The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROBERT A. SWITZER Complainant
Ψs.
OF ENTROPEED
GLENDA SWITZER Respondent
This cause coming on to be heard was submitted upon Bill of Complaint, Decree ProxConfesso 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
Robert A. Switzer is forever divorced from the
saidfor and on account of
cruelty; the agreement of parties with reference to custody of
children, support of children, and property rights is approved
in all respects, is incorporated into and as a part of this
decree, and it is further ordered, adjudged and decreed by the
Court that the parties shall obey and abide by its terms.
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 A. Switzer
the Complainant pay the cost herein to be taxed, for which executed may issue.
This V3 day of May 1958 This V3 day of May 1958
ffebert M Douce
Judge Circuit Court, In Equity.
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 theday
of, 19
Register of Circuit Court, In Equity.
.00

No. 4286

Page_

THE STATE OF ALABAMA BALDWIN COUNTY

In Circuit Court, In Equity

ROBERT A. SWITZER

Complainant

VS

GLENDA SWITZER

Respondent

DIVORCE DECREE

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ROBERT X. SVITZER	
COMPLAINANT	THE STATE OF ALABAMA
vs.	Baldwin County
GLENDA SWITZER	
RESPONDENT	IN EQUITY
	Circuit Court of Baldwin County
This cause is submitted in behalf of Complaint t	ipon the original Bill of Complaint
testimony by deposition	
and in behalf of Defendant upon answer and	i waiver
(<u></u>	
Solicitor for Complainant	Ulace A MacM Register.
Solicitor for Complainant	

THE STATE OF ALI Baldwin Coun	
IN EQUIT Circuit Court of Baldw	- 143
ROBERT, A. SWITZER	The state of the s
GOMPLA	INANT
vs. GLENDA SWITZER	
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NOTE OF TESTIM	IONY
Filed in Open Court this	
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ALICE J. BUCK, Registe	Register.
Printed by the Baldwin Times	

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ROBERT A. SWITZER,

Complainant,

vs.

GLANDA SWITZER,

Respondent.

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

NO. 4286

This cause coming on to be heard was submitted for a decree upon the petition of the Respondent, Glenda Switzer, to modify and amend the original decree of divorce in this cause, and the answer of Robert A. Switzer.

The Court, after considering the pleadings and hearing and understanding the testimony of all witnesses taken ore tenus is of the opinion that the Petitioner, Glenda Switzer, is not entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the Petitioner's petition to modify the decree of the Court be and it is hereby dismissed.

It is further ordered, adjudged and decreed by the Court that the cost herein accrued be taxed against the Petitioner, Glenda Switzer.

Dated this 31st day of August, 1959.

Judge, 28th Judicial Circuit
of Alabama.



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ROBERT A. SWITZER,)	IN THE CIRCUIT COURT OF
Complaina	mt,)	BALDWIN COUNTY, ALABAMA
VS	>	IN EQUITY.
GLENDA SWITZER,	y	
Responden	it.	FORMER CASE NO. 4286

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

ANSWER

Now comes Robert A. Switzer, the former Complainant and now Respondent in the above styled cause, and for answer to the petition filed in this cause by Glenda Switzer, says:

- 1. He admits the allegations contained in Paragraph One of the Petition.
- 2. He admits the allegations contained in Paragraph Two of the Petition.
- 3. He admits the allegations contained in Paragraph Seven insofar as it relates to the ages and residences of the parties, but denies all other allegations of said paragraph.
- 4. He denies each and every allegation contained in Paragraphs THREE, FOUR, FIVE, SIX, EXCHT, and NINE, and denies strict proof thereof.

SOLICITORS FOR ROBERT A. SWITZER

STATE OF ALABAMA)

COUNTY OF BALDWIN)

Before me, the undersigned, a Notary Public in and for said County in said State, personally appeared Robert A. Switzer, who, after being first duly and legally sworn, deposes and says: That the matters and facts set out in the foregoing petition are true.

