

3624

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ERIA LEE HARVILLE, Complainant
vs.

NORMAN HARVILLE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ of 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 Eria Lee Harville is forever divorced from the said Norman Harville. for and on account of Cruelty.

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the maternal grandparents Alex McDowell and wife Mrs. Rosie McDowell, are hereby awarded the care custody and control of the three minor children, Carolyn Lou Harville, age 6, Norman Ray Harville, age 4, and Elizabeth Ann Harville, age 3.

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 payment of the cost of this suit.

It is further ordered that Eria Lee Harville the Complainant pay the cost herein to be taxed, for which executed may issue.

This 30 day of September, 1955
J. Hubert M. Talle
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

ERTIA LEE HARVILLE *

Complainant

vs.

NORMAN HARVILLE

Respondent

DIVORCE DECREE

FILED

SEP 180 1955

AUGIE J. HUCK, Register

ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER: 3624

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

Comes now your Petitioner Norman Harville, Respondent in the above styled
cause and shows to your Honor as follows:

I

That on the 30th day of September, 1955 Your Honor made and entered a
decree divorcing the parties herein and awarding custody of their three children
Carolyn Lou Harville, Norman Ray Harville and Elizabeth Ann Harville to the
maternal grandparents Alex McDowell and Mrs. Rosie McDowell.

II

That at the time of said decree neither parties thereto had a home where-
in the children could live; that at the time of said decree your Petitioner was
financially unable to adequately support the said children.

III

That at the time of filing this petition and since the date of the said
decree your Petitioner, the Respondent, is remarried to a woman of good character
and reputation, that he maintains a good home in Baldwin County, Alabama and
that he is regularly employed earning approximately \$250.00 per month so that he
is now able to give and maintain a good home for the said children and that he
is financially able to support them. Petitioner further shows that he and his
wife enjoy a good reputation in the community where they live. Petitioner
further shows that the Complainant, Eria Lee Harville, is not now regularly
employed and that the said maternal grandparents and the said Complainant are
not able to maintain and support the said children.

Now therefore the premises considered your Petitioner prays that your
Honor will cause process to issue to the said Eria Lee Harville, Alex McDowell
and Mrs. Rosie McDowell requiring them to plea, answer and demur the said
petition within the time allowed by law and that upon a final hearing of this
cause Your Honor will make and enter a decree giving him care, custody and
control of the said children.

And Petitioner further prays for such other different or general relief to which he may be in equity and good conscience entitled.

Norman Harville

W. L. Hays
Solicitor for Petitioner

STATE OF ALABAMA

BALDWIN COUNTY

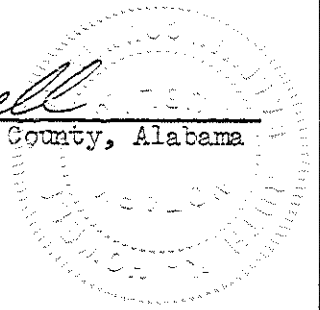
Before me Ruth K. Howell, a Notary Public in and for said County and State personally appeared Norman Harville, who being known to me and by me duly sworn, deposes and says on oath; that he is the Respondent in the above styled cause, and has personal knowledge of the facts stated in the foregoing petition and that the said statements of fact therein contained are true.

Norman Harville

Sworn to and subscribed before me on this the 23rd day of September, 1959.

FILED
OCT 12 1959
ALICE J. DUCK, Register

Ruth K. Howell
Notary Public, Baldwin County, Alabama



NUMBER: 3624

ERIA LEE HARVILLE

Complainant

VS

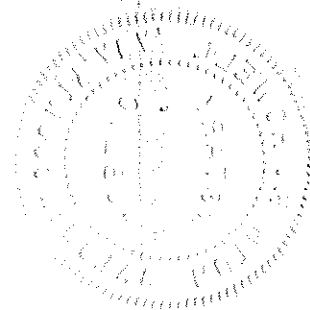
NORMAN HARVILLE

Respondent

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY



ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY

ORDER FIXING DAY TO HEAR PETITION

This day came Norman Harville and filed herein his verified petition praying a modification of that certain decree in this cause made on the 30th day of September 1955 according to the nature of things set out in the verified petition and making Alex McDowell and Rosie McDowell parties to the petition: and making Eria Lee Harville party to the petition; and upon consideration of the said petition it is

ORDERED, ADJUDGED and DECREED by the court that the 29 day of October, 1959 be and the same is hereby fixed as the day for a hearing of the said petition

It is further ORDERED, ADJUDGED and DECREED that the said Eria Lee Harville, Alex McDowell and Rosie McDowell be given notice of the filing of said petition by service upon them of a copy of the said petition and that they be notified of the day set for the hearing of the same by service upon them of a copy of this order.

