

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HAZEL B. PHILLIPS, Complainant

vs.

FLETCHER FLOYD PHILLIPS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree~~ ~~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 HAZEL B. PHILLIPS is forever divorced from the said FLETCHER FLOYD PHILLIPS for and on account of

Cruelty

It is further Ordered Adjudged and Decreed that the Stipulated Agreement entered into by and between the Complainant and Respondent is hereby Confirmed.

It is futher 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 futher 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 futher ordered that Fletcher Floyd Phillips the Respondent pay the cost herein to be taxed, for which executed may issue.

This 4 day of February 1959

[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. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

FEB 4 1959

ALICE J. DICK, CLERK
REGISTER

4496

HAZEL B. PHILLIPS

THE STATE OF ALABAMA

Baldwin County

vs.

FLETCHER FLOYD PHILLIPS

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, and oral deposition taken before commissioner

and in behalf of Defendant upon answer and waiver

Ernest M. Bailey
ERNEST M. BAILEY

Alice J. Luck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

HAZEL B. PHILLIPS

VS.

FLETCHER FLOYD PHILLIPS

Note of Testimony

Filed in Open Court this

day of **FILED**, 19.....

FEB 2 1959

ALICE J. DUCK, Register Register.

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Fletcher Floyd Phillips to appear and plead, answer or demur, within thirty days from the service hereto, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Hazel B. Phillips, as Complainant, against Fletcher Floyd Phillips, as Respondent.

Witness my hand this the 20 day of January, 1959.

Alice J. Luck
REGISTER

HAZEL B. PHILLIPS,
Complainant

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

vs.

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IN EQUITY

FLETCHER FLOYD PHILLIPS,
Respondent

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Comes your Complainant, Hazel B. Phillips, and files this her Bill of Complaint for divorce against Fletcher Floyd Phillips, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are both over the age of twenty-one years and your Complainant is a bona fide resident of Baldwin County, Alabama for more than one year next preceding the filing of this Bill, and the Respondent resides at 4010 E. Slauson, Maywood, California.

SECOND:

That the Complainant and the Respondent were married on, to-wit, June 3, 1933 in Atmore, Alabama and lived together as husband and wife until on, to-wit, on or about June 3, 1958, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from Respondent; that on or about June 3, 1958 and at times prior thereto, the Complainant states that the Respondent, from his manner and conduct toward her, gave reasonable

apprehension of committing violence upon her person, and that from his manner and conduct toward her, she was reasonably sure that he would commit actual violence upon her person, attended with danger to her life and health.

THIRD:

That there are no minor children of this marriage; that the Complainant and Respondent have heretofore entered into an agreement wherein they have disposed of their jointly held personal and real property, a copy of which agreement is attached hereto.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Fletcher Floyd Phillips be made a party defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and 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 Your Honor will grant unto Complainant an absolute divorce from the Respondent and that Your Honor will also decree that the parties be allowed to remarry if they see fit. Your Complainant further prays that Your Honor will confirm the agreement between Complainant and Respondent as to the disposition of personal and real property. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Hazel B. Phillips
HAZEL B. PHILLIPS

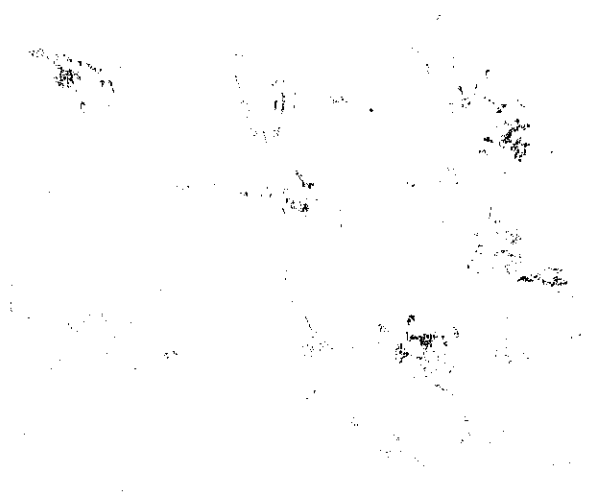
STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared Hazel B. Phillips, who first being duly sworn, states that the allegations in the foregoing Bill of Complaint are true.

Hazel B. Phillips
HAZEL B. PHILLIPS

SWORN AND SUBSCRIBED TO BEFORE
ME THIS THE 24 DAY OF JANUARY,
1999.

Carroll M. Bailey
NOTARY PUBLIC



Filed Jan 30, 1959
Alice G. Buck,
Pg-

76777

HAZEL B. PHILLIPS,
Complainant

vs.

FLETCHER FLOYD PHILLIPS,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

STIPULATED AGREEMENT

It is hereby stipulated and agreed by and between the parties hereto as follows:

1.