Robert A. Switzer 7

Sworn to and subscribed before me on this the 28th day of August, 1959.

4-28-5-9

Notary Public, Baldwin County, Alabama

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ROBERT A. SWITZER Complainant	IN THE CIRCUIT COURT OF
v.	BALDWIN COUNTY, ALABAMA IN EQUITY
GLENDA SWITZER Respondent	FORMER CASE 4286

DEMURRER

Comes the former Complainant, and now Respondent in the above styled cause, and demurs to the Petition filed in said cause in its several aspects and as grounds therefor, says:

- 1. As to that aspect of the Petition as set out in paragraph "3," the now-Respondent assigns the following separate and several grounds, viz:
 - That the allegations are too general.
- That it is not stated what was the nature of the false and fraudulent statements, or other inducements.
- That it is not stated what sort of promises were made to her, nor that the said Robert A. Switzer has failed to keep any such promises.
- That the details of the statements, inducements, and promises are not set out to enable the said Robert A. Switzer to be informed of the nature of Petitioner's allegation.
- 2. As to that aspect of the Petition as set out in Paragraph "4", the now-Respondent assigns the following separate grounds, VIZ:
- a. For aught that appears the allegation that there has been a change in the moral and mental condition of the said Robert A. Switzer resulting in it being presently in the best interests of the minor children to be in the care, custody and control of the Petitioner is but a conclusion of the pleader.
- b. It is not alleged what sort of change in moral and mental condition has taken place in the said Robert A. Switzer.
- That there is a fatal variance in said paragraph inasmuch as Petitioner has alleged the said Robert A. Switzer acted fraudulently at the time of the divorce in obtaining her

signature on the Agreement as to custody while in this paragraph she alleges that he has become mentally and morally unfit only since the divorce.

- 3. As to that aspect of the Petition as set out in Paragraph "5", the now Respondent assigns the following and separate and several grounds, VIZ:
- a. Itsis not alleged what conditions now existing necessitate a change of custody of the minor children.
 - b. The allegations are too general.
- 4. As to that aspect of the Petition as set out in paragraph "6", the following separate and several grounds, VIZ:
- a. It is not alleged that the Petitioner is not a fit and proper person to have the control of the minor children of the marriage.
- b. It is not alleged when the said Robert A. Switzer ceased to be a fit and proper person to have control of the minor children of the marriage.
- 5. As to that aspect of the Petition set out in paragraph "8", the now Respondent assigns the following grounds, VIZ:
- a. It is not alleged upon what instances the new Respondent has endangered the lives and safety of the minor children.

b. The allegations are too general.

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ALICE J. DUCK, Registet

Attorneys for original

Complainant and now Respondent

4286

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ALIGE 1. DUCK, Register

BILL OF COMPLAINT

ROBERT	A.	SWITZ	ER)						
			COMPLAINANT	•	;	IN	THE	CIRC	CUIT	COURT	OF
VS.						BAI	LDWII	V COI	JNTY	, ALAB	AMA
					:			IN	EQU:	ITY	
GLENDA	~)						
		in and the firm in any state of a second	RESPONDENT)		· · · · · · · · · · · · · · · · · · ·				

Comes your Complainant, Robert A. Switzer, and respectfully shows unto this Honorable Court as follows:

