

7178

The State Of Alabama, Baldwin County  
CIRCUIT COURT, IN EQUITY

SUSAN E. MCCULLERS

Complainant

VS

CHARLES V. MCCULLERS

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~  
on answer and waiver of Respondent 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,  
and that the said SUSAN E. MCCULLERS  
is forever divorced from the said

CHARLES V. MCCULLERS

for and on account of

Voluntary Abandonment

It is further ordered, adjudged and Decreed that the Complainant Susan E.  
McCullers be and she is hereby granted the right to resume her maiden name

SUSAN E. HAY

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 SUSAN E. MCCULLERS AND CHARLES V. MCCULLERS

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

It is further ordered that Complainant

the pay the cost herein to be taxed, for which execution may issue.

This 10th day of September

19 44

*[Signature]*  
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.

SUSAN E. McCOLLERS  
COMPLAINANT

VS

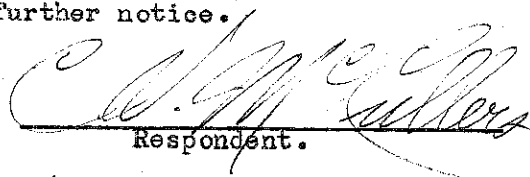
CHARLES V. McCOLLERS,  
RESPONDENT

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

And now comes the Respondent, in his own proper person,  
and for answer to the Complainant's bill of Complaint, and to  
each count thereof, separately and severally, says:

1. That he denies each and every allegation contained  
therein and demands strict proof of the same.

2. Respondent waives notice of the time of taking  
testimony on behalf of the Complainant, the right to cross examine  
complainant's witnesses, and consents that this cause be submitted  
forthwith for final decree without further notice.

  
Respondent.

WITNESS:

\_\_\_\_\_  
\_\_\_\_\_

STATE OF ALABAMA  
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - - GREETING;

WE COMMAND YOU, that you summon CHARLES V. McCULLERS to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint lately exhibited by SUSAN E. McCULLERS against the said CHARLES V. McCULLERS AND FURTHER to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ, with your execution thereon, to our said Court immediately upon the execution thereof.

1944 day of April, 1944.

WITNESS, R. S. DUCK, Register of said Circuit Court, this the

R. S. Duck  
Register.

SUSAN E. McCULLERS, )  
COMPLAINANT )  
VS )  
CHARLES V. McCULLERS, )  
RESPONDENT )  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.

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

Now comes your Complainant, Susan E. McCullers, and humbly complaining against the Respondent, Charles V. McCullers, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is a bona fide resident of Baldwin County, Alabama, living at Fairhope, and is over twenty one years of age; that the Respondent is over twenty one years of age, and a non resident of the State of Alabama, his address being Alvin, Texas.

2.

That they were married in Lake Charles, Louisiana, on August 4th, 1939, and lived together as husband and wife until, to-wit, the 20th day of June, 1943; that they were living in Fairhope, in Baldwin County, Alabama, at the time of their separation.

3.

That on, to-wit, June 20th, 1943, the Respondent voluntarily abandoned the bed and board of the complainant, and has remained away voluntarily and continuously since that time.

That there was born to said marriage between your Complainant and the said Respondent, CLAUDIA BLAINE McCULLERS, a daughter, aged three years and VERNON ELIZABETH McCULLERS, a daughter aged two years; that the said children are now, and have been all their lives with the Complainant, who is a suitable, fit and proper person to have their care, custody and control, and that she is ready, able and willing to care for and provide for them in the proper way.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said CHARLES V. McCULLERS party Respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon the hearing hereof, enter an order and decree granting to the Complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; and that she be awarded the care, custody and control of the said minor children, Claudia Blaine McCullers, and Vernon Elizabeth McCullers.

Complainant further prays that she be restored her maiden name, Susan E. Hay.

Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

By *[Signature]*  
Solicitors for the Complainant.

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO Virginia Keel

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 Susan E. McCullers and Ella G. Hay

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Susan E. McCullers

Complainant  
and Charles V. McCullers

Defendant,  
on oath to be by you administered, upon Susan E. McCullers and Ella G. Hay

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 4302 day of September 19 44

*R. Duich*

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

No. .... Page .....

**The State Of Alabama**

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

**DIVORCE DECREEE**

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 194\_\_\_\_\_

Susan E. McCullers \_\_\_\_\_, Complainant

Vs.

Charles V. McCullers \_\_\_\_\_, Defendant

To Hon. R. S. Duck \_\_\_\_\_, 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 Beebe & Hall

\_\_\_\_\_ 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.

Beebe & Hall  
g. H. H. H.  
Solicitor for Complainant.

Susan E. McCullers,

VS.

