

733

BILL OF COMPLAINT

ODEE CARLILES)	
Complainant,)	IN THE CIRCUIT COURT OF BALDWIN
-vs-)	COUNTY, ALABAMA.
CLARENCE CARLILES)	IN EQUITY.
Respondent.)	

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA: IN EQUITY:

Comes your complainant, ODEE CARLILES, and humbly complaining against the Respondent, CLARENCE CARLILES, respectfully represents and shows unto your Honor and Honorable Court as follows:

ONE: That your Complainant and the Respondent are both over the age of Twenty One years and are both residents Seminole, Alabama, Baldwin County, and both reside at the said County and State at this time also;

TWO: That your Complainant and Respondent were married in Chipley, Florida on the 20th day of September, 1931 and lived together as husband and wife until on or about the 15th day of February, 1941 and have not lived together since that date.

THREE: That the Respondent is a man of ungovernable temper; that on or about 15th day of February, 1941 and various times prior thereto the Respondent has cursed, abused and threatened Complainant; and on to-wit; on February 15th, 1941 he did actual violence to her person by striking her on the face and on the shoulder; and his conduct is such that your Complainant has every reasonable apprehension to believe and does actually believe that if she continues to live with him he will continue to carry out his threats to do further violence to her person which will necessarily endanger her life and-or health.

FOUR: There were no children born to your Complainant and Respondent of this marriage.

WHEREFORE, THE PREMISES CONSIDERED, the Complainant prays that your Honor will by proper process make the said CLARENCE CARLILES party Respondent to this Bill of Complaint requiring him to plead, answer or demur to the same within the time and under the penalty prescribed by law and the practice of this Honorable Court.

Complainant prays that on final hearing of this cause that

this Honorable Court will give and grant unto her a decree of absolute divorce forever barring the bonds of matrimony existing between her and the Respondent CLARENCE CARLILES, and your Complainant further prays that upon the issuing of the final decree that the Complainant will be given the right to marry again should she so desire.

Clare Carliles
COMPLAINANT

Wm. M. Brown
Solicitor for Complainant

FOOT NOTE: The Respondent Clarence Carliles is requested to answer each and every allegation of the foregoing complaint numbering paragraphs One To Four inclusive but not under oath, oath hereby being expressly waived.

Clare Carliles
COMPLAINANT

Wm. M. Brown
Solicitor for Complainant

ANSWER AND WAIVER

ODEE CARLILES)

Complainant,)

-vs-)

CLARENCE CARLILES)

Respondent.)

EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes Clarence Carliles, Respondent in the above styled cause and for answer to the Bill of Complaint says that he admits Paragraph One thereof, he admits Paragraph Two thereof, and he denies Paragraph Three thereof and demands strict proof thereof and he further admits Paragraph Four of the Bill Of Complaint.

Respondent hereby waives service and notice of and demand for oral examination of the Complainant's witnesses, of the issue of commission to take testimony, notice of the time and place of the taking of the same and of the right to cross examine or introduce evidence in his own behalf; and he further consents that this cause may be submitted for final decree at any time on the pleadings of the Complainant's evidence as noted by the Register.

The Respondent hereby requests of this Honorable Court that he be given the right to marry again if he so desires upon the issuance of this final decree.

WITNESS:

E. L. Adams

O. Adams

Clarence Adams

Clarence Carliles
Respondent

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO WILLER MAE HOBBS

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine ODEE CARLILES, and Mary Ann

as witnesses in behalf of ODEE CARLILES in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein ODEE CARLILES

Complainant

and CLARANCE CARLILES

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition of the witness and return the same to our Court, with all Convenient speed, under your hand.

Witness 30th day of June, 19 41

A. S. Duch

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$

THE STATE OF ALABAMA, }
Baldwin County.

No. 735 Circuit Court, In Equity

ODDEE CARLILES Complainant

vs.

CLARENCE CARLILES Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

ON ACCOUNT OF CRUELTY

It is further ordered that the said Odee Carliles and Clarence Carliles be, and ~~they are~~ is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Odee Carliles pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may be issued against the said Clarence Carliles

It is further ordered, adjudged and decreed that said Odee Carliles shall not again marry except to said Clarence Carliles until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Clarence Carliles during the said pendency of appeal

This first day of July 1941

J. M. Hare
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }
Baldwin County.

Circuit Court, In Equity.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 193 in the cause of _____

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 193

Register

RECORDED

No. _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY
Baldwin County, Ala.

ODEE CARLLES,

COMPLAINANT

VS.

CLARANCE CARLLES,

RESPONDENT

DECREE OF DIVORCE

Filed in office this 2nd

day of July 1941

R. S. Duch

REGISTER

E. O. M. _____

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ODEE CARLIES,

Complainant

VS.

CLARANCE CARLIES

Defendant

Commission To Take Deposition

COMMISSIONER:

WILLER MAE HOBBS

Witnesses:

ANSWER AND WAIVER

RECORDED

ODEE CARLILLES,

COMPLAINANT

vs-

CLARENCE CARLILLES,

RESPONDENT.

