

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WILLIE LEE ALLEN

vs.

ERNAL EARL ALLEN

Complainant

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 Willie Lee Allen is forever divorced from the said Ernal Earl Allen 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 Willie Lee Allen be, and she is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Willie Lee Allen the complainant pay the cost herein to be taxed, for which execution may issue.

This 16th day of January, 1951.

Jeffrey J. Mosley
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
JAN 16 1951
ALICE J. DUCK, Register

THE STATE OF ALABAMA }
Baldwin County }

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

WILLIE LEE ALLEN

COMPLAINANT

vs.

ERMAL EARL ALLEN

RESPONDENT

I, Grady P. Gilbert

as Register and Commissioner for Baldwin County, Alabama

have called and caused to come before me Willie Lee Allen and Myrtle Brewton

witnesses named in the requirement for Oral Examination, on the 3rd day of January

1951, at the office of Grady P. Gilbert, Notary Public

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Willie Lee Allen and

Myrtle Brewton doth depose and say as follows:

WILLIE LEE ALLEN'S TESTIMONY:

I am Willie Lee Allen, the Complainant in this case. I am over the age of 21 years. I am a bona fide resident of Baldwin County, Alabama, having lived at Silverhill, Alabama for more than a year. On January 8, 1949, I married Ermal Earl Allen, the Respondent in this case. We lived together as man and wife until October 7, 1950, at which time I left him. We have no children as a result of this marriage. Ermal Earl Allen is over the age of 21 years, also.

On September 15, 1950, Ermal Earl Allen came in home drunk about 6:30 or 7:00 P.M., and started fussing and arguing with me. He lost his temper and hit me, knocked me to the floor, and my son-in-law held him to keep him from hurting me any more. My back was hurt from falling to the floor on it. I ran from the house into the yard to be away from him. I had him put under a peace bond and he did not hit me any more after that night. He continued to drink and did threaten me and generally make my life miserable with threats and kept me in fear that he would hit me again and kill me or hurt me seriously.

On October 7, 1950, I had taken as much abuse as I could, and I left him on that date. I have not lived with him since that time.

Willie Lee Allen

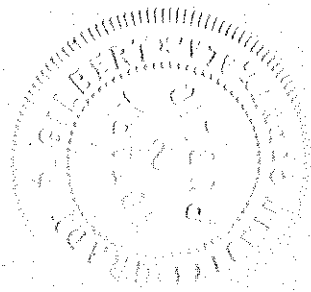
I, Grady P. Gilbert as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and A. B. Miller

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 5th day of January 1945

Grady P. Gilbert
My Comm. Expires 4/9/52



No. _____	Page _____
THE STATE OF ALABAMA, BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
COMPLAINANT	
vs.	
RESPONDENT	
ORAL DEPOSITION	
Filed <u>FILED</u> , 194 <u>5</u>	
JAN 5 1951	
ALICE J. DUCK, Register RECORDED IN	
Record	
Vol. _____	Page _____
Register	

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Grady P. Gilbert, Notary Public, Robertsdale, Alabama

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 Willie Lee Allen and Myrtle W. Brewton

as witnesses in behalf of Willie Lee Allen in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Willie Lee Allen

_____, Complainant
and Ernal Earl Allen

_____, Respondent

on oath, to be by you administered, upon said witnesses
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 5th day of January, 1951

Archie J. Smith
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Willie Lee Allen

Complainant—

vs.

Ermal Earl Allen

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Grady P. Gilbert, Notary

Public

WITNESSES:

Willie Lee Allen

Myrtle W. Brewton

A. B. MILLER
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

October 25, 1930

Mrs. Alice J. Duck
Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama

Re: Allen v. Allen

Dear Mrs. Duck;

Please file the enclosed bill of complaint and have service of a copy had of Ernal Earl Allen. Mr. Allen is in jail there in Bay Minette at present. Thanks.

Sincerely,

A. B. Miller
A. B. Miller

ABM/sm

2562

Willie Lee Allen

vs.

