

3403

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Martha Spence Childress, Complainant

vs.

Carl Childress, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con~~ ~~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 Martha Spence Childress is forever divorced from the said Carl Childress for and on account of Cruelty.

It is further ordered, adjudged and decreed that the Respondent pay to the Complainant the sum of One Hundred Dollars (\$100.00) as Solicitors fees to be paid to Chason & Stone as Solicitors for the Complainant.

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

It is further ordered that the Respondent pay the cost herein to be taxed, for which execution may issue.

This 19th day of February, 1955.

Hubert M. Stone, 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

FEB 19 1955

ALICE J. DUCK, Register

James W. Duck

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Martha Spence Childress Complainant

VS.

Carl Childress Respondent

I, Louise Dusenbury

as ~~Register and~~ Commissioner heretofore appointed by the Court

have called and caused to come before me Martha Spence Childress

witness named in the Requirement for Oral Examination, on the 19th day of February 1955, at the office of The Court Reporter for Baldwin County in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Martha Spence Childress doth depose and say as follows:

My name is Martha Spence Childress and I am twenty years old and presently reside in Robertsdale, Alabama, but I was residing in Pensacola, Florida, in October of 1954. I was married to Carl Childress who lives at Robertsdale, Alabama, on May 17, 1950, in Lucedale, Mississippi, and we lived together as man and wife from that date until August 15, 1954. We were separated for short time during the Spring of 1954. We have no children and no children were born to us during our married life. On August 15, 1954, my husband and I had an argument and he hit me with his fist and knocked me staggering and I have not lived with him since that time because of this occurrence and because of the fact that I feel that if I were to live with him that my life and health would be in danger. I do not own any real property and as far as I know neither does my husband but he is gainfully employed in Mobile at Brokley Field where he earns approximately \$75.00 a week. In order to bring this divorce it was necessary that I employ an attorney and I did employ the firm of Chason & Stone in Bay Minette, Alabama, and I have no funds out of which to pay their fee.

Martha Spence Childress
Martha Spence Childress.

ORAL EXAMINATION.

I, Louise Dusenbury, 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 _____ and read over to her _____ and she 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 _____ or had proom made before me of the identity of said witness _____; 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 10th day of February, 1955.

Louise Dusenbury (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 195____
Register.

Recorded in _____
Record

Vol. _____ Page _____
Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Louise Dusenbury

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 Martha Spence Childress and James R. Owen

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Martha Spence Childress is

Complainant
and Carl Childress is

Respondent

on oath, to be by you administered, upon them to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness 19th day of February, 1955

W. J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

MARTHA SPENCE CHILDRESS
COMPLAINANT
VS
CARL CHILDRESS

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

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause as to ages, residences and marriage, but denies all other allegations therein contained and demands strict proof of the same.

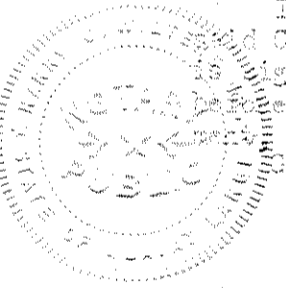
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant, the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Carl D. Childress

STATE OF ALABAMA
BALDWIN COUNTY

I, W. J. Witting, a Notary Public, in and for Baldwin County, in said state, hereby certify that Carl Childress, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument he executed the same voluntarily on the day the same bears date. Given under my hand and seal on this the 14 day of January, 1955.

W. J. Witting
Notary Public



The State of Alabama,
Baldwin County

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA
In Equity.

Martha Spence Childress
Complainant
vs.
Carl Childress
Defendant

requests the oral examination of the following named witnesses, on behalf of the

Complainant

viz: Martha Spence Childress and James R. Owen

said witnesses reside in the County of Baldwin

State of Alabama.

Louise Dusenbury

who resides at

Bay Minette, Alabama.

..... or, The Register of this Court is suggested as a suitable person
to be appointed Commissioner to take the deposition of said witness on such oral examination.

Solicitor for Complainant

Chas. S. Stone

By: *Chas. S. Stone*

CIRCUIT COURT OF
Baldwin County, Alabama

IN EQUITY

Complainant ..

vs.

Defendant ..

DEMAND FOR ORAL EXAMINATION

Filed 192..

Register.

Moore Printing Co. ::: Bay Minette, Ala.

Handwritten signature

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Martha Spence Childress

Complainant

VS.

Carl Childress

Respondent

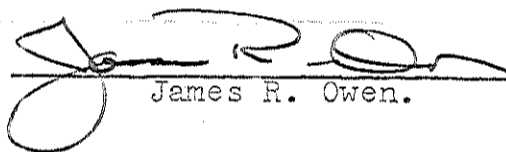
I, Louise Dusenbury

as ~~Register and~~ Commissioner heretofore appointed by the Court

have called and caused to come before me James R. Owen

witness named in the Requirement for Oral Examination, on the 19th day of February
1955, at the office of The Court Reporter of Baldwin County
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said James R. Owen
doth depose and say as follows:

My name is James R. Owen. I am a practicing attorney in Bay Minette, Alabama, and have been so engaged for 3 years. I have examined the Court file in the case of Martha Spence Childress vs. Carl Childress and in my opinion a reasonable fee for the Solicitors for the Complainant would be One Hundred Dollars (\$100.00).


