4614

ANN R. HALL,	*	IN THE CIRCUIT COURT
Complainant,	*	OF
vs.	*	BALDWIN COUNTY, ALABAMA,
H. R. HALL,	*	IN EQUITY.
Respondent.	*	Case No. 4614

DECREE OF DIVORCE

This cause is submitted for a final decree on the pleadings, Bill of Complaint, Answer and Waiver, and Agreement between the parties hereto and the testimony as shown by the Note of Submission on file in this cause, and on consideration, it is ORDERED, ADJUDGED and DECREED by the Court that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Respondent be and the same are henceforth dissolved and annulled.

It is further ORDERED, ADJUDGED and DECREED that the Complainant and the Respondent be, and hereby are permitted to again contract marriage, subject to such provisions of the law as regulate the marriage of divorced persons, but in no event before the expiration of sixty (60) days after the rendition of this decree.

It is further ORDERED, ADJUDGED and DECREED that the written agreement between the Complainant and the Respondent, a copy of which is on file in this cause, is hereby in all things ratified, approved and confirmed.

It is further ORDERED, ADJUDGED and DECREED by the Court as follows:

1. That the Complainant shall have the sole and exclusive custody, care and control of Charles Allen Hall, Don Hall, Nancy Ann Hall and Patricia Hall, the minor children born of the marriage between the parties hereto, and of their education and rearing during their minority, provided that the Respondent shall have the right to visit with and be visited by and see said children at all reasonable times, but under no circumstances shall any such visits

with Nancy Ann Hall and Patricia Hall be conducted in the presence or company or home of Virginia Jackson of Aransas Pass, Texas.

2. That the Respondent shall convey to the Complainant his right, title and interest in the homeplace located in Fairhope, Alabama, together with all furniture, fixtures, and contents, and the Respondent shall also convey to the Complainant all his right, title and interest in and to two other parcels of real property located in Fairhope, Alabama, so that the entire title to all property in which he has an interest located in Fairhope, Alabama, shall be vested absolutely in the Complainant.

3. That the Respondent shall convey and transfer to the Complainant all his right, title and interest in and to the partnership and the assets of said partnership known as H. R. Hall and Company, 12 S. Commerce Street, Mobile, Alabama, together with all his capital stock in American Block Corporation, an Alabama corporation organized in Baldwin County, Alabama.

4. Respondent has presently in force on his life two insurance policies with the National Life and Accident Insurance Company, Nashville, Tennessee, in which the Complainant is named beneficiary, each of said policies being in the face sum of $5,000.00, and being Policies No. 847229 and 822646. Respondent also has in force on his life two insurance policies with the Protective Life Insurance Company, each in the face sum of $50,000.00, said policies being term policies, Policy No. 201144, expiring on January 7, 1960, and Policy No. 201143, expiring on October 20, 1959. Respondent shall irrevocably change the beneficiary in said policies to the above named four minor children, share and share alike.

5. The Marine Supply Company of Aransas Pass, Texas, a Texas corporation, in which the Respondent is a stockholder, is indebted to H. R. Hall and Company of Mobile, Alabama, in the sum of $11,430.50. Respondent shall pay the sum of $5,000.00 in full and final settlement of this indebtedness to the H. R. Hall and

Company. Such indebtedness shall be evidenced by a note of even date herewith, said note to be payable in equal successive monthly installments each in the sum of $300.00, to bear no interest, and be secured by a valid first mortgage on the motor vessel, "Ramrod", of Corpus Christi, Texas.

6. Respondent shall pay to the Complainant for application by her to the expenses of the care and maintenance of Nancy Ann Hall and Patricia Hall only, the sum of Fifty Dollars ($50.00) per month for each named minor child, such sum of Fifty Dollars ($50.00) to be paid to Complainant monthly until each respective child being the beneficiary of such payment shall reach the age of twenty-one (21) years.

7. Complainant, Ann R. Hall, shall transfer and assign to the Respondent, H. R. Hall, all capital stock owned by her in Marine Supply Company of Aransas Pass, Texas, and Marine Supply Company of Freeport, Texas, and Marine Supply Company of Port Isabel, Texas, all Texas corporations.

8. That the Respondent pay to Sullivan & Cameron of Mobile, Alabama, Solicitors for the Complainant, the sum of $1,500.00 for services rendered in this cause and shall pay all Court costs incurred in and about this cause, and for the collection of which sums, let execution issue.

The Court retains full and complete jurisdiction of this cause for the purpose of making such further orders and decrees during the minority of said children as may be for their best interest and welfare.

DONE, this the 10 day of June, 1959.