Ernest Earl Allen

Divorce

Filed 10-26-50

11 Summ Comp
del 30 sh

A.B. Miller :

WILLIE LEE ALLEN

vs.

ERMA EARL ALLEN

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

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

~~Decree Pro Confesso on Personal Service, Oral Testimony of~~
Willie Lee Allen and Myrtle W. Brewton

and in behalf of Defendant upon _____

A. B. Miller,
Comp.'s Atty.

Annie J. Leach

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 8th

day of January, 1967

Archie J. Leucke
Register.

Printed By The Baldwin Times

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

WILLIE LEE ALLEN

Complainant,

Vs.

ERMAL EARL ALLEN

Respondent.

In the Circuit Court.

In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent—

ERMAL EARL ALLEN

by the Sheriff of Baldwin Co County, on the 27th day of November,
194 1950

And it further appears to the Register, that the said ERMAL EARL ALLEN

_____, the Respondent—, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of A. B. Miller Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said ERMAL EARL ALLEN

This 4th day of December, 194 50.

Alice J. Allen
Register.

RECORDED

No. _____

**CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY**

WILLIE LEE ALLEN

Complainant,

Vs.

ERMAL EARL ALLEN

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____,
194____.

Register.

The State of Alabama,

Baldwin County.

{ No. _____ CIRCUIT COURT IN EQUITY.

WILLIE LEE ALLEN

Complainant

vs.

ERMAL EARL ALLEN

Defendant

Motion is hereby made for a Decree Pro Confesso against

ERMAL EARL ALLEN

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant____; and that said summons was duly served according to law, and that said Defendant___has___failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This Fourth day of December 1950

A. B. Miller

Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

VS.

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed _____ 19 _____

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

..... TERM, 194.....

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You Are Hereby Commanded to Summon ERMAL EARL ALLEN

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in

the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against Ermal Earl

Allen

_____, Defendant_____

by WILLIE LEE ALLEN

_____, Plaintiff_____

Witness my hand this 26th day of Oct 1945

Archie J. Leach, Clerk.

No. _____ Page _____

THE STATE of ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT

vs. _____ Plaintiffs

Defendants

SUMMONS and COMPLAINT

Filed _____, 194____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Moore Printing Co.

Defendant lives at _____

RECEIVED IN OFFICE

_____, 194____

_____, Sheriff

I have executed this summons

this _____, 194____
by leaving a copy with _____

Sheriff

Deputy Sheriff

STATE OF ALABAMA
COUNTY OF BALDWIN

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA - IN EQUITY

WILLIE LEE ALLEN,

Complainant

vs.

ERNAL EARL ALLEN,

Respondent

TO ANY JUDGE OF SAID COURT, IN EQUITY SITTING:

Comes your Complainant, Willie Lee Allen, in the above styled cause and respectfully shows unto your Honor the following:

1. That your Complainant is over the age of 21 years and a bona fide resident of Baldwin County, Alabama, and has for the past one and one-half years lived in Silverhill, Alabama; that Respondent, Ernal Earl Allen, is over the age of 21 years and is a resident of Baldwin County, Alabama.
2. That your Complainant and Respondent were lawfully married on, to-wit; January 8, 1949, and separated October 7, 1950; that there were no children born as a result of this union.
3. Your Complainant further avers that the Respondent has committed actual violence upon the person of Complainant, attended with danger to her life or health, and from his conduct there was reasonable apprehension of such violence; that on or about September 15, 1950, the Respondent did strike your Complainant, knocking her to the floor and injuring her back.

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that Ernal Earl Allen be made a party Respondent to this bill of complaint and that he be required to plead, answer or demur to this bill within the time and manner required by law, and that upon his failure so to do a decree pro confesso be entered against him. Complainant prays that upon final hearing of this cause that a decree of divorce be granted complainant in said cause from the Respondent and that both she and the Respondent be granted the right to remarry should either of them so desire. Complainant prays for such other, further, different and general relief as to which she may be entitled, as to which she will in duty bound ever pray.

A. B. Miller
Solicitor for Complainant