

DIVORCE DECREE

MOORE PRG. CO.

The State of Alabama, Baldwin County

Circuit Court, In Equity

Lena Bell McInvale Forster

, Complainant

vs.

Fred Forster

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ on ~~answer and waiver~~ 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 Lena Bell McInvale Forster is forever divorced from the said Fred Forster 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 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 Fred Forster the Respondent pay the cost herein to be taxed, for which execution may issue.

This 27 day of February, 1954

Hubert M. Hall

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.

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

FILED

FEB 27 1954

ALICE J. DUCK, Register

Lena Bell McInvale Forster, the complainant, a witness in her own behalf, being first duly sworn, testified as follows:-

My name is Lena Bell McInvale Forster and I am the complainant in this divorce case now pending against Fred Forster in the Circuit Court of Baldwin County, Alabama. The respondent and myself are each over twenty-one years of age and each of us is a bona fide resident citizen of Baldwin County, Alabama and have been such for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I am the lawful wife of the respondent, we having been lawfully married to each other on August 10th., 1953 at Pascagoula, Mississippi. After our marriage we lived together as husband and wife until about the first of November, 1953. No children have been or are to be born of this marriage.

Our separation came about as a result of the actual violence which my husband committed on my person attended with danger to my life or health. I did not leave him as I had no other place to live but he left me and then his relatives put me out and I have had to stay with friends from place to place since that time. On several different occasions during the short time that we lived together my husband committed actual violence on my person attended with danger to my life or health by striking me and beating me with his hands and fists about my face, head and body. He also cursed me and threatened me and the beatings which he gave me caused marks and bruises on my person. Most of our trouble was caused by my husband's drinking and because he tried to force me to submit to abnormal and unnatural sexual relations with him. When I refused he jumped on me and beat me and cursed me and made severe threats to do me bodily harm. I do not ever intend to live with this man because I am afraid of him and I know that he will commit further actual violence on my person attended with danger to my life or health.

I wish this court to grant me an absolute divorce from him, incorporate in the decree the agreement on file in this cause and grant me permission to remarry in the event I so care.

Lena Bell McInvale Forster

Mrs. R. F. Parmer, a witness for the complainant, being first duly sworn, testified as follows:-

My name is Mrs. R. F. Parmer and I am over twenty-one years of age and a resident of Mobile County, Alabama. I know Lena Bell McInvale Forster, the complainant in this divorce case and her husband, Fred Forster, the respondent. They are each over twenty-one years of age and each of them is a bona fide resident citizen of Baldwin County, Alabama and have been such for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I know that they are husband and wife and I recall the occasion when they were lawfully married to each other during the month of August, 1953 at Pascagoula, Mississippi. After their marriage they lived together as husband and wife in Baldwin County for only about two months. I recall the occasion of their separation but I know nothing about it at all, except what Mrs. Forster told me. I do know that she is afraid of him and I did see some marks and bruises on her which she said were caused by him beating her.

I am not related to either party to this cause either by blood or marriage and have no interest in it. I know that the complainant is a lady of good character, honest and trustworthy and I would certainly believe any statement made by her on oath.

Mrs R F Parmer

CERTIFICATE

I, Roselle C. Finch, the commissioner agreed upon in this cause, hereby certify that I, after having first given Graham A. Sullivan as Solicitor for the complainant and Lena Bell McInvale Forster and Mrs. R. F. Parmer, witnesses for the complainant proper notice, did cause and direct them to come before me in the office of Graham A. Sullivan, 412-413 Van Antwerp Building, Mobile, Alabama on February 26th., 1954, and having had them made known to me, they were by me sworn to speak the truth, the whole truth and nothing but the truth, and in answer to interrogatories propounded to them by Graham A. Sullivan as Solicitor for the Complainant herein, they testified as is hereinabove set out, and their testimony was by me reduced to writing as nearly as might be in the identical language of said witnesses, and having been read over by them and to them by me, they in my presence and in the presence of each other subscribed their names to said testimony as correct as testified by them. The respondent having failed to answer, plead or demur and having waived notice of the taking of testimony was not present in person or by counsel, no cross-examination was had.

I do hereby certify that I am not of counsel nor of kin to any of the parties to this cause, and I am not in anywise interested in the result thereof. I further certify that the testimony as herein written is true and correct as stated by the witnesses.

Dated

February 26, 1954

Roselle C. Finch

Commissioner.

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Fred Forster

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State.

Lena Bell McInvale Forster  
against Fred Forster

Herein fail not. Due return make of this writ as the law directs.

Witness this 20th day of November, 1953

W. J. H. H. H., Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

The State of Alabama  
Baldwin  
..... COUNTY.

IN CIRCUIT COURT, IN EQUITY

Lena Bell McInvale Forster

vs.