Hubert M. Hale
Judge

ANN R. HALL (HAAS), (XXXXX),	X	
Plaintiff,	X	IN THE CIRCUIT COURT OF
Vs.	X	BALDWIN COUNTY, ALABAMA
H. R. HALL,	X	IN EQUITY
Respondent.	X	CASE NO. 4614

NOTICE OF APPEAL

Comes now the Respondent, H. R. Hall, and gives notice of appeal from the decree of the Circuit Court of Baldwin County, Alabama, in Equity Sitting, rendered in this cause on, to-wit, the 27th day of November, 1961.

WILTERS & BRANTLEY

BY: Tolbert M. Brantley

Tolbert M. Brantley

FILED

FEB 28 1962

ALICE J. DUCK, CLERK REGISTER

ANN R. HALL (HAAS) (~~WXSXX~~,	)	
Plaintiff,	)	IN THE CIRCUIT COURT OF
Vs.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	IN EQUITY
Respondent.	)	CASE NO. 4614

We the undersigned hereby acknowledge ourselves for all costs of appeal to the Supreme Court of Alabama, from the decree rendered in the above entitled cause on the 27th day of November, 1961; hereby agree to pay all costs; for payment of this bond we hereby waive our rights of exemption of personal property under the constitution of the State of Alabama.

Witness our hands and seals on this the 28th day of February, 1962.

Sallie M Brande (SEAL)

Harry J Walters Jr (SEAL)

Taken and approved this the 28 day of Feb, 1962.

Alice J. Wheeler
Register

CITATION OF APPEAL

Printed by The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN THE CHANCERY COURT OF BALDWIN COUNTY

To ANN R. HALL (HAAS), (XXXXX,

Or To Hon. James R. Owen, Solicitors of record.

Whereas, on the 28th day of February, 19 62, H.R.Hall

took an appeal from the decree rendered on the 27th day of November

19 61, by the Circuit Court of said county, in the cause of

ANN R. HALL, (HAAS), XXXXXX,

versus H.R. HALL

Now, therefore, you are cited to appear as required by law, before the Supreme Court of Alabama, to defend on said appeal, if you think proper so to do.

Witness my hand this 28th day of February, 19 62.

Register in Chancery.

4614

ANN R. HALL (HAAS), ~~(XXXXX~~ Complainant

vs.

H.R. HALL Respondent

CITATION OF APPEAL

IN EQUITY

Issued 28th day of Feb., 19 62

Received 7 day of Mar 19 62
and on 2 day of March 19 62
I served a copy of the within citation
on Hanna E. Hall
By service on Hanna E. Hall
TAYLOR WILKINS, Sheriff
By W. O. Hanna D. S.
O. mi.

_____Div. No._____ CERTIFICATE OF APPEAL. (Equity Cases.)

No. 4614

ANN R. HALL (HAAS), (~~WEBB~~),
Complainant.

vs.

H.R. HALL
Respondent.

I, Alice J. Duck Register of the Circuit Court in Equity, Baldwin County, Alabama, hereby certify that in the cause of ANN R. HALL, (HAAS), (~~WEBB~~), Complainant,

vs.

H.R. HALL Respondent,

which was tried and determined in this Court on the 27th day of November 19 61, in which there was a decree in favor of the Complainant.

On the 28th day of February 19 62, the Respondent, H.R. Hall, took an appeal to the Supreme Court of Alabama, to be holden of and for said State.

I further certify that H.R. Hall filed security for cost of appeal, to the Supreme Court, on the 28th day of February 19 62, and that Tolbert M. Brantley and Harry J. Wilters, Jr., are sureties on the appeal bond.

I further certify that notice of said appeal was on the 2nd day of March 19 62, served on Hon. James R. Owen as attorney of record for said appellee.

Witness my hand and the seal of this Court, this the 28th day of February 19 62.

Alice J. Duck
Register of the Circuit Court In Equity of
Baldwin County, Alabama.

Form 6217-1

ANN R. HALL,	*	IN THE CIRCUIT COURT
Complainant,	*	OF
vs.	*	BALDWIN COUNTY, ALABAMA,
H. R. HALL,	*	IN EQUITY.
Respondent.	*	Case No. 4614 -

DEPOSITIONS OF ANN R. HALL AND MRS. J. D. WILKINSON, WITNESSES EXAMINED ON BEHALF OF THE COMPLAINANT IN THE ABOVE STYLED CAUSE, WHICH IS PENDING IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Ann R. Hall, a witness examined on behalf of the Complainant, having been first duly sworn to speak the truth, the whole truth and nothing but the truth, did testify as follows:-

