

# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

Ella Bell Martin Sullivan, Complainant

vs.

Homer Lee Sullivan, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree 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 Ella Bell Martin Sullivan is forever divorced from the said Homer Lee Sullivan for and on account of Statutory Cruelty

It is ordered Adjudged and Decreed that the Complainant Ella Bell Martin Sullivan be and she hereby is permitted to resume the use of her former name of Ella Bell Martin.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Ella Bell Martin Sullivan the Complainant pay the cost herein to be taxed, for which execution may issue.

This 10th day of March, 1951

Jefferson J. Marshallberry, Jr.  
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.

RECORDED

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

**The State of Alabama**  
**BALDWIN COUNTY**

In Circuit Court, In Equity

Complainant.

vs.

Respondent.

**DIVORCE DECREE**

FILED

MAR 10 1951

AULIE J. DUCK, Register

ELLA BELL MARTIN SULLIVAN )  
COMPLAINANT )

VS )

HOMER LEE SULLIVAN )  
RESPONDENT )

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

IN EQUITY

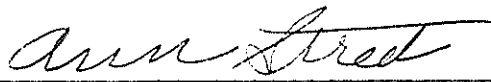
NO. \_\_\_\_\_

C E R T I F I C A T E

I, ANN STREET, The Commissioner agreed upon by the parties hereto, to take the testimony herein, hereby certify that in pursuance of the powers conferred upon me by said agreement, I caused to appear before me the witnesses requested, that is to say, ELLA BELL MARTIN SULLIVAN, and F. G. SCARBROUGH; that said witnesses appeared before me at 74 Main Street, Prichard, Alabama, <sup>on the 9th day of March, 1951</sup> that they were known to me; that I thereupon caused them and each of them to be duly sworn according to law, after which they were orally examined by Shelton Street, Solicitor for Complainant, and in answer to said oral interrogatories they did testify as hereinafter set out; that I then caused their said testimony to be reduced to writing as near as might be in their identical language in narrative form; that their said testimony was then read over to said witnesses who did assent to and subscribe the same in my presence, and in the presence of Shelton Street, Solicitor for Complainant.

I FURTHER CERTIFY THAT I am not of kin nor counsel to either of the parties to this cause and have no interest whatsoever in the result thereof.

IN WITNESS Whereof I have hereunto set my hand this the 9th day of March, 1951.

  
COMMISSIONER

ELLA BELL MARTIN SULLIVAN		IN THE CIRCUIT COURT OF BALDWIN
COMPLAINANT		
VS		COUNTY, ALABAMA
HOMER LEE SULLIVAN		IN EQUITY
RESPONDENT		NO. _____

DEPOSITION OF ELLA BELL MARTIN SULLIVAN

My name is ELLA BELL MARTIN SULLIVAN, I am the Complainant in the above styled cause, and am the wife of the Respondent, HOMER LEE SULLIVAN, I am and have been for more than one year next before this suit was started a bona fide resident citizen of the State of Alabama, Baldwin County, more than 21 years of age. The Respondent is a resident citizen of the State of Alabama, Baldwin County and was more than 21 years of age at the time this suit was started. The Respondent and I were lawfully married to each other at Lucedale, Mississippi during the year of 1950, and lived together as husband and wife in Baldwin County, Alabama for some time thereafter. No child was born to us and none is expected. Right away after my marriage to him, the Respondent began to treat me with great cruelty and personal abuse. He committed actual violence on my person attended with danger to life or health. From his conduct there was reasonable apprehension of further such violence so attended with like danger. He drank heavily, and when drinking was almost insanelly jealous. He accused me of all sorts of misconduct without any reason for his suspicions. Finally, he got me cornered, said he was going to finish me this time, and struck me several times with his fists; then held me and kicked my shins. Although stunned, I escaped from the room and left. I met Mr F G Scarbrough as I left, who engaged the Respondent in conversation and aided my escape. I have not returned to the Respondent, and have no intention of doing so, as I firmly believe my life would be in dire danger should I try to live on with him.

*Ella Bell Martin Sullivan*  
ELLA BELL MARTIN SULLIVAN

ELLA BELL MARTIN SULLIVAN  
COMPLAINANT

VS

HOMER LEE SULLIVAN  
RESPONDENT

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

IN EQUITY

NO. \_\_\_\_\_

DEPOSITION OF F. G. SCARBROUGH

My name is F. G. SCARBROUGH. I know the parties to this suit, and have known them for several years, since before they were married. The Complainant is and has been for more than one year next before the filing of this suit a bona fide resident citizen of the State of Alabama, Baldwin County, and was more than 21 years of age at the time this suit was started. The Respondent is a resident of Baldwin County, Alabama and was more than 21 years of age at the time this suit was started. The Complainant and the Respondent were lawfully married to each other in Lucedale, Mississippi, during the year of 1950, and lived together as husband and wife for some time thereafter in Baldwin County, Alabama. No child was born to them and none is expected. Soon after their marriage, the Respondent began to treat the Complainant with great cruelty, culminating in personal attacks and beatings. He drank considerably, and when drinking was suspicious and jealous of his wife, the Complainant. After several incidents of cruelty, he came in drinking, beat her severely with his fists, and she ran from the room. I started to see what the trouble was, met her on her way out, began to talk to him as he came out of the room, and she left. She has not returned to him and I believe her life as well as her health would be in too much danger should she try to do so. I base this belief on my observation of his conduct toward her during the time they lived together as husband and wife.