Fred Forster

## SUMMONS

Returned by the Sheriff and filed in office, this  
the ..... day of ....., 19.....  
....., Register.

Received in office, this the ..... day of

....., 19.....

....., Sheriff.

I have executed the within by leaving a copy  
thereof with.....

defendant named herein, on this the.....

day of ....., 19.....

....., Sheriff.

By....., Deputy.

Lena Bell McInvale Forster,  
Complainant,  
vs  
Fred Forster,  
Respondent.

In the Circuit Court of Baldwin  
County, Alabama.  
In Equity  
No. \_\_\_\_\_

TO THE HONORABLE JUDGES OF SAID COURT, SITTING IN EQUITY:-

1. Complainant avers that she and respondent are each over twenty-one years of age and that each of them is a bona fide resident citizen of Baldwin County, Alabama and have been such for a period of more than one year next immediately preceding the filing of this bill of complaint.

2. Complainant avers that she is the lawful wife of the respondent, they having been lawfully married to each other on August 10th., 1953 at Pascagoula, Mississippi.

3. Complainant avers that since her marriage to respondent he has committed a crime against nature by forcing himself upon her in unnatural and abnormal sexual relations and in so doing respondent did also commit actual violence upon the person of complainant and from his conduct and actions towards her therein there was and is reasonable apprehension of such violence.

4. Complainant avers that she is without funds with which to support herself and with which to pay her solicitor for his services and that the respondent is an able bodied man, regularly self employed in the business known as the Villa Service Station at Daphne, Baldwin County, Alabama, that he owns real property and personal property in Baldwin County, Alabama and is well able to furnish complainant with money with which to support herself and pay her solicitor.

## PRAYER FOR PROCESS

Complainant prays that upon the filing of this bill of complaint that proper process issue to Fred Foster, making him a party respondent and requiring him to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

## PRAYER FOR RELIEF

Complainant prays that upon the filing of this bill of complaint that your Honors will direct the register of this Honorable Court to hold a reference to ascertain what amount of money respondent should be required to pay to complainant as alimony pendente lite and permanent for the support of herself and what amount he should pay to her for the services of her solicitor in this cause and that respondent be ordered forthwith to pay such sums as are ascertained by the Register to be reasonable



and complainant prays for all such other, further of different relief to which she may be entitled, the premises considered.

Lena Bell McGiniale Farster

Complainant

Graham A. Sullivan

Solicitor for the Complainant - - - - -

FILED  
NOV 20 1953  
ALICE L. DICK, *Reynolds*

3145

Lena Bell McInvale Forster,  
Complainant,  
vs  
Fred Forster,  
Respondent.

)  
)  
)  
)  
)  
)  
)

In the Circuit Court of Baldwin  
County, Alabama.  
In Equity  
No. \_\_\_\_\_

Comes now Lena Bell McInvale Forster, complainant in the above styled cause and amends the complaint heretofore filed by her to read as follows:-

TO THE HONORABLE JUDGES OF SAID COURT, SITTING IN EQUITY:-

1. Complainant avers that she and respondent are each over twenty-one years of age and that each of them is a bona fide resident citizen of Baldwin County, Alabama and have been such for a period of more than one year next immediately preceding the filing of this bill of complaint.

2. Complainant avers that she is the lawful wife of the respondent, they having been lawfully married to each other on August 10th., 1953 at Pascagoula, Mississippi, of which marriage there is no issue.

3. Complainant avers that respondent has committed actual violence on her person attended with danger to her life or health or that from his conduct towards her there is reasonable apprehension of such violence, that she has separated from his bed and board for this reason and remains so separated.

PRAYER FOR PROCESS

Complainant prays that upon the filing of this bill of complaint that proper process issue to Fred Forster, making him a party respondent and requiring him to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon the final hearing hereof that your Honors will grant her an absolute divorce from the respondent, incorporate in the decree the agreement on file in this cause and grant her permission to remarry in the event she should so care.

Lena Bell McInvale Forster  
Complainant

Graham A. Sullivan

Solicitor for the Complainant ---

From [illegible] [illegible]

Confidential

to

Mr. Tolson

Washington

Dear Mr. Tolson: [illegible]

[illegible]

I [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

FILED  
FEB 27 1954  
ALICE J. DICK, Registrar

Lena Bell McInvale Forster,  
Complainant,  
vs  
Fred Forster,  
Respondent.

In the Circuit Court of Baldwin  
County, Alabama.  
In Equity  
No.

Complainant prays that upon the filing of this bill of complaint that your Honors will direct the register of this Honorable Court to hold a reference to ascertain what amount of money respondent should be required to pay to complainant as alimony pendente lite and permanent for the support of herself and what amount he should pay to her for the services of her solicitor in this cause and that respondent be ordered forthwith to pay such sums as are ascertained by the Register to be reasonable

and complainant prays for all such other, further of different relief to which she may be entitled, the premises considered.