My name is Ann R. Hall. I am the Complainant in this case. H. R. Hall is my husband. I am over the age of twenty-one (21) years, of sound mind and a bona fide resident citizen of the State of Alabama. I reside in Fairhope, Baldwin County, Alabama. I have been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of the Bill of Complaint in this case. H. R. Hall, the Respondent, is over the age of twenty-one (21) years, of sound mind and is a non resident of the State of Alabama. He is presently residing in Aransas Pass, Texas, and has been so residing in Aransas Pass, Texas for more than one year. The Respondent and I were legally married in Andalusia, Covington County, Alabama, on the 29th day of January, 1938, and after our marriage, we lived together as husband and wife in Fairhope, Baldwin County, Alabama, until the month of September, 1957. During the month of September, 1957, the Respondent, H. R. Hall, abandoned me and his bed and board with me without just cause for so doing and without any fault on my part for his so doing, and said abandonment has continued for a period of more than one year next preceding the filing of the Bill of Complaint in this case, and said voluntary abandonment has been continuous to this date; that since the date said Respondent, H. R. Hall, abandoned me and his bed and board with me, we have had no further relationship as husband and wife.

There was born of my marriage with the Respondent four children, namely, Charles Allen Hall, Don Hall, Nancy Ann Hall and Patricia Hall. These children are minors and they live with me in Fairhope, Alabama, and are in my care and custody. I have always properly educated my children and cared for their religious and moral well-being and I feel that I am a proper and suitable person to have the care and custody of said children.

Ann R. Hall

Ann R. Hall

Sworn and subscribed to before me,
this the 9th day of June, 1959.

Jean M. Buckner
Commissioner

Mrs. J. D. Wilkinson, a witness examined on behalf of the Complainant, having been first duly sworn to speak the truth, the whole truth and nothing but the truth, did testify as follows:-

My name is Mrs. J. D. Wilkinson. I am a resident of Baldwin County, Alabama. I know both Ann R. Hall and H. R. Hall and have known them for many years. Ann R. Hall is a bona fide resident citizen of Fairhope, Baldwin County, Alabama, over the age of twenty-one (21) years and of sound mind, and has been such a bona fide resident citizen for more than one year next preceding the filing of the Bill of Complaint in this case. H. R. Hall is over the age of twenty-one years, of sound mind and is a non resident of the State of Alabama. He is presently living in Texas. I know that H. R. Hall, during the month of September, 1957, voluntarily abandoned Ann R. Hall and his bed and board with her without just cause for so doing and without fault on the part of Ann R. Hall for his so doing, and such voluntary abandonment has continued for a period of more than one year next preceding the filing of the Bill of Complaint in this case, and that said voluntary abandonment has been continuous to this date. I know that there were four children born of this marriage, namely, Charles Allen Hall, Don Hall, Nancy Ann Hall and Patricia Hall; that said children now reside with their mother, Ann R. Hall, in Fairhope, Alabama, and are in her care and custody. I have known this family for many years and know that the mother, Ann R. Hall, is a fit and suitable person to have the care and custody of said children.

Mrs. J. D. Wilkinson

Mrs. J. D. Wilkinson

Sworn and subscribed to before me,
this the 9th day of June, 1959.

Jean M. Buckner

Commissioner

I, Jean M. Buckner, the Commissioner named in that certain agreement between the Respondent and the Complainant, in that certain case pending in the Equity Division of the Circuit Court of Baldwin County, Alabama, in which Ann R. Hall is the Complainant, and H. R. Hall is the Respondent, under and by virtue of the power conferred upon me by said agreement, I caused the said Ann R. Hall and Mrs. J. D. Wilkinson, who are known to me, to come before me at the time and place hereinafter named, that is to say, I caused the said Ann R. Hall and Mrs. J. D. Wilkinson to come before me at my office at 617 First National Bank Building, Mobile, Alabama, on the 9th day of June, 1959; that said witnesses were then examined and testified in response thereto, as it is hereinabove written; that their testimony was by me reduced to writing as given by them, and as might be in the identical language of said witnesses, and that after their testimony had been so reduced to writing, it was read over by said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to any of the parties to this cause and not in anywise interested in the result thereof.

WITNESS my hand, this the 9th day of June, 1959.

Jean M. Buckner
Commissioner

My Commissioner's Fee has been paid in full.

Jean M. Buckner
Commissioner

FILED
JUN 11 1959
ALICE J. DUCK, CLERK
REGISTER

Div. No. CERTIFICATE OF APPEAL. (Equity Cases.)

No. 1614

ANN R. HALL
Complainant.

vs.

H.R. HALL
Respondent.

I, Alice J. Duck Register of the Circuit Court In Equity, Baldwin County, Alabama, hereby certify that in the cause of Ann R. Hall Complainant,

vs.

H.R. Hall Respondent,

which was tried and determined in this Court on the 8th day of July 1960, in which there was a decree in favor of the Respondent.

On the 9th day of September 1960 the Complainant, Ann R. Hall took an appeal to the Supreme Court of Alabama, to be holden of and for said State.