Charles V. McCullers

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,  
Answer and waiver of the Respondent, and Tetimony of Susan E. McCullers and

Ella G. Hay

and in behalf of Defendant upon None

*R. H. [Signature]*

Register.



No. 1178 Page \_\_\_\_\_

**The State of Alabama,**

Baldwin County

CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN  
VACATION**

Filed Sept 6, 1944  
R. M. [Signature]  
Register.

Recorded in 20 - Record

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Register.

No. 1178

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The State of Alabama,  
BALDWIN COUNTY

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IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

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VS.

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NOTE OF TESTIMONY

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Filed in Open Court this 6<sup>th</sup>  
day of Sept 1944  
Rowland  
Register.

Form 354  
Rev. 1-24

## RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the *number* of which appears on the face of this Card.

*C. M. Callan*  
(Signature of name of addressee)

*2*  
(Signature of addressee again—begin words either addressee's name or line 3A, if not)

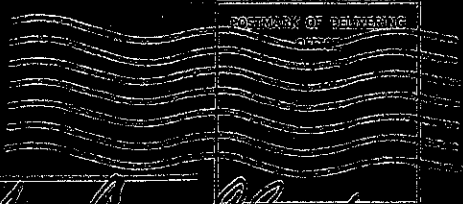
Date of delivery *194*

*hp 14 1944*  
*Callan*  
*Callan*

Post Office Department  
OFFICIAL BUSINESS



PERMIT NO. 1000 WASHINGTON, D.C. POSTAGE WILL BE PAID BY ADDRESSEE



Return to *U.S. Duck, Co. Clerk*  
(NAME OF SENDER)

Street and Number,  
or Post Office Box

REGISTERED ARTICLE

No. *332* Post Office *Bay Minette, Ala.*

INSURED PARCEL

No. *10-1224* State *Ala.*

Delivery restricted to addressee

Fee paid, or order

Postmaster, per

Special delivery fee

in person

Return receipt fee

Accepting employee will place initials in space below, indicating restricted delivery

(Street and number)

Addressed to

(Street and number)

From

(Sender)

Declared value, \$

Insurances paid, \$

(Date)

Fee paid

class postage paid

RECEIPT FOR REGISTERED ARTICLE No. 332

1897



THE STATE OF ALABAMA }  
Baldwin County }

Circuit Court of Baldwin County, Alabama,  
(In Equity)

SUSAN E. MCCULLERS

COMPLAINANT

VS.

CHARLES E. MCCULLERS

RESPONDENT

I, \_\_\_\_\_

as Register and Commissioner \_\_\_\_\_

have called and caused to come before me \_\_\_\_\_

witness— named in the Requirement for Oral Examination, on the 4th day of September

1944, at the office of BEEBE & HALL

in Bay Minette, Alabama, and having first sworn said witness— to speak the truth,

the whole truth, and nothing but the truth, the said Susan E. McCullers

doth depose and say as follows:

My name is Susan E. McCullers. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. I have been a resident of Baldwin County, Alabama for more than one year next preceding the filing of the bill of complaint in this cause.  
The Respondent is over twenty-one years of age and a non resident of the state of Alabama, his address being in the state of Texas, near Alvin, Texas.  
The Respondent and I married in Lake Charles, Louisiana, on August 4th, 1939, and we lived together as husband and wife until the 20th day of June, 1943, when the Respondent voluntarily abandoned me and has remained away voluntarily and continuously since that time. We have two children Claudia Blaine McCullers and Vernon E Elizabeth McCullers, minors three and two years old respectively, and who are now and have been all their lives living with me, and I have had the responsibility of caring and providing for them.  
The Respondent has never spent any time with the children and has not attempted to care and provide for them as he should. He is not a suitable or fit person to have the care and control of children of such age.

Susan E. McCullers

I am personally acquainted with the Complainant and the Respondent in the above cause. I have had occasion to be around and with them from time to time. I know that the Complainant and the Respondent have not lived together as man and wife for more than a year, and that during such time the Complainant has worked and supported herself and the small children.

Mrs. E. E. G. Gray

ORAL EXAMINATION

I, Virginia Keel, as Register and Commissioner hereby certify that the foregoing deposition— on Oral Examination was taken down in writing by me in the words of the witness— and read over to them and they signed the same in the presence of myself H. M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness— or had proof made before me of the identity of said witness—; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 4th day of September, 1944

Virginia Keel (L. S.)

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**THE STATE OF ALABAMA**  
**Baldwin County**

**IN CIRCUIT COURT, IN EQUITY**

Complainant \_\_\_\_\_

Vs. \_\_\_\_\_

Respondent \_\_\_\_\_

**ORAL DEPOSITION**

Filed Sept 26, 1944  
Virginia Keel, Register

RECORDED IN \_\_\_\_\_ Record \_\_\_\_\_

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Register \_\_\_\_\_