

DIVORCE DECREE

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

Josie W. Nittolo, Complainant
vs.

George W. Nittolo, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said Josie W. Nittolo is forever divorced from the said George W. Nittolo 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 Josie W. Nittolo the Complainant pay the cost herein to be taxed, for which execution may issue.

This 12th day of September, 1952.

Felton J. Maddebury
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. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Josie W. Nittolo

Complainant

vs.

George W. Nittolo

Respondent

DIVORCE DECREE

FILED

SEP 13 1952

ALICE J. DUCK, Register

THE STATE OF ALABAMA
 Baldwin County.

Circuit Court of Baldwin County, Alabama
 (In Equity)

Josie W. Nittolo Complainant

VS.

George W. Nittolo Respondent

I, Evelyn Watts

as ~~Register and~~ Commissioner

have called and caused to come before me Josie W. Nittolo and Geraldine Crawford

witness es named in the Requirement for Oral Examination, on the 11 day of September 19452, at the office of Hubert M. Hall in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Josie W. Nittolo and Geraldine Crawford doth depose and say as follows:

My name is Josie W. Nittolo. The Respondent, George W. Nittolo, and I are both bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

The Respondent and I married at Starkville, Mississippi, on May 6, 1946, and we lived together as husband and wife until onto-wit, July 1, 1952, at which time for the reasons hereinafter stated I ceased living with the Respondent as his wife.

The Respondent and I have no children, and we have made and entered into a full and complete agreement as to our property rights.

The Respondent on to-wit, July 1, 1952, and on various occasions prior thereto cursed, threatened and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did 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, as stated above, have reached a full and complete accord and agreement as to our properties at Gulf Shores in Baldwin County, Alabama, and the restaurant and cottages there, and also as to any claim either of us may have against the other as alimony or otherwise.

Josie W. Nittolo

My name is Geraldine Crawford. I live at Gulf Shores, in Baldwin County, Alabama. I am acquainted with the Complainant and the Respondent in this cause. I have had occasion to be around the Complainant and the Respondent from time to time and am of the opinion that conditions are such that it is almost impossible for them to live together as husband and wife. Taking into consideration all the facts as I know them I believe that is to the best interest of both that they be granted a divorce.

Geraldine Crawford

ORAL EXAMINATION.

I, Evelyn Watts, 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 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 September, 1952.

Evelyn Watts (L. S.)

285-0

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Josie W. Nittolo

vs. Complainant

George W. Nittolo

Respondent.

Oral Deposition

Filed Sept 19, 1952

[Signature] Register.

Recorded in

Vol. _____ Page _____ Record _____

Register.

Josie W. Nittolo

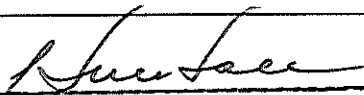
vs.
George W. Nittolo

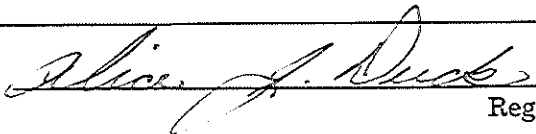
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
Answer and cross bill of Respondent, amended answer and waiver of
Respondent, testimony of Josie W. Nittolo and Geraldine Crawford

and in behalf of Defendant upon


Solicitor for Complainant


Register.

No. 2850

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Josie W. Nittolo

vs.

George W. Nittolo

NOTE OF TESTIMONY

Filed in Open Court this 12th

day of Sept, 1942

Alice J. Nicks
Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

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

WITNESS my hand this the 23rd day of July, 1952.

W. J. Jensen
Register

JOSIE W. NITTOLO
COMPLAINANT

VS

GEORGE W. NITTOLO
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, IN EQUITY:

Your Complainant, Josie W. Nittolo, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

That your Complainant and the Respondent are husband and wife having married at Starkville, Mississippi, on May 6, 1945; that they lived together as husband and wife until on to-wit, July 1, 1952.

3.

That on, to-wit, July 1, 1952, and on various occasions prior thereto the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would do actual violence to her person, which would necessarily endanger her life and health.


That the Complainant and the Respondent by their mutual efforts and monies have acquired quite a bit of property at Gulf Shores, in Baldwin County, Alabama; that they have for some time been operating a restaurant and cottages at Gulf Shores; that the Respondent is an able bodied man fully capable physically and financially for caring and providing for your Complainant; that your Complainant due from overwork and strain is in such physical condition as not to be able to continue her efforts.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said George W. Nittolo party respondent to this cause 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;

Your Complainant further prays that your Honor will order a reference to ascertain and determine a reasonable amount to be paid by the Respondent to the Complainant as alimony pendente lite and for attorney's fees in prosecuting her cause of action.