James R. Owen.

ORAL EXAMINATION.

I, Louise Dusenbury, 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 _____ and read over to him and he 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 _____ or had proom made before me of the identity of said witness _____; 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 19th day of February, 1955.

Louise Dusenbury (L. S.)

NO _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
_____	_____
vs.	Complainant
_____	_____
_____	Respondent.
Oral Deposition	
Filed _____	195 _____
_____	Register.
Recorded in _____	Record _____
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_____	Register

Martha Spence Childress,
Complainant

vs.
Carl Childress,
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, Demand for Oral Examination, Commission to take Depositions and Testimony of Martha Spence Childress and James R. Owen

and in behalf of Defendant upon Answer and Waiver

Chason & Stone
By: Marlorne P. Stone

Lucy J. [Signature]
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this
day of, 194.....

Register.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Carl Childress to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Martha Spence Childress, as complainant, against Carl Childress, as respondent.

Witness my hand this 19th day of October, 1954.

Alise J. ...
Register.

MARTHA SPENCE CHILDRESS,
Complainant,
vs.
CARL CHILDRESS,
Respondent.

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

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY,
AND TO THE HONORABLE H. M. HALL, JUDGE THEREOF:

Comes your complainant, the undersigned Martha Spence Childress,
and respectfully represents and shows unto your Honor and unto this
Honorable Court as follows:

FIRST:

That she is twenty years of age and presently resides at
1303 North W Street, Pensacola, Florida, and has resided at that
address since immediately after the matters hereinafter complained of.
That the respondent is over the age of twenty-one years and is a
resident of Robertsdale, Baldwin County, Alabama.

SECOND:

That your complainant and the respondent were married on May
17, 1950, in Lucedale, Mississippi, and they have lived together as

Your complaint number 15, dated August 15, 1954, is being reviewed by the Board of Health. The Board will advise you of the results of its investigation. In the meantime, you should continue to follow the instructions of the Board of Health regarding the use of the premises. The Board of Health is also conducting an investigation of the premises and will advise you of the results of its investigation. The Board of Health is also conducting an investigation of the premises and will advise you of the results of its investigation.

REPLY TO YOUR COMPLAINT:

The premises considered, your complaint respecting the premises is being reviewed by the Board of Health. The Board will advise you of the results of its investigation. In the meantime, you should continue to follow the instructions of the Board of Health regarding the use of the premises. The Board of Health is also conducting an investigation of the premises and will advise you of the results of its investigation. The Board of Health is also conducting an investigation of the premises and will advise you of the results of its investigation.

REPLY TO YOUR COMPLAINT:

That it was necessary for you to employ a solicitor to represent her in the preparation and filing of this complaint and to this end she did employ Messrs. Chason & Stone, Attorneys at Law, Bay Minette, Alabama, and she has no funds of her own out of which to pay said solicitors for the service rendered by them in her behalf in this litigation.

REPLY:

That neither your complaint or the respondent own any real property, but the respondent is an able-bodied man gainfully employed by the United States of America at Brooklyn Field in Mobile, Alabama, where he earns approximately seven-hundred dollars (\$700.00) per week. That your complaint is, at the present time, unable to work and has no source of income for her livelihood.

REPLY:

That on, to-wit, August 15, 1954, the respondent committed actual violence on the person of your complainant attended with danger to her health by hitting your complainant with his fist.

REPLY:

That on, to-wit, August 15, 1954, the respondent committed actual violence on the person of your complainant attended with danger to her health by hitting your complainant with his fist. That on, to-wit, August 15, 1954, the respondent committed actual violence on the person of your complainant attended with danger to her health by hitting your complainant with his fist.

committed on her person attended with danger to her health and that in and by the terms of said decree that your Honor will make an allowance to your complainant out of the estate of the respondent by requiring him to pay to your complainant, as alimony, an amount in addition to the amount which your complainant now earns will be sufficient to provide her with the necessities commensurate with her station in life. Your complainant further prays that in and by the terms of said decree that your Honor will fix and determine a reasonable attorney's fee to be paid to Messrs. Chason & Stone, the solicitors for your complainant, for services rendered by them in this proceeding and require said sum to be paid to said solicitors by the respondent. And your complainant prays for such other, further and different relief as in equity will be meet and proper.

Respectfully submitted,

Martha Spence Childress
Martha Spence Childress, Complainant.

STATE OF FLORIDA

ESCAMBIA COUNTY

Before me, J. J. McMillan, a Notary Public, in and for said County in said State, personally appeared Martha Spence Childress, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That her name is Martha Spence Childress and that she is the complainant in the above styled cause and that her name is signed to the foregoing complaint as such and that the facts alleged therein are true.

Dated this 18 day of ~~October~~ NOVEMBER, 1954.

Martha Spence Childress
Martha Spence Childress

Sworn to and subscribed

before me this 18 day

of ~~October~~ NOVEMBER, 1954.

J. J. McMillan

Notary Public, Escambia County, Fla.

Notary Public, State of Florida at large
My commission expires Jan. 23, 1955.
Bonded by Mass. Bonding & Insurance Co.