUTHER MIZELL

Complainant

VS.

FRANCES BATES MIZELL

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS HOWARD

WITNESSES:

LUTHER MIZELL

PAULINE BAKER

FILED

JUL 7 1955

ALICE J. DICK, Register

No. 3561

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

LUTHER MIZELL

vs.

FRANCES BATES MIZELL

NOTE OF TESTIMONY

Filed in Open Court this

day of JUL 8, 194

Register.

Printed By The Baldwin Times

FILED
JUL 7 1955
ALICE J. DECK, Register

LUTHER MIZELL

vs.

FRANCES BATES MIZELL

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,

Testimony of Luther Mizell and Pauline Bankester

and in behalf of Defendant upon Answer and Waiver

L. A. Thompson

James J. Wink

Register.