

4275

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNIE PEARL MITCHELL, Complainant

vs.

JONAS MITCHELL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXXXXXXXXXXXXXXXX~~

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

Annie Pearl Mitchell is forever divorced from the said Jonas Mitchell for and on account of

Non-support.

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 Annie Pearl Mitchell the Complainant pay the cost herein to be taxed, for which executed may issue.

This 25 day of April 1958

[Handwritten signature]

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. 4275 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ANNIE PEARL MITCHELL

Complainant

vs.

JONAS MITCHELL

Respondent

DIVORCE DECREE

FILED

APR 25 1958

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons JONAS MITCHELL, 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 ANNIE PEARL MITCHELL, as Complainant and against JONAS MITCHELL, as Respondent.

WITNESS my hand this the 25 day of April, 1958.

Alice J. Duck
Register.

ANNIE PEARL MITCHELL

COMPLAINANT

VS

JONAS MITCHELL

RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
CASE NO. _____

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Annie Pearl Mitchell, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and is a resident of Baldwin County, Alabama, and has been more than two years next preceding, the Respondent is over the age of 21 and a resident of Alabama, presently residing in Mobile County, Alabama.

2.

That your Complainant and the Respondent married at Brewton, Alabama about 23 years ago, and lived together as husband and wife in Baldwin County, until the separation occurred, to-wit: January 22nd, 1956.

3.

The Complainant further shows unto the Court that she has lived separate and apart from the bed and board of Jonas Mitchell, her said husband, for two years and without support from him for two years next preceding the filing of this bill and during said period she has been a bona fide resident in the State.

4.

There was five children born as fruits of this marriage, all of whom are grown and married, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Jonas Mitchell, party Respondent to this bill of complaint 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 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; 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.

4275

ANNIE PEARL MITCHELL

COMPLAINANT

VS

JONAS MITCHELL

RESPONDENT

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SUMMONS AND COMPLAINT

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F I L D

APR 25 1958

ALICE J. DUCK, Register

ANNIE PEARL MITCHELL

COMPLAINANT

VS

JONAS MITCHELL

RESPONDENT

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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 the 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.

*Witness -
Mary J. White
Lois Wilson*

Jonas (X) Mitchell
proch.

STATE OF ALABAMA
BALDWIN COUNTY

I, *C. LeDoris Thompson*, a Notary Public, in and for said County, in said State, hereby certify that Jonas Mitchell, 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 he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 17th day of April, 1958.

C. LeDoris Thompson
Notary Public, Baldwin County, Alabama.

4275

ANNIE PEARL MITCHELL

COMPLAINANT

VS

JONAS MITCHELL

RESPONDENT

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ANSWER AND WAIVER

* * * * *

FILED
APR 25 1958
ALICE J. DUCK, Registrar

ANNIE PEARL MITCHELL

vs.

JONAS MITCHELL

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 Annie Pearl Mitchell and Rebecca White.

and in behalf of Defendant upon Answer and Waiver

C. L. Thompson

Alice J. Duck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ANNIE PEARL MITCHELL

vs.

JONAS MITCHELL

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194

APR 25 1958

Register.

ALICE J. DUCK Register

Printed by the Baldwin Times

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

ANNIE PEARL MITCHELL

Complainant

VS.

JONAS MITCHELL

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Annie Pearl Mitchell and Rebecca White

witness es named in the Requirement for Oral Examination, on the 17th day of April 1958, at the office of C. LeNoir Thompson 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 Annie Pearl Mitchell and Rebecca White doth depose and say as follows:

That my name is Annie Pearl Mitchell, I am over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent Jonas Mitchell is over the age of 21 and presently residing in Mobile County, Alabama. We were married at Brewton, Alabama in Escambia County about 23 years ago and lived together as husband and wife until the separation occurred. For more than five years the Respondent has failed to support or maintain me and his children who lived at home with me. His failure to support us was without fault on our part. There are five children born of this marriage but since all of them are now over the age of 18 I have not asked for custody or support for these children. I know that we will never live together again as husband and wife and there is no property to be divided. The separation occurred on or about January 22, 1956.

Annie Pearl Mitchell

That my name is Rebecca White, I know both parties to this marriage. They are both over the age of 21 and are both residents of Alabama and have been more than two years next preceding. The Complainant Annie Pearl Mitchell resides near Daphne, Alabama and the Respondent Jonas Mitchell is presently residing in Mobile County. They were married in Escambia County, Alabama about 1934 and have lived in Alabama more than two years next preceding. The Respondent so far as I know has failed or refused to support the complainant and her children during the past four or five years without fault on the complainant's part. The youngest child has now married and there are no children to be supported in that home. These parties have no property to be divided. I do not believe they will ever live together again as husband and wife.

Rebecca White

ORAL EXAMINATION.

I, Lois Wilson, 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 17th day of April, 1958

Lois Wilson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ANNIE PEARL MITCHELL

vs. Complainant

JONAS MITCHELL

Respondent.

Oral Deposition

Filed FILED, 1958

APR 25 1958

Register.

ALICE J. DIXON, Register
Recorded in

Record

Vol. _____ Page _____

Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County



Circuit Court

TO: LOIS WILSON

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 Annie Pearl Mitchell and Rebecca White

a witness in behalf of Annie Pearl Mitchell in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Annie Pearl Mitchell

, Complainant

and Jonas Mitchell

Respondent

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

Witness day of

, 195

Alice J. Huck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ANNIE PEARL MITCHELL

VS. Complainant

JONAS MITCHELL

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

ANNIE PEARL MITCHELL
REBECCA WHITE

FILED

APR 25 1958

ALICE J. DUCK, Register

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