

3593

DELORES WALLACE,
Complainant,
vs.
THOMAS R. WALLACE,
Respondent.

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

ORDER

This day came Delores Wallace and filed in this Court a Bill of Complaint against her husband, Thomas R. Wallace, seeking a divorce for and on account of cruelty and it appearing to the Court that the Complainant and the Respondent are separated and that there was one child born to the Complainant and the Respondent, Wanda Jean Wallace, and it further appearing to the Court that the Complainant has asked for the temporary custody of said minor child and for alimony and support pending a final determination of this cause and has asked this Court to enter an order to that effect and the Court having considered the same is of the opinion that the petition of the Complainant for temporary custody and for alimony and support should be set down for hearing and the Respondent given notice of the day fixed for the hearing, it is, therefore,

ORDERED and DECREED by the Court that the 29 day of August, 1955, at 10:00 o'clock a.m., be, and the same hereby is, fixed as the day and time for the hearing of the petition of Delores Wallace for temporary custody of Wanda Jean Wallace and for temporary support for said child and for alimony for the Complainant pending a final determination of this cause.

It is further ORDERED and DECREED by the Court that the Respondent be given notice of the date herein fixed by service upon him of a copy of this order along with a copy of the bill of complaint heretofore filed.

Done this 16th day of August, 1955.

Hubert M. Hall
Circuit Judge.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Thomas R. Wallace 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 Delores Wallace, as Complainant, against Thomas R. Wallace, as Respondent.

Witness my hand this 16 day of August, 1955.

Alice J. Decker
Register. *AT*

DELORES WALLACE,
Complainant,

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vs.

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THOMAS R. WALLACE,
Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Comes your Complainant, the undersigned Delores Wallace, and respectfully represents and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant is sixteen years of age and a resident of Baldwin County, Alabama, her more particular address being Bay Minette, Alabama, but that she resided in Robertsdale, Alabama, until the matters and facts hereinafter complained of; that the Respondent is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, his more particular address being Robertsdale, Alabama.

SECOND:

That your Complainant and the Respondent were married on February 6, 1954, in Lucedale, Mississippi, and they have lived together as man and wife since that date with the exception of a short separation in May of 1955, until August 14, 1955, and that there was born to your Complainant and the Respondent of their marriage one child, Wanda Jean Wallace, who will be one year old on August 27, 1955.

THIRD:

That on August 14, 1955, the Respondent committed actual violence on the person of your Complainant attended with danger to her life and health by kicking her and hitting her with a limb.

FOURTH:

That the Respondent is the owner of a house and fifteen (15) acres of land in the vicinity of Robertsdale, Alabama, which is more particularly described as follows:

Begin at the Northeast corner of Northeast Quarter of Northwest Quarter of Section 35, Township 5 South, Range 4 East, run 17 chains 15 links West, thence South 10 chains 5 links, thence East 10 chains 5 links, thence North 3 chains 4 links, thence East 7 chains 10 links, thence North 7 chains 28 links, to starting point in Northeast Quarter of Northwest Quarter of Section 35, Township 5 South, Range 4 East.

That there is presently a mortgage on said property to secure a note executed by the Respondent but your Complainant does not know the exact amount due on said note at the time of the filing of this complaint. That the Respondent is an able-bodied man and is presently employed at Brookley Air Force Base in Mobile, Alabama, where he regularly works and earns approximately Two Hundred Fifty Dollars (\$250.00) a month. That your Complainant has no property of her own and no money with which to support herself or her minor child or any money with which to pay her solicitors, Chason & Stone, Attorneys at Law, Bay Minette, Alabama, who it was necessary that she employ in order to prosecute this proceeding and she is unable to work because of the attention which it is necessary that her child receive and she has no one to take care of said child other than herself. That the Respondent owns an automobile in addition to the property described above but has no other personal or real property of any substantial value to the knowledge of your Complainant except per-

owns a bank account.

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PRAYER:

That your Complainant is a fit and proper person to have the care, custody and control of her minor daughter, Wanda Jean Wallace, and the Respondent is not a fit and proper person to have such care, custody and control. That your Complainant is in the immediate need of funds with which to provide herself and her child with the necessities of life and she has no funds of her own out of which to provide such necessities pending the final determination of this cause.

PRAYER FOR PROCESS:

Your Complainant respectfully prays that this Court will cause the Respondent to be made a party to this cause by the usual writ of process requiring the said Respondent to plead, answer or demur to this complaint within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF:

The premises considered, your Complainant respectfully prays that your Honor will enter an order granting to your Complainant the temporary and complete custody and control of the said Wanda Jean Wallace pending a final determination of this cause and will, in and by the terms of said order, require the Respondent to pay to your Complainant as alimony pendente lite and as support for said minor child a reasonable sum of money pending a final determination of this cause.

And your Complainant further prays that upon a final hearing of this cause that this Honorable Court will enter an order or decree forever divorcing your Complainant from the Respondent for and on account of cruelty and will, in and by the terms of said decree, order the Respondent to pay to your Complainant for and on behalf of her said minor child a reasonable sum of money for the support, maintenance and education of said minor child and will further, in and by the terms of said decree, award to your Complainant the complete custody and control of said minor child. Your Complainant further prays that in and by the terms of said decree that this

Honorable Court will order the Respondent to pay to your Complainant a reasonable sum of money as alimony and support for herself; or, in lieu thereof, will order the Respondent to convey to your Complainant his interest to the property described above in lieu of alimony and will further require the Respondent to pay to your Complainant a reasonable sum of money for her support and maintenance.

And your Complainant further prays that this Honorable Court will, in and by the terms of its said decree, fix and determine a reasonable attorneys' fee to be paid to Chason & Stone, aforesaid, for their services in this cause and will require the Respondent to pay said reasonable attorneys' fee to said solicitors. And your Complainant prays for such other, further and different relief as in the premises will be meet and proper.

Delores Wallace
Delores Wallace

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, in and for said State and County, personally appeared Delores Wallace, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That her name is Delores Wallace and she signed the foregoing bill of complaint and the facts alleged therein are true.

Dated this 16th day of August, 1955.

Delores Wallace
Delores Wallace

Sworn to and subscribed before
me this 16th day of August, 1955.

Melburn P. Stone, Jr.
Notary Public, Baldwin County, Ala.