

4660

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROSE BROCK YATES, Complainant

vs.

ROBERT L. YATES, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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

Rose Brock Yates is forever divorced from the said Robert L. Yates for and on account of

Cruelty and it is further ORDERED, ADJUDGED AND DECREED by the Court that Robert L. Yates, the Respondent, provide a navy allotment to the said Rose Brock Yates in the amount of SEVENTY-FIVE DOLLARS (\$75.00) per month to commence on the 1st day of September, 1959 and continue through the month of June, 1960. And it is further ORDERED, ADJUDGED AND DECREED that the Complainant be and she is hereby granted the right to resume the use of her name of Rose Brock.

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 L. Yates the Respondent pay the cost herein to be taxed, for which executed may issue.

This 11th day of August 1959

Robert 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.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: DELTA H. GWALTNEY

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 Rose Brock Yates and Jessie Adams

as witnesses in behalf of Rose Brock Yates in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Rose Brock Yates is

_____, Complainant
and Robert L. Yates

_____, Respondent
on oath, to be by you administered, upon Rose Brock Yates and Jessie Adams
to take and certify the deposition s of the witnesses as and return the same to our Court, with all
convenient speed, under your hand.

Witness 8 day of August, 1945

Alice J. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ROSE BROCK YATES

Complainant

VS.

ROBERT L. YATES

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

DELTA L. GWALTNEY

WITNESSES:

ROSE BROCK YATES

JESSIE ADAMS

4660

1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee

☐ Show address where delivered

(Additional charges required for these services)

RETURN RECEIPT

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE (must always be filled in)

R. L. Vester

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

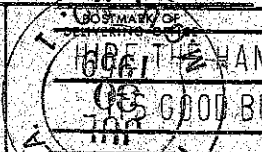
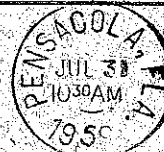
9-30-54

ADDRESS WHERE DELIVERED (only if requested in item #1)

FILED
9-1-54
CLERK
DUCK REGISTER

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE, \$300



INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN
TO

REGISTERED NO.	NAME OF SENDER
	Alice J. Duck, Register
CERTIFIED NO. 676559	STREET AND NO. OR P. O. BOX
	P.O. Box 239
INSURED NO.	CITY, ZONE AND STATE
	Bay Minette, Alabama

POD Form 3811 Jan. 1958

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

ROSE BROCK YATES

COMPLAINANT

vs.

ROBERT L. YATES

RESPONDENT

I, DELTA H. GWALTNEY

as ~~Register and~~ Commissioner

have called and caused to come before me Rose Brock Yates and Jessie Adams

witnesses named in the requirement for Oral Examination, on the 8th day of August
19 59, at the office of Wilters and Brantley

in Robertsdale, Alabama, and having first sworn said witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Rose Brock Yates and

Jessie Adams doth depose and say as follows:

My name is Rose Brock Yates. I am a bona fide resident of Baldwin County and over the age of 21 years. I and the respondent were married August 10, 1958 at Barin Field Chapel near Foley, Alabama and we lived together in Baldwin County until July 26, 1959. On that date the respondent cursed, threatened, and abused me and threatened to do actual violence to me if I did not leave the home; The conduct of the respondent was such as to give me every reasonable apprehension to believe and I do believe that if I had continued to live with him in our home, he would have done actual violence to me which would have endangered my life and health.

Rose Brock Yates

My name is Jessie Adams. I and my wife have known the Yates since March 1959. I and Robert Yates are both Navy men and our wives are very close friends. I know that they have been having trouble recently, that in my position as a security officer for the Navy, I have had occasion to go out and bring Robert Yates back to the Navy base when he was drinking and on one such occasion, I was informed that he had threatened Rose. Rose also told me he ordered her out of her home on July 26, 1959 and I know that she has not returned to her home for fear of possible violence on his part against her. It is my opinion that it would be best for all parties concerned that these people be allowed to divorce.

Jessie Adams

I, DELTA H. GWALTNEY 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 Phyllis S. Nesbit 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 8th day of August, 1959.
Delta H. Gwaltney (L. S.)

No. _____		Page _____	
THE STATE OF ALABAMA BALDWIN COUNTY			
IN CIRCUIT COURT, IN EQUITY			
ROSE BROOK YATES		COMPLAINANT	
VS.		RESPONDENT	
ROBERT L. YATES		ORAL DEPOSITION	
Filed _____, 19____		AUG 11 1959	
ALICE J. BUCKINGHAM		Register.	
Vol. _____		Record	
Page _____		Register.	

ROSE BROCK YATES

COMPLAINANT

VS

ROBERT L. YATES

RESPONDENT

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

ANSWER AND WAIVER

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause as to ages, residences and marriage, but denies all other allegations therein contained 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.

