

4700

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Walter Pears

Complainant

vs.

Novella Pears

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

Walter Pears

is forever divorced from the

said Novella Pears

for and on account of

Adultery

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 Walter Pears

the Complainant

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

This 30 day of October 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

Walter Pears

Complainant

vs.

Novella Pears

Respondent

**DIVORCE DECREE**

*Filed  
11-30-57  
Walter Pears*

COMMISSION TO TAKE DEPOSITIONS

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 Walter Pears and Laura Robinson

a witness in behalf of Complainant in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein Walter Pears is

, Complainant

and Novella Pears is

Respondent

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

Witness 25<sup>th</sup> day of

Oct

5, 1959

*[Handwritten Signature]*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Walter Pears

Complainant

VS.

Novella Pears

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Walter Pears  
Laura Robinson

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

Walter Pears

COMPLAINANT

vs.

Novella Pears

RESPONDENT

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Walter Pears and Laura Robinson

witnesses named in the requirement for Oral Examination, on the \_\_\_\_\_ day of Oct. 1959, at the office of Tolbert M. Brantley

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

truth, the whole truth, and nothing but the truth, the said Walter Pears and Laura

Robinson

doth depose and say as follows:

My name is Walter Pears. I was married to Novella Pears in Lucedale, Mississippi on October 14, 1955. Both the Respondent and I are over the age of 21 years and are both bona fide resident citizens of Baldwin County, Alabama. On September 11, 1958, I found my wife in the embraces of another man and they were at the time in the act of committing adultery. I have not lived with my wife and have not recognized her as such since that time. We do not have any children or property to be settled by this divorce.

Walter Pears

My name is Laura Robertson. I am 42 years old. I know that Walter and Novella Pears were married to one another in Lucedale, Mississippi, in October 1955. I know that they are both over the age of 21 years and both residents of Baldwin County, Alabama. I know of my own personal knowledge that Walter Pears and his wife Novella Pears have not lived together since September 1958.

Laura Robinson

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 M. 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 2 day of Oct., 19 59.

Evelyn Watts (L. S.)

No. _____		Page _____	
<b>THE STATE OF ALABAMA,</b>			
BALDWIN COUNTY			
IN CIRCUIT COURT, IN EQUITY			
COMPLAINANT		RESPONDENT	
VS.			
<b>ORAL DEPOSITION</b>			
Filed _____	19 _____	Register: _____	
RECORDED IN ALBANY BOOK REGISTER		Record _____	
Vol. _____	Page _____	Register: _____	

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANYSHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons NOVELLA PEARS to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complainat filed in the Circuit Court of Baldwin County, Alabama, in Equity, by WALTER PEARS, as Complainant and against Novella Pears, as Respondent.

WITNESS my hand this the 11 day of September, 1959.

Alice J. Duck  
Register

WALTER PEARS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
NOVELLA PEARS	)	IN EQUITY
RESPONDENT	)	

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

Your Complainant, Walter Pears, respectfully represents unto your Honor as follows:

1.

That your Complainant and Respondent are both over the age of 21 years and are bona fide resident citizens of Baldwin County, Alabama.

2.

That Your Complainant and Respondent were married to one another at Lucedale, Mississippi, on October 14, 1955, and lived together as husband and wife until onto-wit, September 11, 1958.

3.

The Complainant alleges that the Respondent committed adultery on to-wit, September 11, 1958, with persons whoses names to your Complainant are unknown.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Novella Pears party Respondent to this cause of action, requiring her to plead,

THE STATE OF ALABAMA, }  
Baldwin County } No. \_\_\_\_\_ Circuit Court, In Equity.

Walter Pears

Complainant....

Vs.

Novella Pears

Defendant....

Motion is hereby made for a Decree Pro Confesso against Novella Pears

Defendant....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....; and that said summons was duly served according to law, and that said Defendant... has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 24 day of October 19 59.

*Robert M. Bentley*

Solicitor.



No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

Walter Pears

Vs.

Novella Pears

Motion for Decree Pro Confesso on  
Personal Service

FILED

Filed \_\_\_\_\_ 19 \_\_\_\_\_

OCT 25 1959

ALICE J. DUCK, CLERK  
REGISTER Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

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 on a hearing hereof, Your Honor will enter an order and decree granting him an absolute decree of divorce forever barring the bonds of matrimony existing between him and the Respondent. Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Wilters & Brantley

BY:

*Albert M Brantley*  
Solicitors for the Complainant

FILED

SEP 11 1959

ALICE J. DUCK, Register

*Dayton* 4704

Received on 11 day of Sept 1959

and on 24 day of Sept 1959

was served a copy of this within 30 days

by Novella Pears

service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff

By W. Wilkins D. S.

*O. M. [unclear]*

WALTER PEARS

COMPLAINANT

VS

NOVELLA PEARS

RESPONDENT

BILL OF COMPLAINT

**FILED**

SEP 11 1959

ALICE J. DUCK, Register

Walter Pears

vs.

Novella Pears

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, testimony of Walter Pears and Laura Robinson, and decree pro confesso on personal service

*Albert M. Pears*

and in behalf of Defendant upon

*Walter Pears*  
Register.

*m*

No. -----

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
Circuit Court of Baldwin County

Walter Pears

VS.

Novella Pears

**Note of Testimony**

Filed in Open Court this -----

**FILED**

day of -----, 19-----

**OCT 30 1950**

**ALICE J. DUCK, CLERK**  
**REGISTER Register.**

Walter Pears  
 Complainant,  
 Vs. Novella Pears  
 Respondent.

In the Circuit Court.  
 In Equity No. \_\_\_\_\_

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent \_\_\_\_\_  
Novella Pears

by the Sheriff of Baldwin County, on the 24 day of September,  
 1959.

And it further appears to the Register, that that the said \_\_\_\_\_  
Novella Pears

\_\_\_\_\_ the Respondent, having to the date hereof,  
 failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,  
 on motion of Wilters & Brantley Solicitors  
 for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,  
 and it hereby is, in all things taken as confessed against the said \_\_\_\_\_  
Novella Pears

This 24 day of Oct, 1959

  
 Register.

No. \_\_\_\_\_

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

Walter Pears

Complainant,

Vs.

Novella Pearsx

Respondent.

**DECREE PRO CONFESSO ON  
PERSONAL SERVICE.**

Issued this \_\_\_\_\_ day of \_\_\_\_\_  
194\_\_\_\_\_

**FILED**  
**OCT 25 1959**  
**ALICE J. DICK, CLERK**  
**REGISTER**

Register.

*Novella*