## The State of Alabama, Baldwin County

### CIRCUIT COURT, IN EQUITY

	DORIS HIT MAN	, Complainant
	vs.	
,	ERWIN D. FITTMAN	Persondent
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This cause coming on to b	e heard was submitted upon Bill o	of Complaint, Derrew XXXXXXXXXXXXXXX
		as noted by the Register, and upon con- it is entitled to the relief prayed for in
It is therefore ordered, ad- xisting between the Complainan	judged and decreed by the Court t It and Defendant be, and the same	that the bonds of matrimony heretofore e are hereby dissolved, and that the said
		is forever divorced from the
		for and on account of
voluntary abandonm	ent.	
Doris Hittman, the co	omplainant in this cau	DECREED by the Court that use, shall have the bert Hittman and Steven
Hittman, the minor cl	hildren of said partie	<b>≎S.</b>
	and the second s	en e
It is further ordered that again contract marriage upon p  It is further ordered that the complainant	the Complainant and Responder ayment of the cost of this suit.  Doris Hittman	taxed, for which executed may issue
•	\$-2	Judge Circuit Court, In Equity
I,	Court of Baldwin County, foregoing is a correct copy	Alabama, do hereby certify that the of the original decree, rendered by the in the above stated cause, which saidled in my office.
	Witness my hand a	nd seal this theday
FILED	of	,19
JAN 18 1960		
ALICE J. DUCK, Register		Register of Circuit Court, In Equity
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No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

DORIS HITTMAN,

Complainant

VS.

ERWIN D. HITTMAN,

Respondent

DIVORCE DECREE

#### WILLIAM L GREEN

LAWYER
P. O. GOX 1048
MOBILE, ALABAMA

February 6, 1960

Mrs. Alice J. Duck, Register Circuit Court of Baldwin County Bay Minette, Alabama

RE: Danya Jones Davison

VS: Howard Morris Davison

Dear Mrs. Duck:

I enclose an original Bill of Complaint in the above styled matter and ask that you file the same in your Court. I have received a deposit from the Complainant to secure the Court costs and I shall personally be responsible for same.

From my discussions with the parties to this cause and the parents of each of them, it is my understanding that the Respondent will execute an Answer and Waiver and file the same in your Court during the week of February 8th. Therefore, I am asking that service on the Respondent be withheld at this time. Also, I understand that the parties withheld at this time. Also, I understand that the parties will agree on a commissioner to take testimony and I expect to submit the cause on the answer and waiver and testimony taken by commissioner.

I enclose a stamped, self-addressed envelope and respectfully request that you advise me of the number assigned to this cause.

Respectfully yours,

ALLIAM L GREEN

WILLIAM L GREEN

LAWYER

MOBILE. ALABAMA

February 12, 1960

Hon. Alice J. Duck Register, Circuit Court Baldwin County, Alabama Bay Minette, Alabama

RE: Danya Jones Davison

VS: Howard Morris Davison

Case # 4841

Dear Mrs. Duck:

I am enclosing the evidence taken and the commissioner's certificate along with an Order of Submission and Note of Evidence; the Decree and two (2) certified copies thereof; and, my check payable to the Court for costs. I am also enclosing a self addressed envelope for the copies of the Decree when issued and a postal card on which I ask that you advise me of the amount the cost check was made for.

Please advise me if any of the papers submitted are not regular according to the Rules of the Court and I shall amend accordingly.

I sincerely appreciate your cooperation.

Very truly yours,

William L. Green

Encl/ Evidence

Order of Submission and Note of Myldence

Decree

Two (2) certified copies of Decree

Check to Circuit Court, Baldwin County

DORIS	HI	TIMAN,	)	IN	THE	CIRCUIT	COURT	OF
Complainant,		, )						
		)	BALDWIN COUNTY, ALABS					
ERWIN	D.	HITTMAN,	)			IN EQUIT	(7	
Respondent.		Respondent.	)		¥ •			

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

Your complainant, Doris Hittman, respectfully represents and shows unto the Court and your Fonor as follows:

1. The complainant is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

The Respondent is over the age of twenty-one years and is a resident of the State of New York.

- 2. The complainant and the respondent were lawfully married on or about, to-wit, April 4, 1948, at New York City, New York.
- 3. Complainant avers that the said respondent voluntarily abandoned the bed and board of your complainant for more than one year next preceding the filing of this Bill of Complaint, since which time, complainant and respondent have not lived together nor in any way recognized each other as husband and wife.
- 4. There we born to the complainant and respondent during this marriage, two children, namely, Robert Hittman, age 9 years, and Steven Hittman, age 7 years, sons, who are now in the care, custody and control of your complainant, who is a fit and proper person to have the care, custody and control of said minor children.

