

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

Agnes U. Bell _____ Complainant

VS
Howard A. Bell, Jr. _____ Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said _____ Agnes U. Bell
is forever divorced from the said
_____ Howard A. Bell, Jr.

for and on account of Voluntary Abandonment _____

It is further ordered, adjudged and decreed that the Complainant shall have
the right to resume the use of her maiden name, Agnes Utley, _____

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 _____ either party
be, and is _____ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that Complainant _____
~~she~~ _____ pay the cost herein to be taxed, for which execution may issue.

This 25th day of October _____, 1944

J. W. Hare

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.

(copy)

No. 1280 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

Agnes U Bell.

THE STATE OF ALABAMA,
BALDWIN COUNTY

VS.

Howard A Bell.

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

and testimony of Agnes U^Bell, and Voncile, Waters.

and in behalf of Defendant upon Answer and Waiver.

Register.

No. 1230.

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Agnes U Bell.

VS.

Howard A Bell Jr

NOTE OF TESTIMONY

Filed in Open Court this 24

day of Oct 1944

Robert
Register.

Agnes U. Bell
Complainant

vs

Howard A. Bell, Jr.
Respondent

In the Circuit Court

Baldwin County, Alabama

In Equity

To the Honorable F. W. Hare, Judge of said Court, sitting in equity,

Comes Your Complainant, Agnes U. Bell, and respectfully exhibits this, her Bill of Complaint, against Howard A. Bell, Jr. and shows unto Your Honor as follows:

First: Complainant and Respondent intermarried on February 15th 1943 at Jasper, Alabama, and continued as residents of the State of Alabama to the present date, Respondent residing presently in Baldwin County, Alabama.

Second: Complainant is past the age of 18 years and Respondent is past the age of 21 years.

Third: On July 4th 1943, Respondent voluntarily abandoned Complainant and has continued said abandonment ever since with total neglect of the marital covenant on his part.

Fourth: Complainant's maiden name is Agnes Utley.

The premises considered, Complainant prays Your Honor to grant all appropriate and legal process and that the same be directed against said Howard A. Bell, Jr. commanding him to personally appear before this Honorable Court within the time prescribed by law and to then and there answer fully and completely the several paragraphs of this Bill of Complaint and that he be required to abide and obey all orders and decrees of this Court which to Your Honor may seem meet and proper.

Complainant further prays that, on a hearing of this cause, a decree be rendered forever divorcing her from said Howard A. Bell, Jr., granting either party the right to remarry, granting her the right to resume the use of her maiden name, Agnes Utley, and such other, further and different relief as may be or appear proper in the premises.


Solicitor for Complainant

12.80

Cuplunt.

Bull

to

Bull

2000 Oct 24/1944
P. H. H. H.
P. H. H. H.

AGNES U. BELL
COMPLAINANT

VS

HOWARD A. BELL, JR.
RESPONDENT

In Equity
Circuit Court
Baldwin County
Alabama

Comes Howard A. Bell, Jr., the Respondent in the above styled cause and for answer to the Bill of Complaint therein says that he denies each and every allegation therein contained.

Further, Respondent waives notice of demand for oral examination of Complainants' witnesses, the issue of formal commission to take testimony, notice of the time and place of taking same, the right to cross examine or introduce evidence in his own behalf and agrees that this cause may be submitted for final decree at any time without further notice to him on the pleadings and Complainants' testimony as noted by the Register.

Howard A. Bell Jr.
Respondent (Howard A. Bell, Jr.)

M. Cunningham
Witness

State of Alabama
County of Walker

Before me, Bertha Nichols, a Notary Public in and for said County and State, personally appeared Howard A. Bell who is known to me and being informed of the contents of the foregoing answer and waiver, he acknowledged that he executed same voluntarily.
Given under my hand and official seal this 14th day of October, A. D. 1944.

(Seal)

Bertha Nichols
Notary Public

1520

Answer and Name

Ball

v

Ball

Handed out 24/1944
P. J. Jones
P. J. Jones

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Agnes U. Bell

Complainant

VS.

Howard A. Bell, Jr.

