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The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

_____ ARCTURUS M. BISHOP _____ Complainant
 VS
 _____ WESLEY W. BISHOP _____ Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on _____ 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 _____ ARCTURUS M. BISHOP _____ is forever divorced from the said

_____ WESLEY W. BISHOP _____
 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 _____ ARCTURUS M. BISHOP & WESLEY W. BISHOP _____
 be, and ^{ARE} ~~THEY~~ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that _____ ARCTURUS M. BISHOP _____
 the ~~COMPLAINANT~~ pay the cost herein to be taxed, for which execution may issue.

This ^{5th} day of March _____

_____ 1943
J. M. Stare
 Judge Circuit Court, in Equity.

I, _____ R. S. DUCK _____, 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 3rd day
 of March, 1943

 Register of Circuit Court, in Equity.

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The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

E Q U I T Y .

ARCTURUS M. BISHOP,
Complainant,

CIRCUIT COURT OF

versus

BALDWIN COUNTY,

WESLEY W. BISHOP,
Respondent.

ALABAMA.

DEPOSITIONS OF ARCTURUS M. BISHOP AND ANNIE GILHEART,
WITNESSES FOR COMPLAINANT:

The above named witnesses appeared before me, the undersigned Commissioner, acting by agreement of parties and being by me first duly sworn, upon examination by the Solicitor for the Complainant, testified in substance, as follows:

ARCTURUS M. BISHOP.

I am the Complainant in this cause. I am over the age of twenty-one years and a lifelong resident of Baldwin County. In March, 1923 I married Wesley W. Bishop who is also a resident of Baldwin County and lived with him as his wife up to a short while ago. By this marriage we had five children, all now living, whose names and ages are as set out in my bill of complaint.

My husband and I got along fairly well together up to the past 3 years when he seems to have changed. He has become irritable and ill-tempered and flies into violent fits of temper without cause. As time passes he gets worse and worse and has struck me. So far, he has done me no harm but I cannot tell what he may do in one of his mad rages and fear that he may do me injury in one of them. I have tried to reason with him and while he seems at times sorry, he will sooner or later do the same thing all over so I feel that he has no longer the power to control himself and that I must leave him before he injures me. I have thought over this step a long time but it now seems the only thing to do, to get away from him. I cannot afford to risk my health, and possibly my life by continuing to live with him in his present condition. Fear for my own safety compels me to seek my freedom.

Arcturus M. Bishop

ANNIE GILHEART.

I have been intimately acquainted with Mrs Wesley Bishop all my life and live near their home. I think highly of both of them and have been much grieved to see the change that has come over him in the last few years. Formerly a quiet and easygoing man, of late he has developed fits of temper when he flies into violent rages and seems to lose control of himself. I have never been present when he struck his wife but can readily understand, from seeing him in one of his spells, that he is likely to do her injury some day if she continues to live with him. It is not that he wants to do her any harm but because when he has such a spell he may not realize what he is doing and she is doing the wise thing in getting away from him before something bad happens. She has been a good wife to him but of late he seems to forget this and accuses her of things for which he has not the slightest grounds. This makes me feel that he is not himself and that what she is now doing is forced on her.

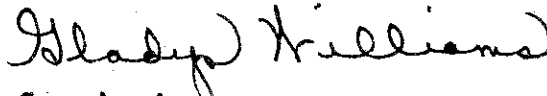
Annie Gilheart

C E R T I F I C A T E

I, Gladys Williams, acting as Commissioner by agreement of the parties in a cause pending in the Equity Side of the Circuit Court of Baldwin County, Alabama, wherein Arcturus M. Bishop is Complainant and Wesley W. Bishop, Respondent, hereby certify that I caused Arcturus M. Bishop and Annie Gilheart, witnesses for the Complainant who are known to me to come before me this day in the Town of Fairhope where, after being duly sworn by me to tell the truth, upon examination by Elliott G. Rickarby, Esq., Solicitor for Complainant, they testified as is hereinbefore written; that her testimony, after being reduced to writing was read over by them and signed by them in my presence.

I further certify that I am not of counsel or of kin to either party to this cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as Commissioner this the 2nd day of March, 1943.


Commissioner

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

Comes ARCTURUS M. BISHOP, and by this her Bill of Complaint, presented against WESLEY WILLIAM BISHOP, respectfully shows:

FIRST: The Complainant and Defendant were married in the month of March, 1923, and have since lived together as husband and wife in Baldwin County up to a short time prior to this date.

SECOND: That while Defendant was for many years a good husband and to this union there have been born five children: Wesley W. Jr., Age 16; Florence, Age 12; Irma Joyce, Age 10; John, Age 8; Barbara, Age 6; within the last three years, he has materially changed becoming irritable and difficult to live with, becoming enraged without cause and going into fits of furious anger in which he has struck Complainant. Complainant because of threats and violence now fears to continue to live with Defendant any longer, feeling that she is in danger of violence that will endanger her health and possibly her life as the Defendant seems unable to control himself when in a fit of rage.

THE PREMISES CONSIDERED, Complainant prays that Wesley W. Bishop be made party defendant to this cause and by proper process required to answer this Bill within the time required by Law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Wesley W. Bishop granting her the right to marry again should she so desire and the custody of the five children of said marriage and such other further or different relief as to equity may seem meet.

Elliott S. Rinkley
Solicitor for Complainant

ARCTURUS M. BISHOP

VS.

WESLEY M. BISHOP

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, _____

And testimony of Arcturus M. Bishop and Annie Gilbert . . . _____

and in behalf of Defendant upon _____ on response of answer and waiver _____

R. P. Baker _____ Register.

STATE OF ALABAMA,
BALDWIN COUNTY



CIRCUIT COURT, IN EQUITY.

No. () 909 Term, 194

ARCTURUS M. BISHOP, Complainant

Vs.

WESLEY M. BISHOP, Defendant

To R. S. DICK, 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 ARCTURUS M. BISHOP

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.

ELLIOT G. RICKARBY
Solicitor for Complainant.

ARCTURUS M. BISHOP,
Complainant,

VS

WESLEY WILLIAM BISHOP,
Respondent.

E Q U I T Y
CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA.

COMES Wesley W. Bishop, Respondent in the above styled cause and for answer to the Bill of Complaint, says that he denies each and every allegation of same.

Respondent hereby waives service and notice of demand for oral examination of Complainant's witnesses; of the time and place set for taking testimony, of the issue of commission to take such testimony and the right to introduce evidence in his own behalf.

He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Wesley W. Bishop
Respondent.

Before me, the undersigned Notary personally appeared this day Wesley W. Bishop who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand this the 26 day of February, 1943.

Olinette F. McCarry
Notary Public, Mobile County, Ala.

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The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

ARCTURUS M. BISHOP

Vs.

WESLEY W. BISHOP

**REQUEST FOR DECREE IN
VACATION**

Filed ~~1943~~ 3-3 1945

R. S. [Signature]

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

No. 909

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

ARCTURUS M. BISHOP

VS.

WESLEY M. BISHOP

NOTE OF TESTIMONY

Filed in Open Court this 3 ~~22~~ 1943

day of March 1943

Proctor

Register.

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RECORDED

ARCTURUS M. BISHOP

VS.

WESLEY M. BISHOP

ANSWER AND WAIVER

Filed Mar 3 1943
R. M. Bishop
by