The premises considered, your complainant makes the said Erwin D. Hittman party respondent to this bill of complaint and in order that complainant may have the relief herein prayed for, may it please the Court to cause the respondent to appear and plead, answer or demur to this Bill of Complaint within the time prescribed by law and under the rules and practices of this Court; that the Court will see to grant her an absolute divorce from the bonds of matrimony with the respondent, and granting both the complainant and the respondent the right to remarry, and that your Honor will grant your complainant

the care, custody and control of said minor children of theparties; that your Honor will allow the respondent to see and visit said minor children at all reasonable times; that your Honor willgrant such other further and different relief as unto your Honor may seem just, fit and proper in the premises.

Sous Sittman

DORIS HITTMAN

James R. Owen, Solicitor for Complainant.

> FILED JAN 18 1960

ALICE J. DUCK, Register

C. C. Equity 39-3 M 12-58

Doris Hittman

Complainant

No.

Vs.

Erwin D. Hittman

Defendant

## IN THE CIRCUIT COURT OF MODELE COUNTY, ALABAMA IN EQUITY

#### ANSWER AND WAIVER

Comes the defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

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		ErwinD.	Defendant	Hitman
Complainant agrees that	Juanita Pr	anklin	ma 4-7	
this cause as commissioner, without	issuance of a	commission	, may take	the testimony in
			· ~ 91 :4	
		Doris	Complainant	nan
NOTE: The space h	pelow is intended	for "Agreements Betw	een the Parties".	Hittman
It is agreed between the parto wit, Robert Hitman, age remain in the care and cus to see and visit said minor less than twice each month of the state where they now	rties hereto e 9 years, a tody of the o children at , and that so reside with	o that the mino nd Steven Hitn complainant, w all reasonable aid minor chile nout the conser	r children of the chan, age 7 year with rights in the times, which dren may not left of the respo	rs, shall he respondent shall not be be taken out ndent.
It is further agreed upon be pay to the complainant the tenance of said minor child		arties hereto t 00 per week fo	that the responder the support	ident shall and main-
WITNESSES:			. O Section communication — 1	The second secon
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COUNTY OF	A STATE OF THE STA	en e	and the second of the second o	
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who is known to me, acknowledged be instrument,	fore me this	day, that being in the same voluntar	o the foregoing in informed of the co	strument, and ontents of the
Witness my hand and seal this	dor of	- Columbia	my on the day sai	me bears date.
JOHN CILID	uay oi			
		******************	NOTARY	DIIDITO
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Register	CO	UNTY OF		7-4

No. ...

DORIS HITTMAN

Vs.

ERWIN D. HITTMAN

ANSWER AND WAIVER

Filed, FILED, 19

JAN 18 1960

ALICE J. DUCK, Register

DORIS HITTMAN,	) IN THE CIRCUIT COURT OF
Complainant,	)
Vs.	BALDWIN COUNTY, ALABAMA
ERWIN HITTMAN,	) IN EQUITY. NO. 4817.
Respondent.	)

#### MOTION:

Now comes the Complainant in the above styled cause and shows unto the Court and your Honor as follows:

- 1. This court did, heretofore on, to-wit, January 18, 1960, enter a divorce decree in this cause divorcing Complainant and Respondent.
- 2. At the time complainant filed her bill of complaint in this cause on, to-wit, January 18, 1960, there was filed on behalf of respondent an answer and waiver and an agreement between the parties whereby the said respondent agreed to pay to complainant the sum of \$30.00 each week for the support and maintenance of said minor children.
- 3. Complainant further shows unto the Court that by the agreement between the parties that the respondent was to be given the right to visit the minor children of the parties hereto at all reasonable times and that said minor children could not be taken out of the State where they now reside without the consent of the respondent.
- 4. Complainant shows unto the court that through a mistake those parts of the agreement between the parties referred to in paragraphs 2 and 3 above was not shown in the final divorce decree.

WHEREFORE, Complainant moves the court to amend the said divorce decree heretofore rendered on January 18, 1960, nuc pro tunc, to include therein the agreement between the parties heretofore filed in this cause on, to-wit, January 18, 1960.

FEB 10 1960

Solicitor for Complainant.