That the Complainant and Respondent shall divide equally all funds jointly held by them in savings and/or checking accounts and there shall be an equal distribution, in cash or in kind, on all United States Government bonds owned by the parties.

2.

It is further stipulated and agreed between the parties hereto that the Respondent shall convey to the Complainant all his right, title and interest in and to that certain leasehold property of the Fairhope Single Tax Corporation and which property was occupied by them as a home site, together with all improvements located thereon and all household furnishings therein.

3.

It is further stipulated and agreed that the Complainant shall convey to the Respondent all her right, title and interest in and to the family automobile, to-wit, one (1) 1953 Chevrolet, Motor Number LAQ 382738.

In the event either party to this agreement shall institute divorce proceedings, this agreement and the stipulations herein contained may be made a part of such proceedings and the Court having jurisdiction of said proceedings may confirm and ratify the agreement.

IN WITNESS WHEREOF, the parties to this agreement have hereunto set their hands and seals this the 21st day of January, 1959.

Hazel B. Phillips (SEAL)
HAZEL B. PHILLIPS

WITNESS FOR COMPLAINANT:

James M. Bailer

Fletcher Floyd Phillips (SEAL)
FLETCHER FLOYD PHILLIPS

WITNESS FOR RESPONDENT:

Harold E. Adams

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: HELEN BAILEY

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 HAZEL B. PHILLIPS AND RICHARD MACON

a witness in behalf of COMPLAINANT
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our
HAZEL B. PHILLIPS

, Complainant

and FLETCHER FLOYD PHILLIPS

Respondent

on oath, to be by you administered, upon HAZEL B. PHILLIPS AND RICHARD MACON to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 20th day of January

, 1959

Alice J. Duck

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Hazel B. Phillips

Complainant

VS.

Fletcher Floyd Phillips

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

HAZEL B. PHILLIPS,
Complainant

vs.

FLETCHER FLOYD PHILLIPS,
Respondent

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, separately and severally, says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.
2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and the date of separation, but denies all other allegations of the second paragraph and demands strict proof thereof.
3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. Respondent also waives notice of the taking of testimony and notice of submission of this cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

Fletcher Floyd Phillips
FLETCHER FLOYD PHILLIPS

STATE OF CALIFORNIA)
COUNTY OF *Los Angeles*)

I, the undersigned notary public in and for said state and county, certify that Fletcher Floyd Phillips, 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, he executed the same voluntarily on the day same bears date.

Given under my hand and seal this the 21st day of January, 1959.

My commission expires ~~My~~ Commission Expires April 27, 1959

Harold E. Wrenn
NOTARY PUBLIC
HAROLD E. WRENN

RECORDED

Hazel B. Phillips

vs

Fletcher Floyd Phillips

Answer and Waiver

filed Jan. 30, 1959
Alice J. Lucke, Reg.

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

HAZEL B. PHILLIPS,

COMPLAINANT

vs.

FLETCHER FLOYD PHILLIPS,

RESPONDENT

I, HELEN BAILEY

as Register and Commissioner

have called and caused to come before me Hazel B. Phillips and Richard Macon

witness ^{es} named in the requirement for Oral Examination, on the 31st day of January,

19 59, at the office of Ernest M. Bailey, Attorney at Law

in Fairhope, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Hazel B. Phillips and Richard

Macon

doth depose and say as follows:

My name is Hazel B. Phillips and I am over the age of twenty-one years and a bona fide resident of Fairhope, Baldwin County, Alabama. I am the Complainant in the above styled cause. The Respondent is Fletcher Floyd Phillips and he is over the age of twenty-one years. His last known residency was 4010 E Slauson, Maywood, California. We were married on June 3rd, 1933 in Atmore, Ala. and lived together as husband and wife until on June 3, 1958. On that date and on prior occasions, the Respondent threatened to do bodily harm to me and I am of the opinion that if I continue to live with him as his wife, he will commit actual violence upon my person or may injure me permanently.

Hazel B. Phillips
HAZEL B. PHILLIPS

My name is Richard Macon. I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I have known the Complainant and Respondent during much of their married life and have seen the Complainant on several occasions when she was emotionally upset and disturbed by reason of domestic difficulties with her husband.

Richard Macon
RICHARD MACON

ORAL EXAMINATION

I, Helen Bailey 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 es and read over to them and they signed the same in the presence of myself and Ernest M. Bailey at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 31st day of January, 1959

Helen Bailey (L. S.)

4496

No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Hazel B. Phillips

COMPLAINANT

vs.

Fletcher Floyd Phillips

RESPONDENT

ORAL DEPOSITION

FILED

Filed FEB 2 1959, 19

ALICE J. DUCK, Register, Register.

RECORDED IN

Record

Vol. Page

Register.