I further certify that James R. Owen, Solicitor for Complainant filed security for cost of appeal, to the Supreme ~~Court~~ Court, on the 9th day of September 1960, and that James R. Owen, is ~~are~~ surety ~~ties~~ on the appeal bond.

I further certify that notice of said appeal was on the 20 day of Sept, 1960 served on ~~Sgt~~ Chason & Stone as attorney~~s~~ of record for said appellee.

Witness my hand and the seal of this Court, this the 9th day of September, 1960

Alice J. Duck

Register of the Circuit Court In Equity of

Baldwin County, Alabama.

ANN R. HALL,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	IN EQUITY
Respondent.	)	

APPEAL AND SECURITY FOR COSTS

Now comes the Complainant in the above styled cause, by her Solicitor, and hereby appeals to the Supreme Court of the State of Alabama, from the final judgment of the Circuit Court of Baldwin County, Alabama, in Equity, rendered in the above styled cause on July 8, 1960.

Solicitor for Complainant

I hereby acknowledge myself security for the costs of the foregoing appeal.

Taken and approved on this the 9 day of September, 1960.

Register of the Circuit Court of Baldwin County, Alabama, in Equity.

FILED
SEP 9 1960
ALICE L. DUCK, CLERK & REGISTER

ANN R. HALL, Complainant, VS. H. R. HALL, Respondent.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

Now comes Ann R. Hall, the Appellant in the above styled cause, by her Solicitor, and hereby dismisses the appeal to the Supreme Court of the State of Alabama from the final judgment rendered in this cause on July 8, 1960.

Solicitor for Complainant

FILED
OCT 10 1960
ALICE J. DUCK, Register

CITATION OF APPEAL

Printed by The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN THE CHANCERY COURT OF BALDWIN COUNTY

To H.R. Hall

Or To Chason & Stone, Solicitors of record.

Whereas, on the ~~8th~~ 9th day of ~~July~~ Sept., 19 60, Ann R. Hall

took an appeal from the decree rendered on the 8th day of July

19 60, by the Circuit Court of said county, in the cause of

Ann R. Hall

versus

H.R. Hall

Now, therefore, you are cited to appear as required by law, before the Supreme Court of Alabama, to defend on said appeal, if you think proper so to do.

Witness my hand this 9th day of September, 19 60.

Register in Chancery.

#235

Received 16 day of Sept 1960
and on 20 day of Sept 1960
served a copy of the within Citation
on Chason & Stone
by service on Mr Stone

TAYLOR WILKINS, Sheriff
By W. A. Tolbert D. S.

omi

ANN R. HALL Complainant

vs.

H.R. HALL Respondent

CITATION OF APPEAL

IN EQUITY

Issued 9th day of Sept., 1960

7

~~EQUITY~~
~~CIVIL~~ SUBPOENA — ORIGINAL — In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred.

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Case No. ~~4614~~ 4668 Oct. TERM, 195

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You Are Hereby Commanded to Summon Mrs. Allen Crenshaw - Andalusia, Ala.

if to be found in your County, at the instance of the Respondent

to be and appear before the Honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof, by 10:00 o'clock of the forenoon, on the 2nd day of November, 19~~3~~61, and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain cause pending, wherein Ann R. Hall, Plaintiff and H.R. Hall, Defendant.

Herein Fail Not, and have you then and there this Writ.

Given under my hand and seal, this 21 day of ~~Nov~~ Oct., 19~~3~~61

Alice J. Duck Clerk.

Printed by The Baldwin Times

1006 East Throw Wolfe

Received in office this 23 day of

Oct, 1961

M.C. Meredith

SHERIFF

I have executed this writ:

10-27-61

M.C. Meredith

H. L. Wilson

SHERIFF

ORIGINAL

No. ~~4613~~ ~~4614~~ ~~4616~~ 4614 Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ANN R. HALL

Plaintiff

Vs.

H.R. HALL

Defendant

~~COUNTY~~ ~~CIVIL~~ SUBPOENA

Civil Equity

Issued this 21 day of

October, 1961

Alice J. Buck

Clerk

EQUITY

~~XXXX~~ SUBPOENA — ORIGINAL — In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred.

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Case No. ~~4624~~ 4668 Oct. TERM, 195

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS:

You Are Hereby Commanded to Summon

1. Don Hall- Box 391, Fairhope
2. Charles Hall " " or Luciassen Plumbing Co.
3. Dr. R.H. Johnson, Jordan Clinic, Fairhope
4. Mrs. Katherine Barrett Fairhope
5. Mrs. Sam Box(Elizabeth) - Fairhope
6. Mrs. Don Hall (Julia Annette) Box 391, Fairhope
7. Mrs. J.D. Wilkinson (Margaret-) Spanish Fort -
8. Mrs. Wilson S. Dutcher- 112 Kiefer, Fairhope
9. Mr. Don Hall - Box 391, Fairhope

if to be found in your County, at the instance of the Respondent

to be and appear before the Honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof, by 10:00 o'clock of the forenoon, on the 2nd day of November, 195~~7~~61, and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain cause pending, wherein Ann R. Hall, Plaintiff and ~~R.~~ H.R. Hall, Defendant.