Your Complainant further prays that upon a final hearing hereof Your Honor will give and grant to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that Your Honor will ascertain and fix what to your Honor seems just and proper as permanent alimony; that your Honor will ascertain and determine the interest of your Complainant in and to the property acquired through the joint efforts of your Complainant and the Respondent and establish a lien against the said property for the payment of any amount or amounts found to be due hereunder by the Respondent to the Complainant;

Your Complainant prays for such, other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

Received in Sheriff's Office
this *23* day of *July*, 1952
TAYLOR WILKIN, Sheriff

2850

RECORDED

Executed July, 29, 1952
By Sewing copy on
George W. Nittolo

JOSIE W. NITTOLO

COMPLAINANT

VS

GEORGE W. NITTOLO

RESPONDENT

BILL OF COMPLAINT

Sheriff
Taylor Wilkins
By
Edleigh Steadham

FILED
JUL 23 1952
ALICE L. BUCK, REGISTRAR

The Anchor at
Gulf Shores

COMMISSION TO TAKE DEPOSITIONS

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 Josie W. Nittolo and Geraldine Crawford

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Josie W. Nittolo

Complainant
and George W. Nittolo

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

Witness 12th day of September, 1952

Allice J. Tucker
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 2850

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Josie W. Nittolo

Complainant—

vs.

George W. Nittolo

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Evelyn Watts

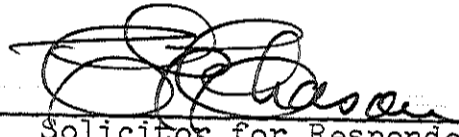
WITNESSES:

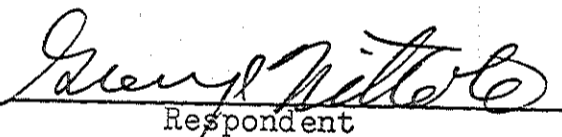
JOSIE W. NITTOLO,)
Complainant,)
-vs-)
GEORGE W. NITTOLO,)
Respondent.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the Respondent and Cross-Complainant in the above styled cause and withdraws a Cross-Complaint filed therein and, in amendment to the Answer heretofore filed in said cause, Respondent says as follows:

Respondent hereby waives notice of filing of interrogatories and right to cross same; notice of taking of testimony and consents that said cause may be set down for hearing and testimony taken and submitted for final decree with no other or further notice to him.


Solicitor for Respondent


Respondent

2850

RECORDED

JOSIE W. NITTOLO
COMPLAINANT
VS
GEORGE W. NITTOLO
RESPONDENT

AMENDED ANSWER AND WAIVER

*Filed: Sept 12, 1952
Alice J. Smith*

JCSIE W. NITTOLO,

Complainant,

-vs-

GEORGE W. NITTOLO,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint heretofore filed, Respondent says:

1. He admits the allegations contained in Paragraph 1 of the Bill of Complaint.

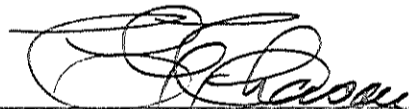
2. He admits the allegations contained in Paragraph 2 of the Bill of Complaint.

3. He denies each and every allegation contained in Paragraph 3 of the Bill of Complaint and demands strict proof thereof.

4. The Respondent further prays that the Court may take this answer as his Cross-Bill and your Cross-Complainant makes as party Respondent to this Cross-Bill of Complaint, the said Josie W. Nittolo. The Cross-Complainant shows to the Court that certain properties have been acquired but denies that the efforts of the Cross-Respondent contributed to the acquisition and alleges that, in fact, that the actions of the Cross-Respondent toward him, toward his employees and toward the public with whom he was dealing materially hampered him in the acquisition of property and the management of his business. The Cross-Complainant further shows that he is heavily indebted and that all his efforts must be toward meeting his indebtedness as it becomes due and payable and alleges that the actions of the Cross-Respondent toward him, his employees, and the public have materially hampered his meeting his obligations as they became due and that his present obligations would have been discharged and satisfied or materially reduced, had the Cross-Respondent put forth any effort in that behalf. Cross-Complainant further shows that if the Cross-Respondent is in poor physical health and condition it is from her own misconduct and not as a result of any effort she has put forth in aiding or contributing to the acquisition of property nor from over work or strain.

5. Your Cross-Complainant further averes and charges that the Cross-Respondent has committed actual violence on his person, attended with danger to his life or health and further that Cross-Respondent has made numerous threats of doing him other and further physical harm and from her manner and conduct toward him, he is reasonably convinced that she will committ actual violence on his person attended with danger to his life or health.

WHEREFORE, the premises considered, your Cross-Complainant prays that your Honor will by proper process make the said Josie W. Nittolo a party Respondent to this cause, 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. Your Cross-Complainant further prays that upon a final hearing hereof your Honor will give and grant to him an absolute decree of divorce forever barring the bonds of matrimony existing between Cross-Complainant and Cross-Respondent, and the Cross-Complainant prays for such other, further, different or general relief as he may be in equity entitled to receive.



Solicitor for Respondent.