- l. That he is over the age of twenty-one years and that he is a bona fide resident citizen of Baldwin County, Alabama, and has been such for more than one year next preceding the filing of this Bill of Complaint; that Glenda Switzer, the Respondent in this cause, is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama.
- 2. That on, to-wit: the 27th day of June, 1953, your Complainant and the Respondent were intermarried at Sarasota, Sarasota County, Florida, and that your Complainant and the Respondent are still lawfully married.
- 3. That there has been born of said marriage two minor shildren, whose names and ages are respectively: Robert A. Switzer, age four; and John Lee Switzer, age three. That said minor children are in the custody of the Complainant.
- 4. That Complainant and Respondent have entered into an agreement with reference to a property settlement, and custody of minor children, which is attached as EXHIBIT A and made a part hereof.
- 5. Your Complainant further avers and charges that on the 20th day of April, 1958, the Respondent, without cause or justification, using her hands and closed fists and a heavy blunt instrument, struck and beat your Complainant about the face and body a

number of times, inflicting bruises and injuries upon the body of your Complainant, attended with great danger to his health and life; and from her manner and conduct toward him he is reasonably convinced that she will commit further actual physical violence upon his person attended with danger to his health and life; that on, to-wit; the 20th day of April, 1958, she separated from and abandoned the Complainant, and is now living separate and apart from him.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Glenda
Switzer be made a party respondent to this cause by the usual process
of this Honorable Court, requiring her to plead, answer, or demur
within the time and under the penalties prescribed by the rules of
this Court, and the statutes in such cases made and provided; that
upon a final hearing of this cause, that your Complainant be granted
a divorce from the Respondent, without the payment of any alimony
or support to the Respondent; and that he be granted the care,
custody, and control of the two minor children of the marriage,
with reasonable rights of visitation to the Respondent. Should
your Complainant be mistaken in the relief prayed for , that he
be granted such other, further, different, and general relief to
which he may be entitled and as in duty bound he will ever pray.

Bill of Company

Robert a Switzer Blinde Switzer

Alle L. Ogek, Angista

WAIVER AND ANSWER

ROBERT	A.	SWITZ	ER										
770			COMPLA	INANT		IN	THE	Cl	[RCU]	ΙΤ	COUI	T	OF
VS					3	BAI	DWI	4 C	COUNT	ΓY,	ALA	ιBΑ	Jvi A
GLENDA	SWI	ITZER	RESPOND	ENT]	IN E	JUI	TY		

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 thetaking of testimony in said cause, and consents that same may be taken and the cause submitted for final decree.

And for answer to the Bill of Complaint heretofore filed in this cause, the Respondent says:

- 1. She admits the allegations contained in paragraph one of said Bill of Complaint.
- 2. She admits the allegations contained in paragraph two of said Bill of Complaint.
- 3. She admits the allegations contained in paragraph three of said Bill of Complaint.
- 4. She admits the allegations contained in paragraph four of said Bill of Complaint.
- 5. She denies each and every allegation contained in paragraph five of said Bill of Complaint and demands proof thereof.

Respondent

THE STATE OF ALABAMA COUNTY OF BALDWIN

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Glenda Switzer, 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 instrument, she executed the same voluntarily on the day the same bears date.

NOTARY PUBLIC

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AGREEWENT OF PARTIES CONTEMPLATING A DIVORCE WITH REFERENCE TO CUSTODY OF CHILDREN, SUPPORT OF CHILDREN, AND PROPERTY RIGHTS

THE STATE OF ALABAMA)
COUNTY OF BALDWIN)

THIS AGREEMENT, made and entered into in triplicate, by and between Robert A. Switzer, hereinafter called husband, and Glenda Switzer, hereinafter called wife, WITNESSETH:

That whereas, various and diverse disputes and unhappy differences have arisen between husband and wife, and they are separated and not now living together as husband and wife, and whereas it is the desire of the parties hereto to make a complete and final settlement of all their property, and to settle and adjust all marital interests, now, therefore, this agreement is made as follows:

- l. The husband shall have the permanent care, custody, and control of the minor children, Robert A. Switzer, age four, and John Lee Switzer, age three; the wife shall have the right of visitation at reasonable times and places.
- 2. The husband further agrees and does hereby release and transfer to the wife as her sole property, all furniture and household furnishings owned by the parties that is now in possession of the wife.
- 3. It is agreed and understood by the parties that in consideration of this agreement, no further alimony shall be due or shall grow due between these parties.
- 4. It is further agreed that any and all property acquired by either parties subsequent to the date of this agreement shall be the separate property of said party acquiring the same; and each party agrees to execute for the other any and all papers necessary to complete the transfer of property herewith divided and apportioned. It is further agreed that the terms of this agreement may be incorporated in any decree of divorce which may be hereafter obtained by either party, and enforced by contempt proceedings if necessary.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this /// day of /// , 1958.