ALICE J. DUCK, Register

DORIS HITTMAN, ) IN THE CIRCUIT COURT OF

Complainant, )

BALDWIN COUNTY, ALABAMA

vs. )

ERWIN D. HITTMAN, ) IN EQUITY. NO. 4817.

Respondent. )

#### FINAL DECREE:

This cause coming on to be heard on motion of the Complainant to amend the divorce decree heretofore rendered in this cause on, to-wit, January 18, 1960, nuc pro tunc, and being considered by the Court the Court is of the opinion that the Complainant is entitled to have the said decree amended as prayed for by her in the said motion; it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

The divorce decree heretofore rendered in this cause on January 18, 1960, is hereby amended so that as amended, the said decree will read as follows:

"This cause coming on to be heard was submitted upon the Bill of Complaint, Answer and Waiver of Respondent, 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 Respondent be, and the same are hereby dissolved, and that the said Doris Hittman is forever divorced from the said Erwin D. Hittman, for and on account of voluntary abandonment.

It is further ORDERED, ADJUDGED AND DECREED by the Court that Doris Hittman, the Complainant in this cause, shall have the permanent care, custody and control of Robert Hittman and Steven Hittman, the minor children of said parties, with rights of the Respondent to see and visit said minor children at all reasonable times, which shall not be less than twice each month, and that said minor children may not be taken out of the State where they now reside without the consent of the Respondent.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Respondent pay to the Complainant the sum of \$30.00 each week for the support and maintenance of said minor children.

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 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 costs of this suit.

It is further ORDERED that Doris Hittman, the Complainant, pay the costs herein to be taxed, for which execution may issue.

This 18th day of January, 1960.

/s/ Hubert M. Hall
Judge, Circuit Court, in Equity".

ORDERED, ADJUDGED AND DECREED on this the /ordered day of February, 1960.

FILED

FEB 10 1960

ALICE J. DUCK, Register

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Judge.

# THE STATE OF ALABAMA, BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama (In Equity)

Lagrantia (Salaha)	DORIS HITTMAN,	COMPLAINANT	
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and the Spherical Confession of the	ERWIN D. HITTMAN,	RESPONDENT	na una settar
	Juanita Franklin		
Automotive and the second of t			
S Wegister and Con	missioner in the above styl	ed cause	
have called and caus	ed to come before meDoris	Hittman	
iave carea and the			
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mame	ed in the requirement for Oral Exami	nation, on the 18th o	day of January
	ice ofTames R. Owen		
in Bay Minette	Alabama, and having f	irst sworn said witness_	to speak the
	th, and nothing but the truth, the said	Doris Hittman	
truth, the whole tru			
	doth depo	ose and say as follows:	V.
My name styled cause.	e is Doris Hittman and I a	m the complainant	in the above
The res	spondent and I were lawful	ly married on Apr	il 4, 1948,
than one year	spondent voluntarily aband r next preceding the filin lived together nor in anyw wife since that time.	g of this bill of	combratur and
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that the foregoing deposition on Oral Examination was taken down in writing by me in the word of the witnessand read over to her and shesigned the same in the presence of myself andat the time and place herein mentioned; that I have personal knowledge of personal identity of said witness; 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 18th day of January 1960.    DORAL DEPOSITION   NORAL DE	I, <u>Juanita Franklin</u>	as×Ree	nster and Commi	ssioner hereby certify
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witness	at the time and place herein mentioned; that I	have persona	l knowledge of pe	rsonal identity of said
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 18th day of January 1960.  THE STATE OF ALL BALDWIN COURT. IN PAGE  ORAL DEPOS!  Page  No. 181960  ALICE J. DUCK, Regist  No. 181960  ALICE J. DUCK, Regist  Page  No. 181960  ALICE J. DUCK, Regist  No. 181960  ALICE			and the second s	
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Register.

## Printed by the Baldwin Times, Bay Minette, Alabama. Complainant, THE STATE OF ALABAMA Baldwin County vs. ERWIN D. HITTMAN. Respondent. IN EQUITY Circuit Court of Baldwin County This cause is submitted in behalf of Complaint upon the original Bill of Complaint, and testimony of Doris Hittman and in behalf of Defendant upon Answer and Waiver

James R. Owen, Solicitor for Complainant. J. C.

No.	===4					
THE STATE OF ALABAMA  Baldwin County						:
IN EQUITY Circuit Court of Baldwin County	<b>Y</b>					
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DORIS HITTMAN	-		(3)		•	
vs.						
ERWIN D. HITTMAN				:		
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