

14039

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EVE C. OLIVERE

Complainant

vs.

EUGENE JOHN OLIVERE

Respondent

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

EVE C. OLIVERE

is forever divorced from the

said EUGENE JOHN OLIVERE

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 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 Eve C. Olivero

the Complainant

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

This 1st day of July, 1957

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 June, 1957.

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

EVE C. OLIVERE

Complainant

vs.

EUGENE JOHN OLIVERE

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

EVE C. OLIVERE COMPLAINANT

vs.

EUGENE JOHN OLIVERE RESPONDENT

I, Betty Clark

as Register and Commissioner

have called and caused to come before me Eve C. Oliverere and Mayme A. Pittman

witness es named in the requirement for Oral Examination, on the 29th day of June
19 57, at the office of Ernest M. Bailey

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

truth, the whole truth, and nothing but the truth, the said Eve C. Oliverere and

Mayme A. Pittman

doth depose and say as follows:

STATEMENT OF EVE C. OLIVERE:

My name is Eve C. Oliverere and I am the Complainant in the above styled cause. I am over the age of twenty-one years and a bona fide resident of Fairhope, Baldwin County, Alabama. The Respondent is over the age of twenty-one years and his present whereabouts is unknown to me.

We were married April 20, 1944 in Charleston, South Carolina and lived together as husband and wife until on, to-wit, the 6th day of May, 1957. On that occasion and on many occasions prior thereto, the Respondent cursed, abused and threatened to do bodily harm to my person. The Respondent was quite emotional and often threatened me. I am of the opinion that if I should continue to live with him he would commit actual violence on my person or might injure me permanently.

Eve C. Oliverere
EVE C. OLIVERERE

STATEMENT OF MAYME A. PITTMAN:

My name is Mayme A. Pittman and I am over the age of twenty-one years and a bona fide resident of Fairhope, Baldwin County, Alabama. I have known the Complainant and the Respondent for approximately the last four years of their marriage. For the past two years I have lived in the same apartment with the parties.

I know of my own personal knowledge that the Respondent was subject to emotional disturbances and on several occasions the Complainant, Eve C. Oliverere, has found it necessary to leave the Respondent and stay with me in my part of the apartment. I have seen the Complainant on numerous occasions when she was upset and emotionally disturbed by reason of her domestic difficulties with her husband.

Mayme A. Pittman
MAYME A. PITTMAN

I, BETTY CLARK 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 day of JUNE, 1957

Betty Clark (L. S.)

| | |
|--|----------------|
| No. _____ | Page _____ |
| THE STATE OF ALABAMA, BALDWIN COUNTY | |
| IN CIRCUIT COURT, IN EQUITY | |
| EVE C. OLIVERE | |
| COMPLAINANT | |
| vs. | |
| EUGENE JOHN OLIVERE | |
| RESPONDENT | |
| ORAL DEPOSITION | |
| Filed <u>June 29</u> , 19 <u>57</u> | Record _____ |
| Recorded in _____ | Register _____ |
| Vol. _____ | Page _____ |
| Register _____ | Register _____ |

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THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Betty Clark

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 Eve C. Olivere and Mayme Pittman

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

_____ , Complainant
and Eugene John Olivere

_____ Respondent.
on oath, to be by you administered, upon Eve C. Olivere and Mayme Pittman
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of June, 1957

Alice J. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

EVE C. OLIVERE

Complainant

VS.

EUGENE JOHN OLIVERE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

BETTY CLARK

WITNESSES:

EVE C. OLIVERE

MAYME PITTMAN

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EVE C. OLIVERE,
Complainant
VS.

EUGENE JOHN OLIVERE,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

~~NOTICE TO NON-RESIDENT~~

This the 27th day of May, 1957

In this cause it being made to appear to the Clerk of this Court by the affidavit of Eve C. Olivere that the Respondent, Eugene John Olivere, is a non-resident of the State of Alabama and that his residency is unknown and cannot be ascertained by reasonable effort; it is, therefore, ordered that publication be made in the Foley Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Eugene John Olivere, the said Respondent, to answer or demur to the Bill of Complaint in this cause by the 27th day of June, 1957, or after thirty days therefrom a decree Pro Confesso may be taken against him.



Alice J. Duck, Register

Ernest M. Bailey
Solicitor for Complainant

EVE C. OLIVERE
Complainant

vs

EUGENE JOHN OLIVERE
Respondent

RECORDED

FILED

MAY 27 1957

WALTER A. BRICK, Registrar

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT -- IN EQUITY

TO THE SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Eugene John Olivere to appear and plead, answer or demur, within thirty days from the service of this writ, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Eve C. Olivere as Complainant against Eugene John Olivere as Respondent.

Witness my hand this the 27 day of May, 1957.


REGISTER

EVE C. OLIVERE,
Complainant

) (

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

VS.