ROBERT A. SWIZZER

(L.S.)

GLENDA SWITZER

(L.S.)

THE STATE OF ALABAMA COUNTY OF BALDWIN

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Robert A. Switzer and Glenda Switzer, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this day of

NOTARY PUBZIC

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ALICE J. SUCK, Register

ROBERT A. SWITZER,

Complainant,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Respondent.

FORMER CASE NO. 4286

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

Now comes your Petitioner, Glenda Switzer, who was the Respondent in the above styled cause, and respectfully represents and shows unto this Honorable Court as follows:-

- 1. That on, to-wit, May 16, 1958, the Complainant and the Respondent in the above styled cause entered into an agreement of separation in contemplation of divorce, wherein it was agreed that Robert A. Switzer should have custody and control of the minor children of this marriage, namely, Robert A. Switzer, who was 4 years of age, and John Lee Switzer, who was 3 years of age.
- 2. That on, to-wit, May 23, 1958, a Decree of Divorce was signed by this Honorable Court approving in the said Decree the agreement as to custody of the said minor children.
- 3. That on the same date as the execution of the agreement hereinabove referred to, your Petitioner executed an Answer and Waiver to the divorce proceeding, and she further shows that the said Robert A. Switzer, the Complainant, obtained her signature to the said Agreement and the said Answer and Waiver by false and fraudulant statements, promises to her, and by other inducements.
- 4. That there has been a change in the moral and mental condition of the said Robert A. Switzer since the date of the issuance of the Decree of Divorce, resulting in it being presently to the best interests of the minor children to be in the care, custody and control of your Petitioner.
- 5. Under conditions now existing, a change of custody of the minor children of this marriage from the said Robert A. Switzer to your Petitioner, will materially promote the children's welfare.
 - 6. That Robert A. Switzer is not now a fit and proper person

to have control of the minor children of this marriage, and that it would be to their best interest to be in the care, custody and control of your Petitioner.

- 7. That your Petitioner is over the age of twenty-one years and a resident citizen of Foley, Baldwin County, Alabama; that Robert A. Switzer is over the age of twenty-one years and is presently a resident citizen of Baldwin County, Alabama, and that the minor children of their marriage are presently residing in Baldwin County, Alabama. Petitioner further shows, however, that Mrs. Goldie Switzer, who is a resident of Ohio Trailer Park, Sarasota, Florida, has had the children with her on occasions, and that she is now at Foley, in Baldwin County, Alabama. Petitioner fears, believes and therefore alledges that the said Robert A. Switzer intends to send the children to the home of his mother in Sarasota, Florida, therefore, outside of the jurisdiction of this Court.
- 8. Petitioner further shows that Robert A. Switzer has failed to give the said minor children of this marriage proper care and supervision, and further shows that on several instances he has endangered their life and safety.
- 9. Petitioner further shows that Robert A. Switzer is gain-fully employed, and is informed and believes, and on information and belief, alleges that he receives between One Hundred twenty-five Dollars (\$125.00) and One HUNdred Fifty Dollars (\$150.00) per week for his work and labor.

WHEREFORE, THE PREMISES CONSIDERED, your Petitioner prays that your Honor will, by proper process, make the said Robert A. Switzer a party to this cause, requiring him to plead, answer or demur to the same within the time allowed by Law and under the penalties by Statute made and provided.