Respondent

I, Frances G. Crawford.

as Register and Commissioner

have called and caused to come before me Agnes U. Bell and Voncille Waters

witnesses named in the Requirement for Oral Examination, on the 20th day of October 1944, at the office of E. A. Cramer, Attorney

in Fairhope, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Agnes U. Bell

doth depose and say as follows:

Howard A. Bell, Jr. and I were married on February 15th 1943 at Jasper, Alabama. We lived at Cordova, Alabama, together until July 4th 1943 when my husband left me. I know that his parents had objected to our marriage in the first place and after we were married he seemed to regret it. Apparently, it was a mistake for us to marry each other. He has told me from time to time, since he left, that he supposed that his folks were right and that he wanted to call the whole thing off. I have lived in Baldwin County, Alabama, for some months and have lived in Alabama steadily for more than a year. My maiden name is Agnes Utley and, if I am granted a divorce, I would like to have the right to resume my maiden name. I am past the age of 18 years. I believe that Howard is 21 years old.

Agnes U. Bell

And the said Voncille Waters

doth depose and say as follows:

I have known Agnes Bell for more than a year. I know that her husband has not lived with her during all of that period. I know that she has lived in Alabama for more than a year and that she lives, presently, in Baldwin County. I have seen letters written to her by him in which he has stated that he had no intention of ever returning to live with her.

Voncille Waters

ORAL EXAMINATION.

I, Frances G. Crawford, as Register and Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 20th day of October, 1944.

Frances G. Crawford (L. S.)

NO. 12270

PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Bull

vs.

Bull

Complainant

Respondent.

Oral Deposition

Filed 10-24, 1944

Frances G. Crawford, Register.

Recorded in _____

Record _____

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

SAVINE WALLACE

Complainant

VS.

CLARENCE EMORY WALLACE

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~

on Answer and Waiver, of the 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,

and that the said Savine Wallace

is forever divorced from the said Clarence Emory Wallace

for and on account of Cruelty

It is further ordered, adjudged and decreed that the Complainant shall

have, and she is hereby awarded the custody, care and control of the said
minor child.

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 Savine Wallace

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

This 8th day of Nov, 19 44

J. W. Hare

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

vs. Complainant _____

Respondent _____

DIVORCE DECREE

Filed this _____ day of _____

_____, 194_____

Register

SAVINE WALLACE
COMPLAINANT

VS.

CLARENCE EMORY WALLACE
RESPONDENT

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And now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent denies each and every allegation contained in the Complainant's bill of complaint and demands strick proof of the same.

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

Clarence Emory Wallace

WITNESSES:

Mrs. C. L. Carter

Mr. C. L. Carter

Answer & Source

Feed

11-6-44

R. S. Woods

Registrar

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Savine Wallace Complainant

VS.

Clarence Emory Wallace Respondent

I, Lillian Patterson
as ~~Register and~~ Commissioner
have called and caused to come before me Savine Wallace, and, Clarence Lewis

witnesses named in the Requirement for Oral Examination, on the 3rd day of November
1944, at the office of Beebe & Hall
in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Savine Wallace, and Clarence
Lewis doth depose and say as follows:

My name is Savine Wallace, I am a bona fide resident of Baldwin
County, Alabama, and have been all my life. I am over 21 years of age.

The Respondent is over 21 years of age and a non resident of
the State of Alabama, his address being Tallahassee, Florida. The
Respondent and I married at Elberta, in Baldwin County, Alabama, on
July 25, 1941.

We lived together as husband and wife until August 28, 1944.

The Respondent, on August 28, 1944, and at various other times
prior to, cursed, threatened and abused and did actual violence to my
person, by striking, kicking and choking me. Which necessarily endangered
my life and health. The conduct of the Respondent was such as to give me
every reasonable apprehension to believe, and I did actually believe if I
continued to live with him, he would do further violence to my person and
would necessarily endanger my life and health.

We have one child, James Wilton Wallace, who is now, and has been
all his life, living with me. The Respondent does not have a home and is
of such character that he is not a suitable, fit or proper person to have
the care and custody of our said minor child. I am now living with my
folks and have a home for the child, where I can keep him in the proper
environment.

