

2568

DIVORCE DECREE

MOORE PRG. CO.

The State of Alabama, Baldwin County

Circuit Court, In Equity

Pearl Batts

, Complainant

vs.

W. O. Batts

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered mail 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 Pearl Batts is forever divorced from the said W. O. Batts for and on account of Cruelty

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 the payment of the cost of this suit.

It is further ordered that Pearl Batts the Complainant pay the cost herein to be taxed, for which execution may issue.

This 16th day of January, 1951

Jeffrey J. Madhewie, Jr.
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. 2568 Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Pearl Batts

Complainant

vs.

A. O. Batts

Respondent

DIVORCE DECREE

FILED

JAN 15 1951

MISS. C. C. B. B. B.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Pearl Batts

Complainant

VS.

W. O. Batts

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Pearl Batts and Mrs. E. V. Whittington

witness ^{ES} named in the Requirement for Oral Examination, on the 11 day of January

1951, at the office of Hubert M. Hall

in Bay Minette, Ala.

, Alabama, and having first sworn said Witness ^{ES} to speak the truth, the whole truth, and nothing but the truth, the said Pearl Batts and Mrs. E. V. Whittington

doth depose and say as follows:

My name is Pearl Batts. I am over twenty-one years of age and a resident of Baldwin County, Alabama, and have been for the past eighteen months. The Respondent, W. O. Batts is over twenty-one years of age and a resident of 154 West Flagler Street, Miami, Florida.

The Respondent and I married at Wichita, Kansas, on July 22, 1925. We lived together as husband and wife until on to-wit, June 13, 1950. We were living in Baldwin County, Alabama, at the time of the facts and matters herein set out.

The Respondent on to-wit, June 13, 1950, committed actual violence to me by striking me several times, with his fists. His conduct is such as to give me every reasonable apprehension to believe and I do actually believe that If I continued to live with him he would carry out his threats and do further violence to my person which would necessarily endanger my life and health.

The Respondent and I have only one child who is now 24 years of age and on his own. We have no community property.

I know that it is absolutely impossible for the Respondent and I to ever live together as husband and wife.

Pearl Batts

I am personally acquainted with the Complainant and the Respondent in this cause. I have known them quite a number of years. I know that the conditions as existed in their home was impossible for the Complainant to live with the Respondent as his wife. I know that the Respondent on several occasions threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The Complainant and the Respondent are both mature persons and have no children dependent upon them.

Mrs E. V. Whittington

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition is 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 Hubert M. Hall

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 11 day of January, 1951

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Pearl Batts

vs. Complainant

W. O. Batts

Respondent.

Oral Deposition

Filed 1-15, 1951

W. O. Batts, Register.
Recorded in _____

Record _____

Vol. _____ Page _____

Register.

Pearl Batts

Vs.

W. O. Batts

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 20th
day of November, 1945, a copy of the Bill of Complaint filed in this cause was
sent to W. O. Batts

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
27 day of November, 1945, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things
taken as confessed against the said W. O. Batts

Defendant

This the 10th day of January, 1947
W. O. Batts Register.

RECORDED

No. _____

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

Pearl Batts

Vs.

M. O. Batts

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL

Filed in office this _____ day of

_____, 194____

_____, Register

Entered in O. B. _____ Page _____

The Baldwin Times, Bay Minette, Ala.

7/15/1945 - 1945 100

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons W. O. BATTIS to appear and plead, answer or demur within thirty days from the service thereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by PEARL BATTIS as Complainant and against W. O. BATTIS as Respondent.

WITNESS my hand this the 20th day of November, 1950.

Heinz J. Leuch
Register

PEARL BATTIS

COMPLAINANT

VS

W. O. BATTIS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Pearl Battis, respectfully represents unto your
Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, a bona fide resident of Baldwin County, Alabama, and has been for more than one year next preceding the filing of this bill of complaint; that the Respondent is over twenty-one years of age and a resident of Miami, Florida, his address being 154 West Flagler Street.

2.

That your Complainant and the Respondent married at Wichita, Kansas, on July 22, 1925, and lived together as husband and wife until on-to-wit June 13, 1950.

3.

That on, to-wit, June 13, 1950, the Respondent committed actual violence to the person of the Complainant by striking her with his fists; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she does actually believe that if she lives with him he would carry out his threats and do further violence to her person which would necessarily endanger her life and health.

8600 . Motion for Decree Pro Confesso After Service by Registered Mail.

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT, IN EQUITY.

Pearl Batts

Complainant.....

Vs.

W. O. Batts

Defendant.....

Motion is hereby made for a Decree Pro Confesso against

W. O. Batts

Defendant.....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant..... has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 10th day of January, 1927.

J. M. Hall

Solicitor.

RECORDED

No.

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

Pearl Batts

Vs.

W. O. Batts

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed 1-11, 1917

W. O. French
Register.

Recorded in Record,

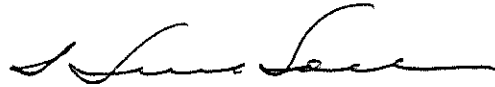
Vol. Page

Register.

That the Complainant and the Respondent have no community property, and only one child who is now twenty-four years of age.

WHEREFORE, The premises considered, the Complainant prays that your Honor will by proper process make the said W. O. Batts, party Respondent to this cause of action, requiring him 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 upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be granted such other, further and different or general relief as she may be in equity and good conscience entitled to receive.



Solicitor for the Complainant

70 2568
RECORDED

PEARL BATTIS

COMPLAINANT

VS

W. O. BATTIS

RESPONDENTS

BILL OF COMPLAINT

FILED
NOV 20 1950
ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Pearl Batts and Mrs. E. V. Whittington

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein _____
Pearl Batts

_____, Complainant
and W. O. Batts

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

Witness 11th day of January, 1947

Archie J. Leach Register

Commissioner's Fee, \$_____

Witness' Fees, \$_____

No.

2568

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Pearl Batts

vs.

W. O. Batts

NOTE OF TESTIMONY

Filed in Open Court this 15th

day of January, 1941

W. J. Welch
Register.

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