Lena Bell McInale Farster

Complainant

Graham A. Sullivan

Solicitor for the Complainant - - - - -

3145'

FILED  
NOV 20 1955  
ALICE J. DUCK, *Reynolds*

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Fred Forster

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State.

Lena Bell McInvale Forster

against Fred Forster

Herein fail not. Due return make of this writ as the law directs.

Witness this 20th day of November, 1953

Wesley J. Remick, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529



RECORDED

No. 3145

Page

The State of Alabama

Baldwin

COUNTY.

IN CIRCUIT COURT, IN EQUITY

Lena Bell McInvale Forster

vs.

Fred Forster

SUMMONS

Returned by the Sheriff and filed in office, this

the day of, 19

Register.

Returned 13 day of Jan 1954

Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff

By

Deputy Sheriff

Received in office, this the 20 day of

1953

Sheriff.

I have executed the within by leaving a copy

thereof with

defendant named herein, on this the

day of, 19

Sheriff.

By, Deputy.

*Lena Bell McInnis Forster,*

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

*Fred Forster,*

ORDER OF SUBMISSION

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

Dated,

NOTE OF EVIDENCE

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

FOR COMPLAINANT

*Original Bill of Complaint  
Amended Bill of Complaint  
Answer, Waiver and Agreement  
Depositions of Lena Bell McInnis Forster  
and Mrs. R. B. Farmer.*

*Graham A. Sullivan*  
Solicitor—for Complainant

FOR RESPONDENT

FILED, *2-27-54*  
*Wesley J. Smith* Register

*J. C. Beebe*  
Solicitor—For Respondent

*M*  
No. \_\_\_\_\_

*Lena Belle Mc Invalle Forster,*

Vs.

*Fred Forster,*

ORDER OF SUBMISSION  
NOTE OF EVIDENCE

FILED  
FEB 12 1954  
Terms, 19\_\_\_\_  
\_\_\_\_, 19\_\_\_\_

Ent. Min. No. \_\_\_\_\_, Page \_\_\_\_\_  
ALICE J. DWCK, Register

In the Circuit Court of Baldwin  
County, Alabama.  
In Equity  
No.

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

I am the complainant in the above entitled cause and I am without funds with which to support myself and with which to pay my solicitor for his services in this cause and the respondent, Fred Forster, is a resident of Baldwin County, Alabama and he is an able bodied man, regularly self employed and owning real and personal property in Baldwin County, Alabama; that he has a substantial income and is well able to furnish me with money with which to pay the above named. I wish this Court to direct the Register thereof to hold a reference to ascertain what amount of money the respondent should be required to pay to me for these purposes.

Subscribed and sworn to before me this the 13th. day of November, 1953.

Notary Public, Mobile County, Alabama.

3145

FILED

NOV 28 1953

RECORDED

*(Faint handwritten notes at the bottom of the page)*

Regatta

3/15/50

In the Circuit Court of Baldwin County, Alabama.  
In Equity No. \_\_\_\_\_

Lena Bell McInvale Forster, Complainant,  
vs  
Fred Forster, Respondent.

Depositions of Lena Bell McInvale Forster and Mrs.  
R. F. Parmer, witnesses for the complainant.

Mrs. Alice Duck, Register  
Circuit Court of Baldwin County  
Bay Minette, Alabama ---

Graham A. Sullivan  
ATTORNEY-AT-LAW  
VAN ANTWERP BUILDING  
MOBILE, ALABAMA

My commissioner's fee \$10.00 has  
not been paid.

Roscoe C. Finch  
Commissioner.



Rosell C. Finch  
Commissioner

Rosell C. Finch  
Commissioner

Rosell C. Finch  
Commissioner

Lena Bell McInvale Forster, Complainant

No. Vs.

Fred Forster, 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 <sup>amended</sup> Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said <sup>amended</sup> Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by disposition 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.

Fred Forster  
Defendant

Note: The space below is intended for "Agreements Between the Parties"

The parties hereto agree as follows:-

That respondent pay to complainant in full settlement of all claims for alimony pendente lite and permanent the sum of Twelve Hundred Fifty and no/100 (\$1,250.00) Dollars cash.

That respondent pay to Graham A. Sullivan for his services as Solicitor for the Complainant herein the sum of One Hundred Twenty-five (\$125.00) Dollars cash. That Roselle C. Finch act as commissioner without the issuance of commission.

That respondent pay all court costs incurred herein.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands this the 26th. day of February, 1954.

Lena Belle McInvale Forster  
Complainant

Roselle C. Finch  
Witness

Fred Forster  
Respondent

W. C. Beebe  
Witness

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 \_\_\_\_\_



RECORDED

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

Vs.

**ANSWER AND WAIVER**

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

FILED

27.954

ALICE J. DOCK, Register

Register