

(3722)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

SHIRLEY PITTS, Complainant vs.

FRANCES MYRTLE PITTS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 Shirley Pitts is forever divorced from the said Frances Myrtle Pitts for and on account of Voluntary abandonment

It is further ordered, adjudged and decreed that the respondent be and she is hereby awarded the care, custody and control of the minor child born to the union of said parties, namely, Pamela Jean Pitts, with the Complainant being hereby given the right to visit said child at all reasonable times.

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 Shirley Pitts the Complainant pay the cost herein to be taxed, for which executed may issue.

This 16th day of February, 1956

Hubert M. Hall 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.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

SHIRLEY PITTS

Complainant

VS.

FRANCES MYRTLE PITTS

Respondent

I, _____
as Register and Commissioner _____
have called and caused to come before me _____ Shirley Pitts and Leon R. Johnson

witness ^{es} named in the Requirement for Oral Examination, on the _____ day of February
195⁶, at the office of _____ James A. Hendrix
in _____ Robertsdale
_____, Alabama, and having first sworn said Witness ^{es} to speak the
truth, the whole truth, and nothing but the truth, the said _____ Shirley Pitts and
_____, Leon R. Johnson doth depose and say as follows:

My name is Shirley Pitts, I am over twenty-one years old and have lived in Alabama for more than the past year, I lived in Robertsdale most of this time, Myrtle Frances Pitts is over the age of twenty-one and lives at 114 UpJohn Drive, Kalamazoo, Michigan. Myrtle and I were married April 16, 1949, at Hawthorne, Nevada. Myrtle and I were living in Robertsdale in December of 1954, and on about December 15 of that year, 1954, she left me of her own free will and accord, she voluntarily abandoned me on that day and since that time, December 15, 1954 we have not lived together nor have we in any way recognized each other as husband and wife. We had one child, a girl now about 5 years old ; said child is now in the care, custody and control of the respondent its mother, and that she is a fit and proper person to be awarded the permanent care custody and control of the said minor child, namely, Pamela Jean Pitts.

Shirley Pitts

I have known Shirley Pitts and Frances Myrtle Pitts for several years, each is over the age of twenty-one years; Shirley has lived here in Baldwin County for more than the past year and Frances lives in Kalamazoo, Michigan. They were married sometime in April in Hawthorne, Nevada, in 1949. Frances left Shirley on about December 15, 1954, of her own free will and accord without any fault on his part, she left voluntarily and since that time, December 15, 1954, they have not lived together as husband and wife nor have they in any way recognized each other as husband and wife. They had one child a girl named Pamela Jean Pitts now about 5 years old, said child is now in the care custody and control of her Mother, Frances Myrtle Pitts, and the said mother is a fit and proper person to be awarded the permanent care custody and control of the said minor child

Leon R. Johnson

ORAL EXAMINATION.

I, Grady P. Gilbert, Jr., ~~Register~~ and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself Grady P. Gilbert, Jr. and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness; 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 14 day of February, 1956

Grady P. Gilbert, Jr. (L. S.)

NO. 3722 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed Feb. 10, 1956

Oliver S. Muckey, Jr. Register.
Recorded in _____

Record

Vol. _____ Page _____

Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Grady P. Gilbert, Jr.

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 Shirley Pitts and Leon R. Johnson

a witnesses in behalf of Shirley Pitts in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Shirley Pitts is

Complainant

and Frances Myrtle Pitts is

Respondent

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

Witness 12 day of February, 1956

Alvin J. Wicks Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Shirley Pitts

Complainant

VS.

Frances Myrtle Pitts

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Grady P. Gilbert, Jr.

WITNESSES:

Shirley Pitts

Leon R. Johnson

I, the undersigned, Clerk of the Circuit Court for Baldwin County, Alabama, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of this Court.

Witness my hand and the seal of this Court at the City of Baldwin, Alabama, this _____ day of _____, 19____.

Commissioner

Shirley Pitts

Shirley Pitts

Shirley Pitts

Shirley Pitts

Shirley Pitts

Shirley Pitts

vs.

Frances Myrtle Pitts

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 waiver, and the testimony of Shirley Pitts and Leon R. Johnson
 as set out in the oral deposition.

and in behalf of Defendant upon

James A. Hendrix

Alice J. Duck
 Register.

RECORDED

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Shirley Pitts

vs.

Frances Myrtle Pitts

NOTE OF TESTIMONY

Filed in Open Court this 16

day of Feb., 1945

Alice J. Welch
DT. Register.

STATE OF ALABAMA)
BALDWIN COUNTY)

SHIRLEY PITTS)
Complainant,)
vs.)
FRANCES MYRTLE PITTS)
Respondent.)

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

To the Honorable Judge of the Circuit Court of Baldwin County,
Alabama, Sitting Equity:

Comes now the Complainant, SHIRLEY PITTS, humbly complaining of the Respondent, FRANCES MYRTLE PITTS, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant, SHIRLEY PITTS, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State and County for more than two years next preceding the filing of this Bill of Complaint; that Respondent is over the age of twenty-one years and her address is 114 Up John Drive, Kalamazoo, Michigan.

SECOND: That your Complainant and Respondent were married on or about to-wit: April 16, 1949, at Hawthorne, Nevada.

THIRD: Complainant further avers that said Respondent voluntarily abandoned the bed and board of Complainant for more than one year next preceding the filing of this Bill of Complaint, on to-wit: December 15, 1954, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

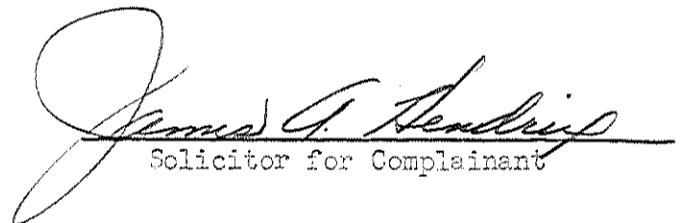
FOURTH: Complainant further avers that there was born to the union of the Complainant and Respondent, one child, a girl, namely Pamela Jean Pitts, now about five years old; that said child is now in the care, custody and control of the said Respondent, its mother; that said Respondent is a fit and proper person to be awarded the permanent care, custody and control of said child.

Wherefore the premises considered the Complainant prays that the said FRANCES MYRTLE PITTS be made party Respondent to this his Bill of Complaint and that a summons be issued and served upon her as required by law and the rules of this Honorable Court, and that she be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage.

Complainant prays all other, further and general relief to which he may be entitled, the premises considered and he will ever pray, ect.


Solicitor for Complainant

SHIRLEY PITTS,

Complainant

vs.

FRANCES MYRTLE PITTS,

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

ANSWER AND WAIVER

Comes now the Respondent, FRANCES MYRTLE PITTS, and for answer to the Bill of Complaint heretofore filed against her in said cause as follows:

1. That she denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to her.

Frances Myrtle Pitts
FRANCES MYRTLE PITTS

Sworn to and subscribed before me this the 13 day of February, 1956,
at Robertsdale, Alabama

James A. Hendrix
Notary Public, Baldwin County, Alabama

FILED

FEB 16 1956

ALICE I. DUCK, Register