Filed June 30, 1941

R. S. Duch, Register

ORVIS M. BROWN, ATTORNEY
ROBERTSDALE, ALABAMA

723

RECORDED

BILL OF COMPLAINT

ODEM CARL LEMS,
COMPLAINANT

vs-

CLARENCE CARL LEMS,
RESPONDENT

Filed June 30, 1941

R. S. Duch, Register

Orvis M. Brown, Attorney
Robertsdale, Alabama

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

ODEE CARLILES

COMPLAINANT

vs.

CLARENCE CARLILES

RESPONDENT

I, Willer Mae Hobbs

as Register and Commissioner

have called and caused to come before me Odee Carliles and Mary Bass

witnesses named in the requirement for Oral Examination, on the 30th day of June, 1941

1941, at the office of Orvis M. Brown,

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

truth, the whole truth, and nothing but the truth, the said Odee Carliles and Mary Bass

doth depose and say as follows:

TESTIMONY OF ODEE CARLILES:

My name is Odee Carliles, I am the complainant in this Divorce proceeding wherein Clarence Carliles is the respondent. We are both over the age of twenty-one years and residents of Baldwin County, Alabama, and have been for the last five or six years. We are both residents of Seminole, Alabama, which is in Baldwin County, Ala. We were married on the 20th day of December, 1931, in Chipley, Florida, and lived together as husband and wife until on or about February 13th, 1941, and have not lived together since that date, I have at all times been willing to live with him but due to his conduct I was unable to do so. The Respondent is a man of ungovernable temper and on or about February 13th, 1941, and various times thereto the Respondent cursed and abused me and threatened me and especially on February 13th, 1941, did actual violence to my body by striking me about the face and shoulder and his conduct has been such that I have every reason to believe and do believe that if I continue to live with him that he would continue to do actual violence to my person and to my health. I would attempt to live with him but under the circumstances of such violence I cannot live with him further. There was not any children born to us of this marriage. I have not lived with him since the last act of violence in February and I will not live with him further .

Odee Carliles

I, Willer Mae Hobbs 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 witnesses and read over to them and they signed the same in the presence of myself and Orvis M. Brown at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 30th day of June 1941.

Willer Mae Hobbs (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

ODIE CARLILLES

COMPLAINANT

vs.

CLARENCE CARLILLES

RESPONDENT

ORAL DEPOSITION

Filed June 30, 1941

R. S. Black, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

~~TESTIMONY OF MARY BASS~~

~~My name is Mary Bass, I am a resident of Seminole, Alabama, and have been for the past three years, I am personally acquainted with both of the parties in this cause of action and have been for this time of three years. I was not present when they were married but they told me that they were married in Chipley, Florida, in 1931, and I do know that they lived together until about the middle of February 1941, and have not lived together since that date. I know that they are both over the age of twenty one years and residents of Baldwin County, Alabama, residing at Seminole, Alabama. They do not have any children and have never had any born to them of this marriage.~~

TESTIMONY OF MARY BASS:

My name is Mary Bass, I am a resident of Seminole, Alabama, and have been for the past three years, I am personally acquainted with both of the parties in this cause of action and have been for this time of three years. I was not present when they were married but they told me that they were married in Chipley, Florida, in 1931, and I do know that they lived together until about the middle of February 1941, and have not lived together since that date. I know that they are both over the age of twenty one years and residents of Baldwin County, Alabama, residing at Seminole, Alabama. They do not have any children and have never had any born to them of this marriage.

I know that the respondent Clarence Carliles is a man of ungovernable temper, and he often permits his ~~marriage~~ temper to get out of control and especially when he is drinking. I know that when they were separated that it was because of a quarrel that they had, I was not present but I was informed and do believe that he did strike her about the face and shoulder as alleged in the complaint.

Mary Bass

ODEE CARLILES,

RESPONDENT

VS.

CLARANCE CARLILES

RESPONDENT

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

ANSWER AND WAIVER and Testimony of Odee and

Mary Ann

and in behalf of Defendant upon ANSWER AND WAIVER

R. L. D... ..

Register.

4

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Spring _____ Term, 193_____

ODEE CARLILES _____, Complainant

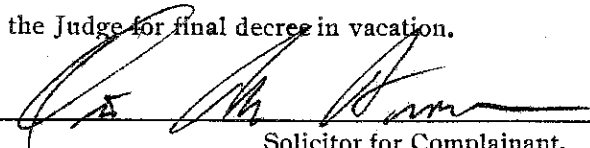
Vs.

CLARENCE CARLILES _____, Defendant

To HONORABLE R. S. DUCK _____, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Orvis M. Brown

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.


Solicitor for Complainant.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

ODEE CARLILES

COMPLAINANT

Vs.

CLARANCE CARLILES

RESPONDENT

**REQUEST FOR DECREE IN
VACATION**

Filed June 20, 1941

R. S. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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No. _____ **RECORDED**

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ODEE CARLILES,

COMPLAINANT

vs.

CLARENCE CARLILES,

COMPLAINANT

NOTE OF TESTIMONY

Filed in Open Court this 31st

day of June 1941

R. S. Dorch

REGISTER

No. 219 June 30th 1944

RECEIVED FROM Chas. M. [Signature]

Five and 00/100 DOLLARS

Commission Fee Ode Carlites vs. Clara Carlites

Amount Paid \$ 5.00 W. J. [Signature]