Herein Fail Not, and have you then and there this Writ.

Given under my hand and seal, this 21 day of Oct., 195~~7~~61.

Alice J. Duck Clerk.

Printed by The Baldwin Times

Received in office this 24 day of

October, 1961

SHERIFF

I have executed this writ:

Katherine Barrett 10-24-61

Mrs. Sam Box 10-24-61

Charles Hall 10-24-61

Dr. R. H. Johnson 10-24-61

Mrs Wilson Dutcher 10-24-61

Mr. Don Hall in Mobile

Mrs Don Hall in Mobile

Don Hall in Mobile

Mrs J. D. Wilkinson Not found

Taylor Wilkins

SHERIFF

W. O. Garner

ORIGINAL

No. ~~4614~~ 4665 Page 4644

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ANN R. HALL

Plaintiff

Vs.

H.R. HALL

Defendant

~~BOND~~ ~~XXXXXX~~ SUBPOENA

~~CIVIL~~ Equity

Issued this 21 day of

October, 1961

Alice J. Duck

Clerk

SUBPOENA — ORIGINAL — In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he shall be barred.

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

Case No. 4668 Oct. TERM, 195

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You Are Hereby Commanded to Summon 1. Will Haas- 12 So. Commerce St., or 200 Summerville Apts., Springhill Ave., Mobile
2. Barbara Haas 74 Acacia Street, Mobile, Ala.
3. Apartment House Manager- Summerville Apts., Springhill Ave., Mobile,
4. Mr. John Morris 12 So. Commerce St., Mobile, -or Bay Minette
5. Mrs. Walter Wise 74 Acacia St., Mobile

if to be found in your County, at the instance of the Respondent

to be and appear before the Honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof, by 10:00 o'clock of the forenoon, on the 2nd day of November, 1961, and from day to day and term to term of said Court until discharged by law, then and there to testify, and the truth to say, in a certain cause pending, wherein Annie R. Hall, Plaintiff and N.A. Hall, Defendant.

Herein Fail Not, and have you then and there this Writ.

Given under my hand and seal, this 21 day of Oct., 1961

Alice J. Duck Clerk.

Printed by The Baldwin Times

Code 2935.36
Sm

11-2.

ORIGINAL

No. ~~4614~~ 4663 Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ANN R. HALL

Plaintiff

Vs.

A. R. HALL

Defendant

~~EQUITY~~ CIVIL SUBPOENA

Issued this 21 day of

Oct., 1961

Alice J. Duck Clerk

RECEIVED
OCT 23 1961
SHERIFF'S OFFICE

Received in office this 21 day of

Oct, 1961

SHERIFF

I have executed this writ:

by serving a copy on

Well Haas - 10-25-61 Rogers
Barbara Haas 10-25-61 Smith
Mrs Green Capt House mgr
Summerville Apts 10-26-61 Smith
Mr John Morris 10-25-61 Rogers
Mrs Walter Wise 10-25-61 Smith

Raydo Bridges
LB Smith D.S.
R Rogers D.S.

SHERIFF

HARRY J. WILTERS, JR.
TOLBERT M. BRANTLEY
ASSOCIATE:
PHYLLIS S. NESBIT

LAW OFFICES OF
WILTERS & BRANTLEY
P. O. BOX 327
BAY MINETTE, ALABAMA

P. O. BOX 337
ROBERTSDALE, ALABAMA

PHONES
BAY MINETTE 937-6721
ROBERTSDALE WI 7-4682

4614

October 18, 1961

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

Dear Mrs. Duck:

Please subpoena the following named witnesses for R. H. Hall in the case of Hall v. Hall. This case is set for trial Thursday, November 2nd, at 10:00 o'clock.