The Respondent is at present driving a bus for the City Transit
Company, in Tallahassee, Florida, and makes more than \$50.00 per week.
He has no expenses other than his own personal expenses.

Savine Wallace

Clarence Lewis, a witness for the Complainant, being first duly sworn, deposes and says:

My name is Clarence Lewis, I live at Elberta, in Baldwin County, Alabama. I am the Father of the Complainant in the above cause. I know that while my daughter and the Respondent were living together as husband and wife, he often mistreated her and on several occasions did actual violence to her by striking and choking her. The conduct of the Respondent toward my daughter was such as to render it absolutely impossible for her to live with him as his wife. I have on four occasions had to go and get, or, send for my daughter when the Respondent had mistreated her.

The Respondent is working in Tallahassee, Florida, and is not in the Military or Naval Service of the United States.

Clarence Lewis

ORAL EXAMINATION.

I, Lillian Patterson, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witnesses—and read over to them—and they signed the same in the presence of myself as Commissioner

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses—or had proom made before me of the identity of said witnesses; 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 3rd day of November, 1944.

Lillian Patterson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 11-6, 1944

H. S. Black, Register.

Recorded in

_____ Record

Vol. _____ Page _____

_____, Register.

Savine Wallace

Complainant

VS.

Clarence Emory Wallace

Respondent

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 testimony of Savine Wallace, and,
Clarence Lewis.

and in behalf of Defendant upon _____

R.S. Luck

Register.

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of Nov 1944

R. S. Duck

Register.

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU, that you summon CLARENCE EMORY WALLACE to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by SAVINE WALLACE, against said CLARENCE EMORY WALLACE, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this 28th day of Oct, 1944.

R. S. Duck
Register.

SAVINE WALLACE
COMPLAINANT

VS.

CLARENCE EMORY WALLACE
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:

And now comes your Complainant, SAVINE WALLACE, and humbly complaining against the Respondent, CLARENCE EMORY WALLACE, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, a bona-fide resident of Baldwin County, Alabama, and has been all her life; that the Respondent is over twenty-one years of age and a non resident of the State of Alabama, his address being, in care of City Transit Company, Tallahassee, Florida.

2.

They were married at Elberta, Alabama, July 25, 1941 and lived together as husband and wife until August 28, 1944.

3.

That on to-wit, August 28, 1944, and at various times prior unto, the Respondent cursed, threatened and abused the Complainant and did actual violence to her person by striking, kicking and choking her, which endangered her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe, and she did actually believe, that if she continued to live with him he would carry out his threats and do further violence to her person which would necessarily endanger her life and health.

4.

That there was borned to said marriage between your Complainant and the Respondent, one child, James Wilton Wallace, now two years old; that said child is now, and has all his life been with your Complainant, who is the suitable, fit and proper person to have his care, custody and control; that the Respondent is not a suitable person to have the care and custody of said child.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said CLARENCE EMORY WALLACE party Respondent to this Bill of Complaint, 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.

The Complainant further prays your Honor will enter an order and decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that a decree be made awarding to your Complainant, the custody and control of the minor child, James Wilton Wallace; that your Honor will give unto unto the Complainant such other, further, different, or general relief as she may be in equity and good conscience entitled to receive, and in duty bound she will ever pray.

BEEBE & HALL

By: 

Solicitors for the Complainant

1220

Bill of Complaint

Maun 10-3-44

Filed

10-28-44

R.S. Luck
Register

THE STATE OF ALABAMA,
Baldwin County

}

CIRCUIT COURT

TO Lillian Patterson

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 Savine Wallace, and, Clarence Lewis

as witnesses in behalf of Savine Wallace in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Savine Wallace

Complainant
and Clarence Emory Wallace

Defendant,
on oath to be by you administered, upon Oral Examination
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 3rd day of November, 19 44.

R. S. Luck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

Complainant _____

VS.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses:

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

Savine Wallace _____, Complainant

Vs.

Clarence Emory Wallace _____, Defendant

To 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 vaca-

No. 1220 Page _____

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed 11-6, 1944

R.S. Duck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.