

(4011)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Mae Phillips

Complainant

vs.

Leroy Phillips

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 Mae Phillips is forever divorced from the said Leroy Phillips for and on account of Cruelty

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 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 further ordered that Leroy Phillips the Respondent pay the cost herein to be taxed, for which executed may issue.

This 9th day of April 1957

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.

No. 4011 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Ma Phillips

Complainant

vs.

Leroy Phillips

Respondent

DIVORCE DECREE

FILED
APR 9 1957
ALICE L. DUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Evelyn Watts

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 Mae Phillips and Mary Mills

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

Mae Phillips is

Complainant

and Leroy Phillips is

Respondent

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

Witness 8 day of April, 1957

Deirdre W. W. Register

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Mae Phillips

Complainant

VS.

Leroy Phillips

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Mae Phillips

Mary Hills

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THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Mae Phillips

COMPLAINANT

vs.

Leroy Phillips

RESPONDENT

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Mae Phillips and Mary Mills

witness^{es} named in the requirement for Oral Examination, on the 8th day of April 19 57, at the office of Wilters & Brantley 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 Mae Phillips and Mary Mills

doth depose and say as follows:

My name is Mae Phillips. I am the Complainant in this action. I am over the age of twenty-one years and Leroy Phillips is also, and we are both residents of Baldwin County, Alabama. We were married on March 15, 1952, at Lucedale, Mississippi, and lived together as husband and wife until about June 12, 1956. On that date and on various occasions prior thereto, the Respondent cursed threatened and abused me and threatened to do my actual violence which if he had carried out his threats would have necessarily endangered my life and health. From his conduct toward me I have every reasonable apprehension to believe and I do believe that he will do me actual harm and violence which would necessarily endanger my life and health if we should continue to live together.

Mae Phillips

My name is Mary Mills., and I have known the Complainant and Respondent all of their married life and I know that they have had considerable amount of difficulty and disturbance between themselves. I know that about the middle of 1956 that they separated and have not lived together since then. In my opinion it will be to their best interest that they be separated.

Mary Mills

I, Evelyn Watts 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 Tolbert A. Brantley 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 April, 19 57.

Evelyn Watts (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Lae Phillips

COMPLAINANT

vs.
Leroy Phillips

RESPONDENT

ORAL DEPOSITION

Filed **FILED** _____ 19 _____
APR 8 1957

ALL INFORMATION RECORDED IN REGISTER

Record _____

Vol. _____ Page _____

Register _____

Phillips

vs.

Lerby Phillips

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Plaintiff upon the original Bill of Complaint, _____
~~Answer and waiver and testimony of Lee Phillips and Warr Mills~~

and in behalf of Defendant upon answer and waiver

*Walter & Buntley
by Harry J. Walters*

Alice J. Luck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Mac Phillips

vs.

Leroy Phillips

NOTE OF TESTIMONY

Filed in Open Court this
day of APR 8, 1957, 194.....

ALICE J. BOCK, Register Register.

LAE PHILLIPS

COMPLAINANT

VS

LEROY PHILLIPS

RESPONDENT

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

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, 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.

Leroy Phillips

STATE OF ALABAMA
BALDWIN COUNTY

I, Evelyn Watts, a Notary Public, in and for said County, in said State, hereby certify that Leroy 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 9th day of April, 1957.

Evelyn Watts
Notary Public, Baldwin County, Alabama

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MAE PHILLIPS

COMPLAINANT

VS

LEROY PHILLIPS

RESPONDENT

ANSWER AND WAIVER

FILED

APR 8 1957

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons LEROY PHILLIPS 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 MAE PHILLIPS, as Complainant and against LEROY PHILLIPS, as Respondent.

Witness my hand this the _____ day of April, 1957.

Register

MAE PHILLIPS	∩	
COMPLAINANT	∩	IN THE CIRCUIT COURT OF
VS	∩	BALDWIN COUNTY, ALABAMA.
LEROY PHILLIPS	∩	IN EQUITY
RESPONDENT	∩	

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

Your Complainant, Mae Phillips, respectfully represents and shows unto your Honor and this Honorable Court 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.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on March 15, 1952, and lived together as husband and wife in Baldwin County, Alabama, until on, to-wit, June 12, 1956.

3.

That on, to-wit, June 12, 1956, 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 do actual violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Leroy Phillips party Respondent to this cause of action, 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 prays that upon a final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Wilters & Brantley

BY: Ray J. Wilters, Jr.
Solicitor for the Complainant

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MAE PHILLIPS

COMPLAINANT

VS

LEROY PHILLIPS

RESPONDENT

BILL OF COMPLAINT

FILED

APR 8 1957

ALICE L. BUCK, Register