

3133

EDNA B. WALLACE	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA,
VS	Ø	IN EQUITY
GEORGE H. WALLACE	Ø	
RESPONDENT	Ø	

Comes now the Respondent in the above styled cause and for answer to the Complainant's bill of complaint says:

1.

That he admits the allegations in Section One thereof.

2.

That he admits the allegations contained in Section Two thereof.

3.

Your Respondent denies the allegations contained in Section Three of the Bill of Complaint.

4.

Your Respondent neither admits or denies the allegations contained in Section Four of the Bill of Complaint, but demands strict proof of the same.

5.

For Answer to Section Five of the Bill of Complaint the Respondent says: That he admits that he and the Complainant have purchased the items listed in Section 5; but says that they were in most part paid for by the Respondent. That some of the items listed are not paid for. That he has not threatened to sell or remove the property.

6.

The Respondent denies the allegations contained in Section 6 of the Complainant's bill of complaint.

WILTERS & BRANTLEY

BY: Albert M. Brantley
Solicitor for the Respondent

3/33

EDNA B. WALLACE

COMPLAINANT

VS

GEORGE H. WALLACE

RESPONDENT

ANSWER

FILED

JAN 15 1954

ALICE J. DUCK, Register

STATE OF NEW YORK

COUNTY OF ...

IN SENATE

January 14, 1954

REPORT OF THE

COMMISSIONERS OF THE STATE OF NEW YORK

IN SENATE

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COMPLAINANT

VS

GEORGE H. WALLACE

RESPONDENT

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

Comes now the Respondent in the above styled cause and amends his answer to the Complainant's Bill of Complaint to read as follows:

1.

He admits the allegations contained in Section One thereof.

2.

He admits the allegations contained in Section Two thereof.

3.

He denies the allegations contained in Section Three thereof.

4.

He admits the Complainant receives \$55.10 monthly from the Government of the United States, but denies that this is her sole income .

5.

For answer to Section Five of the Bill of Complaint, the Respondent says: That he admits he and the Complainant have purchased the items listed in Section Six but says that they were in most part paid for by the Respondent. That some of the items listed are not paid for. That he has not threatened to sell or remove the property. That the power saw pick up, hogs, listed therein were sold jointly by the Complainant and Respondent. That in addition to the property listed therein the Complainant and Respondent purchased the following property: A car, a washing machine, two bed spreads, and two foamite pillars, a gas heater, approximately 85 chickens, and 5 head of cattle.

6.

The Respondent denies the allegations contained in Section 6 of the Complainant's Bill of Complaint.

WILKERS & BRANTLEY

BY:

John M Brantley
Solicitor for the Respondent

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon George H. Wallace to appear within thirty days from the service of this writ in the Circuit Court to be held for said County at the place of holding same, then and there to answer the Bill of Complaint of Edna R. Wallace.

WITNESS my hand this 28th day of October, 1953.

Alvin F. Rucker
Register

EDNA B. WALLACE,)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
GEORGE H. WALLACE,)	IN EQUITY
Respondent.)	

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

Your Complainant, Edna B. Wallace, respectfully represents and shows unto your Honor as follows:

1. Your Complainant is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama, and has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of this Bill of Complaint; that the Respondent is over the age of twenty-one years and is a resident of Baldwin County, Alabama.
2. ~~Your Complainant and Respondent were lawfully married~~ on or about, to-wit: March 4, 1950, at Lucedale, Mississippi, and lived together as man and wife until on or about June, 1953. There were no children born of this marriage.
3. Your Complainant avers and charges that the said Respondent did at various times prior to October 25, 1953, make numerous threats of doing her bodily and physical harm; that on to-wit; October 25, 1953, the said Respondent did assault, beat, hit and

strike Complainant; that Respondent has committed actual violence on her person attended with danger to her health or life, and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person attended with danger to her life and health.

4. Your Complainant receives from the government of the United States the sum of \$55.10 monthly, which amount is your Complainants sole income and she alleges and avers that this amount is not sufficient to support and maintain her in a manner commensurate with her station in life.