Petitioner further prays that your Honor will, pendente Lite, restrain and enjoin the said Robert A. Switzer from removing or allowing to be removed, the said minor children from the jurisdiction of this Court, and that upon a final hearing hereof, that

your HONor will grant to your Petitioner, Glenda Switzer, full care, custody and control of Robert A. Switzer and John Lee Switzer, the minor children of this marriage, with proper rights of visitation to the said Robert A. Switzer, the Complainant, and that she be granted such sums as it meet and proper for support and maintenance of the said minor children. Petitioner further prays for such other, and further, relief to which she may be entitled and as in duty bound she will ever pray.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned, a Notary Public in and for said said County in said State, personally appeared Glenda Switzer, who, after being by me first duly and legally sworn, deposes and says that the matters and facts set out in the foregoing petition are true.

Sworn to and subscribed before me, a Notary Public, on this the

day of June, 1959.

Notary Public, Baldwin State of Alabama

212

ROBERT A. SWITZER.

Complainant,

-vs-

GLENDA SWITZER,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause being submitted to the Court upon Petition of Glenda Switzer, which prayed for an Order enjoining or restraining Robert A. Switzer from removing from the jurisdiction of this Court the minor children, Robert A. Switzer, age approximately 5 years, and John Lee Switzer, age approximately 4 years, pending a final hearing on her said Petition, and the Court being of the opinion that the same should be granted;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the said Robert A. Switzer is not to remove or allow the removal of the said minor children, Robert A. Switzer and John Lee Switzer, from the jurisdiction of this Court, pending a hearing hereon.

DONE this the // day of June, 1959.

Hubert M. Hall, Judge, Twenty-eighth Judicial Circuit, in Equity Sitting

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THE STATE OF ALABAMA Baldwin County

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

	ROBERT A. SWITZER COMPLA	INANT
	vs.	
	GI_ENDA_SWITZER RESPON	DENT
I,	Eva C. Gibbins	
as Register and (Commissioner	A CONTRACTOR OF THE PROPERTY O
have called and	caused to come before me Robert A. Switzer	
	med in the requirement for Oral Examination, on the 16	· •
194 58, at the	office of	
in Foley	, Alabama, and having first sworn said wit	ness—— to speak the
truth, the whole	e truth, and nothing but the truth, the saidRobert	A. Switzer
	doth depose and say as follow	vs:

My name is Robert A. Switzer; I am the Complainant in the divorce action now pending in the Baldwin County Circuit Court wherein my wife, Glenda Switzer is respondent; I am 23 years old and my wife is 22 years old; we were married at Sarasota, Florida on June 27, 1953, are still legally married, and we have two sons, Robert, 4, and John Lee, 3; we have been living in Foley, Alabama, about three years; I am working in Foley asthe engineer for the Foley radio station, and I also work in Bay Minette as engineer for the radio station there.

My work often requires me to be out at night; this was the case on the night of April 19, 1958; I was very tired and fell asleep immediately; my first memory afterward was waking with a loud ringing in my ears, a big lump on my head, and when I opened my eyes I say my wife standing over me with a croquet mallet in her hands; she said she was fed up with me, and she was going to fix me good; before I could get out of bed, she swung the mallet at me again, hitting me in the left ribs; this doubled me up with pain, and she then began scratching me and hitting me about the face; then she left the room and picked up

a suitcase and walked out of the house, leaving me to work and try
to take care of the children; she has moved twice, and now stays
at the Foley Hotel; we have signed a custody and property settlement.

Further deponent saith not

Robert a. Smitzes

I, <u>Eva C. Gibbins</u> as Register and Commissioner hereby certify
that the foregoing deposition on Oral Examination was taken down in writing by me in the words of
the witness—— and read over to $\frac{me}{}$ and $\frac{1}{}$ signed the same in the presence of my-
self andJames A. Brice
at the time and place herein mentioned; that I have personal knowledge of personal identity of said
witness or had proof made before me of the identity of said witness; 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 16 day of May 19458.
- Tra C. Billiam (L. S.)