Don Hall - Box 391, Fairhope, Alabama
Charles Hall - Box 391, Fairhope, Alabama, or Luciassen Plumbing Co., Fairhope, Alabama
Will Haas - 12 So. Commerce St., or 200 Summerville Apts., Springhill Avenue, Mobile, Alabama
Barbara Haas - 74 Acacia Street, Mobile, Alabama
Dr. R. H. Johnson, Jordon Clinic, Fairhope, Alabama
Apartment House Manager - Summerville Apartments, Springhill Avenue, Mobile, Alabama
Mrs. Katherine Barrett - Fairhope, Alabama
Mr. John Morris - 12 So. Commerce Street, Mobile, Alabama or Bay Minette, Alabama
Mrs. Sam Box (Elizabeth) - Fairhope, Alabama
Mrs. Don Hall (Julia Annette) - Box 391, Fairhope, Alabama
Mrs. J. D. Wilkinson (Margaret) - Spanish Fort, Mobile, Alabama
Mrs. Walter Wise - 74 Acacia Street, Mobile, Alabama
Mrs. Allen Crenshaw - Andalusia, Alabama
Mrs. Wilson S. Dutcher - 112 Kiefer, Fairhope, Alabama
Mr. Don Hall - Box 391, Fairhope, Alabama

Yours truly,

WILTERS & BRANTLEY

BY: Tolbert M. Brantley
Tolbert M. Brantley

TMB:jh

done 10-21-61

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	IN EQUITY
H. R. HALL,	)	CASE NO. 4614
Respondent.	)	

PETITION FOR CITATION FOR CONTEMPT

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

Comes now, H. R. Hall, Respondent in the above styled cause and respectfully shows unto the Court as follows:

That on the 10th day of June, 1959, Your Honor entered a decree in this cause which, among other things, gave Ann R. Hall care, custody and control of two minor children born to this union; these children being Nancy Ann Hall and Patricia Hall. That on the 8th day of July, 1960, Your Honor Modified this said decree by changingthe custody of these two named children, and gave H. R. Hall the custody of these children each year for a period of time beginning July 1st and ending July 31st of each year.

Your Petitioner avers that Ann R. Hall has contemptuously and willfully refused to obey the Court's Decree and has willfully and contemptuously refused to allow H. R. Hall to have these two named children for the period of time beginning July 1st and ending July 31st of each year, since the said decree.

Premises considered, Your Petitioner prays that a rule be issued to the said Ann R. Hall requiring her at a time and place to be therein stated to appear before the Court and show cause, if any she has, why she should not be punished as for a contempt.

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

_____

H. R. Hall

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Tolbert M. Brantley, a Notary Public, in and for said County and State, personally appeared H. R. Hall, who is known to me, and who being by me first duly sworn, deposes and says, that he has knowledge of the facts contained in the above Petition, and the same are true.

_____
H. R. Hall

Sworn to and subscribed before me on this the____day of November, 1961.

_____
Notary Public, Baldwin County, Alabama

ATTACHMENT FOR WITNESS — Moore Ptg. Co.

State of Alabama

Baldwin County

No. 4614

COURT.

Term, 192

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

It having been made known to the Court, by competent evidence, that heretofore, viz.: On the 3rd day of November 19 61, a Subpoena issued out of this Court directed to Charles Hall commanding him to appear at the present term of this Court to give evidence in behalf of H.R. Hall in a case pending in this Court, wherein Ann R. Hall Plaintiff, and H.R. Hall Defendant.

And it appearing to the Court by return of the Sheriff on said Subpoena endorsed that the said Charles Hall was duly summoned to appear at this term, and from term to term thereafter, according to law; and it further appearing that the said Charles Hall has wilfully refused to appear, and testify as by said Subpoena he was required, and wilfully and without good excuse, refused to appear in obedience to said Subpoena; You are therefore commanded to arrest the said Charles Hall and him safely keep, so that you have him before this Court on the 16th day of November 19 61 at 1:00 o'clock

Herein fail not, and show by your return how you have executed this process.

Clerk

BOND

State of Alabama

BALDWIN COUNTY

We, agree to pay the State of Alabama, Dollars, unless appears at the next term of Circuit Court of said County, and from day to day, and from term to term thereafter, until discharged by due course of law, to testify and give evidence in behalf of in a criminal prosecution wherein the State of Alabama is Plaintiff, and Defendant charged with the offence of

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now or may hereafter have, under the constitution and laws of the State of Alabama hereby certify that have property free from all incumbrance, to the full amount of the above bond.

Witness our hands and seals this day of 19

Taken and approved,

19

Sheriff

(L. S.)

(L. S.)

(L. S.)

(L. S.)

No. ..... Page .....

The State of Alabama,
Baldwin County.

..... COURT

The State of Alabama,
vs.

.....

.....

Attachment Writ Against

..... Witness.

ATTACHMENT FOR WITNESS

Issued ....., 192..

..... Clerk

Defendant lives at

.....

Bail of the defendant.. in this case has been fixed by the presiding Judge,

in open court at .....

..... Dollars.

..... Clerk.

SURETIES

.....

.....

.....

.....

Amount of Bond, $ .....

Received in office

..... 19...

..... Sheriff.