5. Since the date of your Complainants and the Respondents marriage they have purchased the following household effects, appliances, livestock and equipment, to-wit:

- 1 Chevrolet Carryall (Station Wagon)
- 1 Power Saw with extra motor
- 1 $\frac{1}{2}$ Ton Truck
- 1 Outboard Motor
- 1 Electric Fence
- 1 Electric Stove
- 1 Tractor with all new equipment
- 1 Planter
- 1 Disc
- 5 Hogs
- 1 Living Room Suite
- 1 Set Silverware
- 1 Perculator
- 1 Lawn Mower
- 1 Electric Mixer
- 1 Television Set
- Various Kitchen Utensils
- 1 Sink
- 1 House Trailer

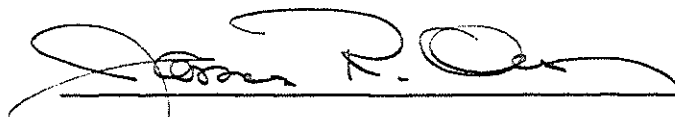
Your Complainant alleges and avers that the above items were purchased jointly by her and the Respondent for the most part, but that some of the items were purchased solely by your complainant and some of the items were purchased solely by the Respondent.

Your Complainant further alleges and avers that not all of the above items have been paid for in full, but that your Complainant and the Respondent own an equity in those that have not been paid for in full. Your Complainant alleges and avers that the Respondent has threatened to take and sell part or all of the above described property without her consent and your Complainant alleges that she believes that it is necessary that the Court enter an order enjoining the said Respondent from disposing of the said

property or any of it or removing the same from the State of Alabama to protect her interest in the said property.

6. Your Complainant alleges that it has been necessary for her to employ an Attorney to represent her in this suit and that she is without funds to pay her said Attorney for services rendered and to be rendered by him in this cause.

The premises considered, your Complainant makes the said George H. Wallace a part Respondent to this Bill of Complaint, and in order that the Complainant may have the relief prayed for herein, may it please the Court to cause the States Writ of Subpoena to be issued direct to the said George H. Wallace commanding him to plead, answer or demur to this Bill of Complaint within the time required by law and that on a final hearing of this cause that your Complainant be granted a divorce from the said Respondent; that she be awarded a lump sum for alimony from the time of the commencement of this suit up to the date of the final decree rendered in this cause and also fix a reasonable monthly allowance to be paid to her thereafter as permanent alimony; that a lien be fixed and established on all of the property owned by the Respondent in Baldwin County, Alabama, to secure payment of the amounts decreed paid to your Complainant; that the Court will ascertain and fix a reasonable amount to be paid by the Respondent to your Complainant's Attorney for services rendered and to be rendered in this cause; that the Court will make an equitable division of the items listed in paragraph 5 above between your Complainant and the Respondent; that the Court will render an order enjoining the said Respondent from disposing of or removing from the State of Alabama all property listed in paragraph 5 above and that your Honor grant such other further and different relief as may be just and proper in the premises.

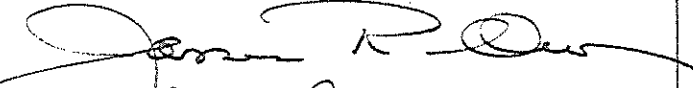
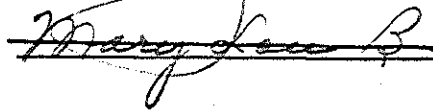

Solicitor for Complainant.

STATE OF ALABAMA)
*
BALDWIN COUNTY)

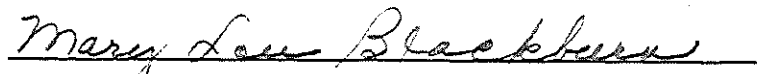
Before me, Mary Lou Blackburn, a Notary Public,
in and for said County and State personally appeared James R. Owen,

who first being duly and legally sworn deposes and says:

That he is informed and believes and on such information and belief avers that the facts stated in the foregoing Bill of Complaint are true and correct.

Sworn to and subscribed before me on
this the 28th day of October, 1953.

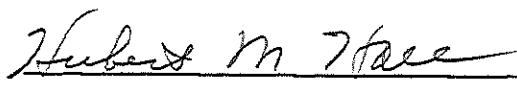

Notary Public, Baldwin County, Alabama.

ORDER

TO GEORGE H. WALLACE:

You, the said George H. Wallace, are hereby enjoined from disposing of the property listed in paragraph 5 of the Bill of Complaint above, or any of the said property, or from removing any of the said property from the State of Alabama, and this injunction you are required to obey under the penalties of the law until further orders of this Court.

Witness my hand this 28 day of October, 1953.


Judge.