

(4291)

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

NORMAN ELEY CALDWELL, Complainant

vs.

ETHEL D. CALDWELL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said Norman Eley Caldwell is forever divorced from the said Ethel D. Caldwell for and on account of Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Respondent, Ethel D. Caldwell, shall have the care, custody and control of said children: Linda Caldwell, age about 11; Norman Eley Caldwell Jr., age about 9; Patricia Jane Caldwell, age about 7 and Lawrence Reginald Caldwell, age about 6.

It is futher 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 futher 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 futher ordered that Norman Eley Caldwell the Complainant pay the cost herein to be taxed, for which executed may issue.

This 23 day of May 1958

Robert M. [Signature]

Judge Circuit Court, In Equity.

I, [Blank], 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 [Blank] day of [Blank], 19 [Blank]

Register of Circuit Court, In Equity.

No. _____ Page _____

**THE STATE OF ALABAMA
BALDWIN COUNTY**

In Circuit Court, In Equity

NORMAN ELEY CALDWELL

Complainant

vs.

ETHEL D. CALDWELL

Respondent

DIVORCE DECREE

NORMAN ELEY CALDWELL
COMPLAINANT
VS
ETHEL D. CALDWELL
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 the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, 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 Complainants witnesses; and agrees that this cause be submitted for final decree without further notice.

Ethel D. Caldwell

STATE OF ALABAMA
BALDWIN COUNTY

I, C. LeNoir Thompson, a Notary Public, in and for said County, in said State, hereby certify that Ethel D. Caldwell, 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 she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 20th day of May, 1958.

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

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: LOIS WILSON

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 Norman Eley Caldwell and Joseph McCall

a witness in behalf of Norman Eley Caldwell in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Norman Eley Caldwell

, Complainant

and Ethel D. Caldwell

Respondent

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

Witness day of

, 195

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

NORMAN ELEY CALDWELL

Complainant

VS.

ETHEL D. CALDWELL

F117D

MAY 22 1958

ALICE J. DJAK, Register Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

NORMAN ELEY CALDWELL

JOSEPH McCALL

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

NORMAN ELEY CALDWELL

Complainant

VS.

ETHEL D. CALDWELL

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Norman Eley Caldwell and Joseph McCall

witness es named in the Requirement for Oral Examination, on the 20th day of May
1958, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Norman Eley Caldwell and Joseph McCall doth depose and say as follows:

That my name is Norman Eley Caldwell, I am over the age of 21 and a resident of Baldwin County, Alabama and have been since birth. The Respondent Ethel D. Caldwell, is over the age of 21 and is a resident of Baldwin County, Alabama. We were married in Bay Minette on March 13, 1947 and lived together as husband and wife until our separation occurred in 1955 at which time the Respondent abandoned the complainant without fault on his part. There was born as fruits of this marriage four children, Linda, age about 11, Norman Eley Jr., age about 9, Patricia Jane, age about 7 and Lawrence Reginald, age about 6. The Respondent presently has the care, custody and control of the said children and your Complainant has no objection to the said Respondent being granted the care, custody and control so long as she looks after their health, welfare and moral. Your Complainant is arranging proper support for these children by mutual agreement with the Respondent. Your Complainant respectfully ask for a divorce as the parties to this cause will never live together again as husband and wife. There is no property to be divided. The agreement mentioned was made because your Complainant is employed primarily away from Alabama.

Norman Eley Caldwell

That my name is Joseph McCall, I know both parties to this cause. They are both over the age of 21 and have been residents of Alabama more than two years next preceding. They were married in Bay Minette about the middle of March 47 and lived together as husband and wife until on or about the middle of March 1955 at which time the Respondent abaandoned the Complainant without fault on his part. I do not believe they will ever live together again as husband and wife. There were four children born as fruits of this marriage, Linda, age about 11, Norman Eley Jr., age about 9, Patricia Jane, age about 7 and Lawrence Reginald, age about 6, who have lived with their mother Ethel D. Caldwell since the separation. I know of no cause the Complainant gave the Respondent for such abandønment. There is no property to be divided so far as I know.

Joseph McCall

ORAL EXAMINATION.

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition^s 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 20th day of May, 1958

Lois Wilson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

NORMAN ELLY CALDWELL,

vs. Complainant

ETHEL D. CALDWELL,

Respondent.

Oral Deposition

Filed _____, 195_____

Register.

Recorded in _____

Record _____

Vol. _____ Page _____

Register _____

FILED

MAY 22 1958

ALICE J. DUCK, Register

NORMAN ELEY CALDWELL

vs.

ETHEL D. CALDWELL

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 Norman Eley Caldwell and Joseph McCall

and in behalf of Defendant upon Answer and Waiver

Alice J. Duck

Register.

Joseph McCall

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

NORMAN ELEY CALDWELL

vs.

ETHEL D. CALDWELL

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194

MAY 22 1958

ALICE J. DUCK, Register

Printed by the Baldwin Times

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ETHEL D. CALDWELL, 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 NORMAN ELEY CALDWELL, as Complainant and against ETHEL D. CALDWELL, as Respondent.

WITNESS my hand this the 22 day of May, 1958.

Alice J. Duck
Register.

NORMAN ELEY CALDWELL

COMPLAINANT

VS

ETHEL D. CALDWELL

RESPONDENT

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

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

Your Complainant, Norman Eley Caldwell, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and has been more than two years next preceding; The Respondent is over the age of 21 and is a resident of Baldwin County, Alabama and has been more than two years next preceding.

2.

That your Complainant and the Respondent married in Bay Minette, Alabama, on March 13, 1947 and lived together as husband and wife in Baldwin County, Alabama until on to-wit the middle of March, 1955.

3.

That on to-wit the middle of March, 1955, while your Complainant and the Respondent were living together as husband and wife in Baldwin County, Alabama, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There were born as fruits of this marriage between the Complainant and the Respondent, four children; Linda Caldwell, age about 11;