I have executed this writ,

this Nov. 16 1961

by arresting the within named Defendant.. and Placing him in Court

Taylor Wilkins Sheriff

W. A. Talbert Deputy Sheriff

Fairhope

Sheriff claims 70 miles at Ten Cents per mile Total $ 7.00

TAYLOR WILKINS, Sheriff

BY ..... DEPUTY SHERIFF

H. R. HALL,	X	IN THE CIRCUIT COURT OF
Complainant,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	IN EQUITY
ANN R. HALL,	X	CASE NO. 4614
Respondent.	X	

We, Harry J. Wilters, Jr. and Tolbert M. Brantley hereby jointly and severally acknowledge ourselves as security for the cost in the foregoing proceedings.

Harry J. Wilters

Tolbert M. Brantley

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Plaintiff,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	IN EQUITY
H. R. HALL,	)	CASE NO. 4614
Respondent.	)	

PETITION FOR CITATION FOR CONTEMPT

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

Comes now, H. R. Hall, Respondent in the above styled cause and respectfully shows unto the Court as follows:

That on the 10th day of June, 1959, Your Honor entered a decree in this cause which, among other things, gave Ann R. Hall care, custody and control of two minor children born to this union; these children being Nancy Ann Hall and Patricia Hall. That on the 8th day of July, 1960, Your Honor Modified this said decree by changingthe custody of these two named children, and gave H. R. Hall the custody of these children each year for a period of time beginning July 1st and ending July 31st of each year.

Your Petitioner avers that Ann R. Hall has contemptuously and willfully refused to obey the Court's Decree and has willfully and contemptuously refused to allow H. R. Hall to have these two named children for the period of time beginning July 1st and ending July 31st of each year, since the said decree.

Premises considered, Your Petitioner prays that a rule be issued to the said Ann R. Hall requiring her at a time and place to be therein stated to appear before the Court and show cause, if any she has, why she should not be punished as for a contempt.

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

H R Hall

H. R. Hall

124 H

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Tolbert M. Brantley, a Notary Public, in and for said County and State, personally appeared H. R. Hall, who is known to me, and who being by me first duly sworn, deposes and says, that he has knowledge of the facts contained in the above Petition, and the same are true.

H. R. Hall

H. R. Hall

Sworn to and subscribed before me on this the 2nd day of November, 1961.

Tolbert M Brantley

Notary Public, Baldwin County, Alabama

FILED
NOV 3 1961
ALICE I. DUCK, CLERK
REGISTER

Received 3 day of Nov 1961
and on _____ day of _____ 19____
I served a copy of the within Petition
on Ann L. Hall

By service on _____

TAYLOR WILKINS, Sheriff
By _____ D. S.

M.4614

Ann R. Hall

vs.

W. R. Hall

1. Petition for citation for contempt

2. Rule 20 show cause

To be served on Ann R. Hall

ANN R. HALL,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	IN EQUITY
H. R. HALL,	X	CASE NO. 4614
Respondent.	X	

ORDER OF CONTINUANCE

This matter being set for a hearing on this the 2nd day of November, 1961, and the Attorney for H. R. Hall appeared in this cause and requested a continuance because of absence of several witnesses, and it appearing to the Court that this matter should be continued, it is hereby continued, and re-set for a hearing on the 16th day of November, 1961, at 10:00 a.m.

Done this the 2nd day of November, 1961.

Circuit Judge

FILED
NOV 3 1961
CLERK
REGISTER

BK 10 - p. 230 A

ANN R. HALL,	X	IN THE CIRCUIT COURT OF
Plaintiff,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	IN EQUITY
H. R. HALL,	X	CASE NO. 4614
Respondent.	X	

RULE TO SHOW CAUSE

This cause being presented to the Court by a Verified Petition of H. R. Hall for a rule nisi against Ann R. Hall for disobedience to Divorce Decree, it is ordered that Ann R. Hall be, and she is hereby, commanded to be and appear before this Court on the 16th day of November, at 10:00 a.m. to show cause, if any she has, why the Petition should not be granted, and why she should not be adjudged in contempt.

It is further ordered that a copy of this Petition and this order be served on the said Ann R. Hall by any Sheriff of the State of Alabama.

Done and ordered this the 3 day of November, 1961.

Robert M. Hare
Circuit Judge, in Equity Sitting

To Any Sheriff of the State of Alabama - Greetings:

You are hereby commanded to execute the foregoing and due return make thereof according to law.

This the 3 day of November, 1961.

Robert M. Hare
Circuit Judge, in Equity Sitting

FILED
NOV 3 1961
ALICE J. DUCK, CLERK
REGISTER

ANN. R. HALL,	X	IN THE CIRCUIT COURT OF
Complainant,	X	BALDWIN COUNTY, ALABAMA
Vs.	X	IN EQUITY
H. R. HALL,	X	CASE NO. 4614
Respondent.	X	

We, Marcus E Stone and Don Hall hereby jointly and severally acknowledge ourselves as security for the cost in the foregoing proceedings.