) (

IN EQUITY

EUGENE JOHN OLIVERE,
Respondent

) (

) (

Comes the Complainant, Eve C. Olivere, and files this her Bill of Complaint for divorce against Eugene John Olivere, 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 that the Complainant is a bona fide resident of Baldwin County, Alabama, residing in Fairhope, and that the residency of the Respondent is unknown and cannot be ascertained by reasonable effort.

SECOND:

That the Complainant and the Respondent were married on, heretofore, to-wit, April 20, 1944 in Charleston, South Carolina and

lived together as husband and wife until on, to-wit, May 6, 1957. The Complainant avers and charges that the said Respondent did on or about the 6th day of May, 1957 and at times prior thereto, made numerous threats of doing her physical harm and that, from his manner and conduct towards her, she is reasonably certain that he will commit an actual violence upon her person, attended with danger to her life and health.

THIRD:

That there are no children of this marriage.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Eugene John Olivere 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 the Complainant an absolute divorce from the Respondent and will also decree that the Complainant be allowed to remarry if she sees fit. The Complainant further prays for such other, further and different relief to which she is entitled and as in duty bound she will ever pray.


COMPLAINANT


STATE OF ALABAMA)
)
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared Eve C. Olivere, who, after being by me first duly and legally sworn, says:

That the allegations contained in the foregoing Bill of Complaint are true.


EVE C. OLIVERE

Sworn to and subscribed before me, this 27th day of May, 1957.


NOTARY PUBLIC, STATE OF ALABAMA
AT LARGE

EVE C. OLIVERE

VS

EUGENE JOHN OLIVERE
Respondent

Bill of Complaint

RECORDED

FILED

MAY 27 1957

ALICE L. BUCK, REGISTER

STATE OF ALABAMA)
)
BALDWIN COUNTY)

A F F I D A V I T

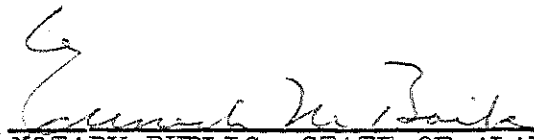
Before me, Ernest M. Bailey, Notary Public in and for the State of Alabama at Large, personally appeared Eve C. Olivere, who is known to me and who, being by me first duly sworn, deposes and says:

That she is the Complainant in that certain action pending in the Circuit Court of Baldwin County, Alabama, wherein Eve C. Olivere is the Complainant and Eugene John Olivere is the Respondent; that the residency of the said Respondent, Eugene John Olivere, is unknown to her and cannot be ascertained by reasonable effort; that the said Respondent, Eugene John Olivere, is over the age of twenty-one years.



EVE C. OLIVERE

Sworn to and subscribed before me this the 27th day of May, 1957.



NOTARY PUBLIC, STATE OF ALABAMA
AT LARGE

RECORDED

EVE C. OLIVERE
Complainant

vs

EUGENE JOHN OLIVERE
Respondent

DEFENDANT

Non-Residency

FILED

MAY 27 1957

ALICE L. BUCK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19 57

EVE C. OLIVERE

Complainant

Vs.

EUGENE JOHN OLIVERE

Defendant

Motion is hereby made for a Decree Pro Confesso against EUGENE JOHN OLIVERE

Defendant

in the annexed stated cause. on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 29th day of June 19 57

746 Code

Ernest M. Bailey
Ernest M. Bailey
JW Compton and

Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

EVE C. OLIVERE

Complainant _____

Vs.

EUGENE JOHN OLIVERE

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed 29 June 1927

Miss J. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____ June 29 _____, Term, 19 57

Complainant _____

Vs.

Defendant _____

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 30th day of May, 19 57, in the Foley Onlooker, a newspaper published in Baldwin County, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 30th day of May, 1957 and for four consecutive weeks

And it now further appearing to the Register Alice J. Duck, that the said Eugene John Olivere

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Eugene John Olivere

This 29th day of June, 19 57

Alice J. Duck, Register.

RECORDED

No. _____ Page _____

**THE STATE OF ALABAMA,
Baldwin County**

CIRCUIT COURT, IN EQUITY

EVE C. OLIVERE

Vs.

EUGENE JOHN OLIVERE

Decree Pro Confesso of Publication

Issued _____, 19____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

EVE C. OLIVERE

vs.

EUGENE JOHN OLIVERE

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, _____

Oral Testimony by deposition of Eve C. Olivere and _____

Mayme Pittman _____

and in behalf of Defendant upon _____ Decree Pro Confesso on Publication _____

George M. Bailey
for Complainant

Alice J. Duck
Register.

RECORDED

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

EVE C. OLIVERE

vs.

EUGENE JOHN OLIVERE

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

Register:

Printed by the Baldwin Times

4037