*F. G. Scarbrough*

ELLA BELL MARTIN SULLIVAN

Complainant

No.

Vs.

HOMER LEE SULLIVAN

Defendant

IN THE CIRCUIT COURT OF  
MOBILE 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 allegation 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. I agree that Ann Street, of Prichard, Alabama is a suitable person to take the testimony in this cause and may do so without a Commission from the Court. I further agree to pay Complainant \$30 per month alimony for 12 months.

WITNESSES:

Ann Street  
Mary Harrell

Homer L. Sullivan  
Defendant.

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a NOTARY PUBLIC in and for said State and County, do hereby certify that \_\_\_\_\_, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, \_\_\_\_\_ executed the same voluntarily on the day same bears date.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Filed, \_\_\_\_\_  
JAMES A. CRANE, REGISTER.

NOTARY PUBLIC

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I agree that Ann Street of Prichard, Alabama is a suitable person to take the testimony herein, without a Commission from the Court; and to accept \$30 per month for the ensuing 12 months as alimony, this to be all alimony or court costs in full ever to be expected or required of him.

Ella Bell Martin Sullivan  
COMPLAINANT

RECORDED

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

E LLA BELL MARTIN SULLIVAN  
COMPLAINANT

VS.

HOMER LEE SULLIVAN  
RESPONDENT

ANSWER AND WAIVER

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

**FILED**

MAR 8 1951

ALICE J. DUCK, Register

Register.

ELLA BELL MARTIN SULLIVAN  
COMPLAINANT

VS

HOMER LEE SULLIVAN  
RESPONDENT

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

IN EQUITY

NO. \_\_\_\_\_

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Comes now your Complainant, ELLA BELL MARTIN SULLIVAN, and, humbly complaining, presents this her Bill of Complaint against the Respondent, HOMER LEE SULLIVAN, and shows:

O N E

Complainant is and has been for more than one year next preceding the filing of this Bill of Complaint a bona fide resident citizen of the State of Alabama, Baldwin County, and is more than 21 years of age. The Respondent is a resident of Baldwin County, Alabama more than 21 years of age.

T W O

The Complainant and the Respondent were lawfully married to each other during the year of 1950, at Lucedale, Mississippi, and lived together as husband and wife for some time thereafter in Baldwin County, Alabama. No child was born to us and none is expected.

T H R E E

After his marriage to her, the Respondent committed actual violence on the person of the Complainant attended with danger to her life or health; from his conduct there was reasonable apprehension of further such violence so attended with like danger.

P R A Y E R

THE PREMISES CONSIDERED, Complainant prays that the Respondent be made the party defendant hereto in a manner provided by law; that upon a final hearing herein a decree be rendered forever dissolving and annulling the bonds of matrimony heretofore existing between the parties hereto; that in said decree and as a part thereof the Complainant be permitted to resume the use of her maiden name of ELLA BELL MARTIN.

And Complainant prays for general relief.

Sheldon Street  
SOLICITOR FOR COMPLAINANT

Ella Bell Martin Sullivan  
COMPLAINANT



NO 2616

RECORDED

*Bill of Complaint*

FILED

MAR 7 1951

ALICE J. DUCK, Register

ELLA BELL MARTIN SULLIVAN  
COMPLAINANT

No. .... VS. ....

HOMER LEE SULLIVAN  
RESPONDENT

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA  
IN EQUITY

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated, March 8, 1951

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

FILED, 3-10-51

*W. J. French* Register

Bill of Complaint Answer and  
Waiver Depositions of ELLA BELL MARTIN  
SULLIVAN and MR. F. G. SCARBROUGH

*Shelton Street*  
Solicitor--for Complainant.

FOR RESPONDENT

Solicitor--for Respondent.

**RECORDED**  
No. \_\_\_\_\_

ELLA BELL MARTIN SULLIVAN  
COMPLAINANT

Vs.

HOMER LEE SULLIVAN  
RESPONDENT

**ORDER OF SUBMISSION  
NOTE OF EVIDENCE**

Terms, 19\_\_\_\_

, 19\_\_\_\_

Ent. Min. No. \_\_\_\_\_, Page \_\_\_\_\_