Done this 12 day of October, 1959.

FILED

OCT 12 1959

ALICE J. DUCK, Register

Hubert M. Hall
H. M. HALL, JUDGE

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3624

BERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

IN THE CIRCUIT COURT

BALDWIN COUNTY, ALABAMA

IN EQUITY

ORDER FIXING DAY TO HEAR

PETITION

Received 12 day of Oct 1939

and on 13 day of Oct 1939

I served a copy of the within Order

on Beria Lee Harville

Atty M^e Dowell

By service on Louis M^e Dowell

TAYLOR WILKINS, Sheriff

By W. C. Talbot D. S.

Omi

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons Norman Harville, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complainant filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Eria Lee Harville as Complainant and against Norman Harville as Respondent.

WITNESS my hand this the 30 day of September, 1955.

Alice J. Duck
Register. RT.

ERIA LEE HARVILLE
COMPLAINANT
VS
NORMAN HARVILLE
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
CASE NO. 3624.

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

Your Complainant, Eria Lee Harville, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and is a bona fide resident of Baldwin County, Alabama, and has been more than one year next preceeding, the Respondent is over the age of 21 and is a bona fide resident of Baldwin County, Alabama, and has been more than one year next preceeding.

2.

That your Complainant and the Respondent married at Newborn, North Carolina on May 10, 1951 and lived together as husband and wife in Baldwin County until September 18, 1955.

3.

That on September 8, 1955, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. 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 actual violence to her person, which would necessarily endanger her life and health.

4.

There was born as fruits of this marriage between the Complainant and the Respondent three children, Carolyn Lou Harville, age about six years, Norman Ray Harville, age about four years, and Elizabeth Ann Harville, age about three years, who have been under the care, custody and control of their maternal grandparents, Alex McDowell and wife Mrs. Rosie McDowell.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Norman Harville, 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.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to the children's maternal grandparents, Alex McDowell and Rosie McDowell the care, custody and control of the minor children, Carolyn Lou Harville, age about six years, Norman Ray Harville, age about four years, and Elizabeth Ann Harvill, age about three years; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

1/30/55

FALICE J. DICK, Register


Solicitor for the Complainant.

3624

RECORDED

ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

* * * * *

SUMMONS AND COMPLAINT

* * * * *

FILED

Sept. 30 1955

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Attorney-At-Law
Bay Minette, Alabama

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS HOWARD

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Eria Lee Harville and Ada Owens

a witnesses in behalf of Eria Lee Harville in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Eria Lee Harville

and Norman Harville, Complainant

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

Witness 29th day of Sept, 1955

Arice J. Smith
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ERIA LEE HARVILLE

Complainant

VS.

NORMAN HARVILLE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS HOWARD

WITNESSES:

ERIA LEE HARVILLE

ADA OWENS

ERIA LEE HARVILLE

vs.

NORMAN HARVILLE

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

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

Testimony of Eria Lee Harville and Ada Owens

and in behalf of Defendant upon Answer and Waiver.

Alice J. Hirsch
Register.

Testimony of Eria Lee Harville and Ada Owens

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

ERIA LEE HARVILLE

vs.

NORMAN HARVILLE

NOTE OF TESTIMONY

Filed in Open Court this 29

day of Sept, 1942

Archie H. Ruck
Register.

Printed by the Baldwin Times

ERIA LEE HARVILLE
COMPLAINANT
VS
NORMAN HARVILLE
RESPONDENT

Y
Y
Y
Y
Y
Y
Y
Y
Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
CASE NO. 3624

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

Comes Eria Lee Harville by her attorney, C. LeNoir Thompson,
and files an answer to the petition filed in said cause by respondent,
Norman Harville, and for answer shows as follows:

1.

As to paragraph one of said petition, the said Eria Lee Harville
admits the allegations therein.

2.

As to paragraph two of said petition, the said Eria Lee Harville
admits the allegations alleged therein.

3.

As to paragraph three of said petition, the said Eria Lee Harville
denies the allegations of said petition.

BY:

THOMPSON & WHITE

C. LeNoir Thompson
Attorneys for Eria Lee Harville.

FILED
OCT 17 1938
ALICE L. DUCK, CLERK
REGISTER

ERIA LEE HARVILLE
COMPLAINANT
VS
NORMAN HARVILLE
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
CASE NO. _____

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent further agrees that the children be left in the home of their grandparents, Mr. and Mrs. Alex McDowell, where they have resided since birth.