Robert L. Yates

STATE OF ALABAMA

BALDWIN COUNTY

I, Phyllis S. Nesbit, A Notary Public, in and for said County, in said State, hereby certify that ROBERT L. YATES, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 4th day of August, 1959.

Phyllis S. Nesbit
Notary Public, State of Alabama
at Large

FILED

AUG 11 1959

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

This agreement entered into on this the 4th day of August, 1959
between Rose Brock Yates and Robert L. Yates of Baldwin County, Alabama;

WITNESSETH: Whereas certain differences have arisen between said
parties which seem to be irreconcilable, said parties have mutually agreed,
the one with the other, and do hereby mutually agree to separate one from
another and from this time on to continue to be separated and neither
party shall have or claim anything from the other except that which is
hereinafter set out and agreed on.

1.

In the event that a divorce action is carried through to a final
decree that this instrument and the agreement contained herein shall be-
come a part of and be incorporated in the final decree of said proceed-
ings.

2.

Robert L. Yates agrees to provide a navy allotment to the said Rose
Brock Yates in the amount of SEVENTY FIVE DOLLARS (\$75.00) per month to
commence on the 1st day of September, 1959 and continue through the month
of June, 1960.

3.

The said Robert L. Yates agrees to pay to the firm of WILTERS AND
BRANTLEY the sum of ONE HUNDRED DOLLARS (\$100.00) attorneys fees on or
before the 1st day of September, 1959 and also the court costs as shall
appear from a bill duly presented by the clerk of the Circuit Court of
Baldwin County, Alabama.

IN WITNESS WHEREOF the parties have set their hands and seals this
4th day of August, 1959.

FILED

AUG 11 1959

ALICE J. DUCK, Register

Robert L. Yates

Rose Brock Yates

Rose Brock Yates

vs.

Robert L. Yates

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,
~~Decree Pro Confesso on Personal Service and Testimony as notes by the~~
^{Answer & Waiver}
Register

and in behalf of Defendant upon Answer and Waiver

WILTERS AND BRANTLEY

BY *Walter Brantley*

Alice J. Luck
Register.

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Rose Brock Yates

VS.

Robert L. Yates

Note of Testimony

Filed in Open Court this _____

day of _____, 19____

Register.

STATE OF ALABAMA

BALDWIN COUNTY

I, Phyllis S. Nesbit a Notary Public, in and for said County, in said State, hereby certify that Robert L. Yates and Rose Brock Yates, 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 seal on this the 4th day of August, 1959.

Phyllis S. Nesbit
Notary Public, State of Alabama at Large

FILED

AUG 11 1959

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT L. YATES 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 ROSE BROCK YATES as Complainant, and against Robert L. Yates, as Respondent.

WITNESS my hand this the 29 day of July, 1959.

Walter J. Clark
Register

ROSE BROCK YATES)	
)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA,
VS)	
)	IN EQUITY
ROBERT L. YATES)	
)	
RESPONDENTS)	

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

Comes now your Complainant and respectfully shows unto Your Honor as follows:

1.

That your Complainant and the Respondent are both over the age of twenty-one years and are bona fide resident citizens of Baldwin County, Alabama; that the Respondent is presently stationed at Whiting Field, Milton, Florida, that his address is: Chief Warrant Officer Robert L. Yates, Transportation Officer, N/A/A.S. Whiting Field, Milton, Florida.

2.

That your Complainant and Respondent were married on August 10, 1948, in Baldwin County, Alabama, and lived together as husband and wife until on, to-wit, July 26, 1959.

3.

That on, to-wit, July 26, 1959, 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 carry out his threats which would necessarily endanger her life and health.

4.

The Complainant avers that the Respondent is an abled bodied man and is presently earning a substantial salary.

5.

That the Complainant has employed the firm of Wilters & Brantley to represent her in this matter of divorce and has no means of paying them for their services.

WHEREFORE; the premises considered, your Complainant prays that Your Honor will by proper process make the said Robert L. Yates 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 on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting her the right to remarry; Your complainant further prays that your Honor will order the Respondent to pay the Complainant support money for her support and maintenance; Your Complainant further prays that the Court will ascertain a reasonable attorneys fee to be paid the firm of Wilters & Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceeding. Your Complainant further prays for such other, further or different relief to which the Complainant may in equity be entitled.

FILED

JUL 29 1959

ALICE J. DUCK, Register

Wilters & Brantley

BY: 

Solicitors for the Complainant

4660
ROSE BROCK YATES

COMPLAINANT

VS.

ROBERT L. YATES

RESPONDENT

BILL OF COMPLAINT

FILED
JUL 29 1959
ALICE J. DUCK, Register