

1035

Cleavie M. Fuller
Complainant,

In Circuit court of Baldwin County Alabama,
In Equity.

vs

Wm. H. Fuller,
Defendant.

Comes Cleavie M. Fuller, your Oratrix, and humbly complaining showeth
to the Court;

First.

That she is over twenty one years of age and a resident of Baldwin county, Alabama and has resided in said state of Alabama for more than three years next before filing this bill of Complaint, and that Wm. H. Fuller the defendant in this case is more than twenty one years of age and a resident at this time of Montgomery, in Montgomery county Alabama.

Second;

That Oratrix was lawfully married to Defendant in Montgomery Alabama on the 15th day of July 1940, and faithfully lived up to her marriage vows rendering due Respect and obedience to Defendant just as long as he would treat her with the affection and respect that he was due to do, but that Defendant was of a violent temper and ungovernable; and would threaten to kill or leave Defendant for even the most trivial things and without any fault of hers; and committed violence on her person attended with danger to her life and health and when remonstrated with by friends became very angry and voluntarily abandoned Oratrix, her bed and board and has never returned to live with me since and contributed and thing to my support. And that said separation took place in Baldwin county Alabama. about the June 1st 1941.

Premises considered, Oratrix prays this honorable Court to take jurisdiction of this case and issue subpoena to Defendant under the rules and subject the penalties of the law provided in such cases; and may it please the Court grant a decree forever dissolving the bonds of matrimony existing between her and Defendant and allowing her to marry again if she thinks best. and as in duty bound Oratrix will ever pray, etc.

Note:-

The Defendant is required to answer, plead or demur to each allegation in the foregoing bill of complaint but oath is waived.

W. E. D. Zimmerman
Solicitor for Complainant.

W. E. D. Zimmerman
Solicitor for Complainant.

Clevie Fuller, Complainant, | In Circuit Court in equity.

vs

Wm. H. Fuller, Defendant.)))
)

Now comes Wm. H. Fuller, defendant in the above stated cause, and makes answer to the bill of Complaint filed against him in said cause as follows;

First. Defendant admits the marriage at the time and place stated in the first paragraph of said bill.

Second.-- Defendant denies each and every other allegation contained in said bill and demands strict proof thereof.

Wm. H. Fuller

Defendant.

And now comes the Defendant Wm. H. Fuller in the above stated cause and accepts service of summons and waives service thereof by the Sheriff.

And Defendant further waives legal notice of the time and place of taking testimony by Plaintiff and agrees for said cause to be submitted for final decree.

Wm. H. Fuller

Defendant.

I, W. H. Fuller hereby certify that Wm. H. Fuller who is known to me and whose name is signed to the answer and waiver in the above stated cause, and whose name is signed thereto, executed the same in my presence and before me this ___ day of December 1943.

Given under my hand this 14th day of December 1943.

W. H. Fuller

Notary Public in and for the
County of _____
in said state.

1035-
[Illegible text]

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(

Mr. H. H. [Illegible]

Now comes the [Illegible] defendant in the above stated cause, and makes an

answer to the bill of [Illegible] filed against him in said cause as follows:

First, [Illegible] that the [Illegible] was [Illegible] in the [Illegible]

Second, [Illegible] that the [Illegible] was [Illegible] in said

[Illegible signature and text]

[Illegible text]

RECORDED

[Illegible text]

Cleavie W Fuller.

VS.

Wm ~~#~~ Fuller.

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 Witness, for Complainant.

and in behalf of Defendant upon _____ Answer & Waiver.

Reid Register.

The State of Alabama, {
Baldwin County }

CIRCUIT COURT

To

Ed Jack

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

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Cleavie M Fuller.

Complainant
and Wm W Fuller.

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 20th day of Dec. 1943

R. L. Welch

REGISTER

COMMISSIONER'S FEE, \$ None

WITNESS' FEES, \$ _____

I.E.W.Holt under and by the authority of the commission issued to me out of the circuit court of equity of Baldwin in county Alabama, to take and certify the testimony of the witnesses Clevie M. Fuller and Myrtle E. Hall, in a case pending in said court between Mrs. Clevie Fuller Complainant and Wm. H. Fuller Defendant, have called and caused to come before me said witnesses, who being duly sworn to speak the truth, the whole truth and nothing but the truth, do testify as follows:

The witness Clevie M. Fuller says; I am the Complainant in the above stated case and Wm. H. Fuller is my husband, we were married in Montgomery county Alabama on the 15th day of July 1940. I am 43 years old and Defendant is about 49; he resides in Montgomery county Alabama but I have my residence in Baldwin county Alabama. I have resided continuously in said state of Alabama for more than three years before filing this bill. *Continuously*

We do not live together now and have not since June 1942; when he voluntarily abandoned me, my bed and board in said county of Baldwin Alabama and has never lived with me since or done any thing towards my support. He also threatened my life on separate occasions was of a violent temper and dangerous, and inflicted violence on my person which was attended with danger to my health and life, and for which it became necessary in my judgement for us to separate.

Clevie M. Fuller

The Witness Myrtle E. Hall being first duly sworn says;

I know each of the parties to this suit, they are husband and wife, were married in Montgomery County Alabama about four years ago, Complainant is 43 years old and resides in Baldwin county Alabama and defendant is about fifty and resides in Montgomery county Alabama, Complainant has resided continuously in said state of Alabama immediately next before filing this bill for more than three years,

Complainant and defendant do not live together and have not since June 1942 for the reason first, Defendant being of a violent and uncontrollable temper, threatened the life of Complainant, and such threats were attended with danger to her life and health and caused reasonable apprehension that he would do her great bodily harm, besides Defendant voluntarily abandoned Complainant her bed and board more than three years ago without cause on her part, I am living in an adjoining apartment with her and that is how I know the facts to which I testify.

Myrtle E. Hall

The witness Herbert Pitts being first sworn says; I know each of the parties to this suit, they are husband and wife, were married in Montgomery Alabama in 1939, Complainant is 39 years old and resides in Baldwin County Alabama where she has resided

continuously for a period of more than three years before this suit. Defendant resides in Montgomery County and is about 50 years of age.

They do not live together and have not for the last two years because of his cruelty to Complainant, which caused some disagreement, and he voluntarily abandoned her in Baldwin County Alabama about two years ago or something over.

Samuel H. Pitts

I, the commissioner in the above stated cause do hereby ~~certify~~ certify that the witnesses whose names are signed to their testimony in this case, gave in this testimony o under oath before me, and I know them to be the identical witnesses whose names are signed to this testimony, and I further certify that I am not of counsel or of kin to either of them nor in any way interested in the result of this suit.
Done this 12 Day of December 1943.

W. H. Helt

Commissioner.

RECORDED

No. 1035.

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Cleavie W Fuller.

VS.

Wm ~~A~~ Fuller.

NOTE OF TESTIMONY

Filed in Open Court this 31st.

day of January. 194 4



Register.

11
Judy on 27/944
D. Jones
C. Jones

RECORDED

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Complainant _____

vs.

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

No. Page.....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

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.....
.....
vs. Complainant.

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Respondent.

DIVORCE DECREE