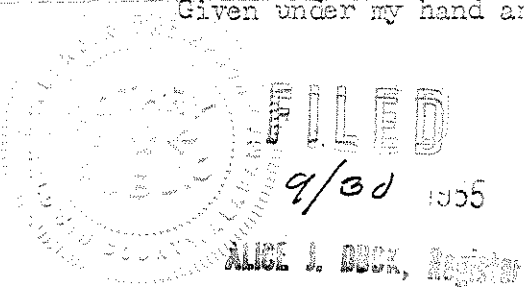
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Norman Harville

STATE OF ALABAMA
BALDWIN COUNTY

I, C. LeNoir Thompson, a Notary Public, in and for said County, in said State, hereby certify that Norman Harville, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 28 day of Sept, 1955.



C. LeNoir Thompson
Notary Public, Baldwin County, Alabama.

RECORDED

ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

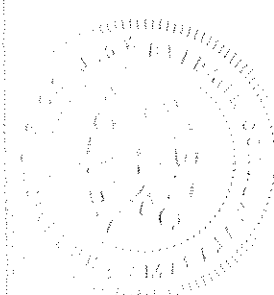
ANSWER AND WAIVER

FILED

SEP 1 30 R

ALICE J. DUCK, Register

From the law offices of
C. LeNoir Thompson
Attorney-at-Law
Bay Minette, Alabama



THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ERIA LEE HARVILLE

Complainant

VS.

NORMAN HARVILLE

Respondent

I, Lois Howard

as Register and Commissioner

have called and caused to come before me Eria Lee Harville and Ada Owenswitness^{es} named in the Requirement for Oral Examination, on the 29th day of September
1955, at the office of C. LeNoir Thompsonin Bay Minette, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Eria Lee Harville and Ada Owens
doth depose and say as follows:

That my name is Eria Lee Harville, I am over the age of 21 and have been a bona fide resident of Baldwin County, Alabama all my life. The Respondent Norman Harville is over the age of 21 and has been a resident of Baldwin County, Alabama all his life. We were married on May 10, 1951 at Newborn, N. C., and lived together in Baldwin County as husband and wife until on or about June 22, 1955 at which time he left me. On or about September 8, 1955 He jumped on me and beat me without fault on my part striking me about the head and body placing me in fear of my life or health telling me that he was through with me and would never live together with me anymore as husband and wife. I am afraid to live with him anymore as this was not the only time he had ever mistreated me. I am convinced by his threats and what he has done to me that we can never live together again. There are born as fruits of our marriage three children Carolyn Lou Harville age six, Norman Ray Harville, age four, and Elizabeth Ann Harville, age three. These children have been in the care, custody and control of my father, Mr. Alex McDowell and my mother, Mrs. Rosie McDowell and I respectfully submit to this Honorable Court that they are fit, suitable and proper persons to have the care, custody and control of our children and I respectfully ask this Honorable Court to grant the care, custody and control to my parents as named who are the maternal grandparents of our children.

I know I will never live with the respondent anymore as his wife. We have no property to be divided.

Eria Lee Harville

That my name is Ada Owens, I know both parties to this cause, they are both over the age of 21 and have been residents of Alabama all their lives. They were married at Newborn, N. C., on May 10, 1951 and lived together as husband and wife until a temporary separation occurred on June 22, 1955. That on the second Thursday in September which I believe is September 8th the respondent assaulted and beat the Complainant, Eria Lee Harville placing her in fear of her life or health. They have been separated on other occasions and because of statements made by the Respondent in my presence I do not believe they will ever live together again as husband and wife as the complainant in this cause is in fear of her life or health as the result of the threats and actions on the part of the respondent Norman Harville. There are three children born as fruits of this marriage, Carolyn Lou Harville, age 6, Norman Ray Harville, age 4 and Elizabeth Ann Harville, age 3. These children, since birth, have been in the care custody and control of their maternal grandparents Alex McDowell and Rosie McDowell. I respectfully submit to this Honorable Court that Mr. and Mrs. Alex McDowell as named are fit suitable and proper persons to have the care custody and control of the children named by me. I do not know of any property to be divided.

Ada Owens

3624

ORAL EXAMINATION.

I, Lois Howard, 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 and C. LeNoir Thompson

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 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 29th day of September, 195 5

Lois Howard (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ERNA LEE HANVILLE

vs. Complainant

NORMAN HANVILLE

Respondent.

Oral Deposition

Filed _____, 195 _____

Register.

Recorded in

Record

Vol. _____ Page _____

Register