X Marcus E Stone

X Don Hall

FILED

NOV 8 1961

ALICE L. DUCK, CLERK REGISTER

PETITION TO MODIFY CUSTODY

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	IN EQUITY
H. R. HALL,	)	CASE # 4614
Respondent.	)	

Comes now H. R. Hall, Respondent in the above styled cause, and shows unto Your Honor as follows:

1.

That your Complainant and Respondent are each over the age of 21 years, and were at one time married to one another and lived together as husband and wife in Baldwin County, Alabama. That the Complainant filed a suit against the Respondent in Baldwin County, Alabama, seeking a divorce from him. That on the 10th day of June, 1959, Your Honor entered a Final Decree granting the Complainant a Divorce from the Respondent, and, among other things, decreed that the Complainant have the care, custody and control of the minor children born to this union: Charles Allen Hall, now about 21 years of age, Don Hall, now about 19 years of age, Nancy Ann Hall, a minor girl, now about 14 years of age and Patricia Hall, a minor girl, now about 12 years of age.

2.

That subsequent to the aforesaid Decree, your Respondent, H. R. Hall, filed a petition to modify the custody of the aforesaid minor children. That upon the hearing of the petition, Your Honor entered a Decree modifying the custody of said children so that the Respondent has the right to have the minor children, Nancy Ann Hall and Patricia Hall reside with him during the month of July of each year.

3.

Your Petitioner avers that the Complainant now lives in

Mobile County, Alabama, and the Respondent lives in Aransas Pass, Texas.

4.

Your Petitioner further shows unto the court that since the time of the original Decree, and since the 11th of July, 1960, the date on which Your Honor modified the original Decree, the condition of the Complainant and Respondent have changed in that:

At the time of the aforesaid decree, the Complainant was living in a home in Fairhope, Alabama, and all of the minor children named in this suit were living there with her. That at the time of the original Decree, the Respondent was an unmarried man. That since the time of the original Decree, the Respondent has remarried and now lives in Aransas Pass, Texas; that he has a large comfortable home and lives in a good community near schools and churches; that the Respondent can give the said minor children a good and wholesome envirement to live in and is in every respect a suitable and proper person to have the full care, custody and control of the two named minor daughters.

5.

That since the time of Your Honor's decree modifying the original Decree, the Complainant has moved from Fairhope to Mobile, and now lives there in an apartment; that Nancy Ann Hall was left in Fairhope with her two brothers, Charles Allen Hall and Don Hall; that Charles Allen Hall is unmarried and is an enotionally unstable person; that Don Hall is married, but has separated from his wife. That Nancy Ann Hall is now living in the home with her unmarried brother.

Your Respondent avers that the home life there is not suitable and proper for a girl of tender years; that there is no supervision over her activities; that she has been absent from school a great number of days this year, and that her

in school reflect a lack of supervision over her studies and activities.

6.

The Respondent says further that the Complainant is now living in an adulterous relationship with a party whose name is unknown to your Respondent, and that she has become an unfit and improper person to have the care, custody and control of Nancy Ann Hall and Patricia Hall.

WHEREFORE, the premises considered, your Respondent prays that Your Honor, will by proper process, make the said Ann R. Hall, party Complainant to this petition requiring her 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.

Premises considered the Respondent prays that on the final hearing of this petition, Your Honor will enter a Decree giving him the full and complete care, custody and control of Nancy Ann Hall and Patricia Hall, your Respondent prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

STATE OF ALABAMA

BALDWIN COUNTY

H. R. Hall
Respondent

Before me the undersigned authority, personally appeared H. R. Hall, who is known to me, and who being by me first duly sworn deposes and says; that he has read the allegations contained in the foregoing petition, and all matters alleged therein are true and correct.

H. R. Hall
H. R. Hall

FILED
APR 20 1961
ALICE J. DUCK, Register

Sworn to and subscribed before me on this the 17th day of April, 1961.

Walter S. Brantley
by: Sallie M. Brantley

E. J. Wright
Notary Public
E. J. WRIGHT
Notary Public in and for San Patricio County, Texas
My Commission Expires June 1, 1961

124C

266 -

R

Received 20 day of April 19 61
and on 27 day of April 19 61
I served a copy of the within Petition
on Van R. Hall

By service on Van R Hall
Ray O. Bridges
TAYLOR WILKINS, Sheriff
By R Rogers D. S.

RECEIVED
APR 21 1961
SHERIFF'S OFFICE

FILED
APR 20 1961
ALICE J. DUCK, Register

RECEIVED
APR 21 1961
SHERIFF'S OFFICE

ANN R. HALL,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	IN EQUITY NO. 4614
Respondent.	)	

ANSWER

Now comes the Complainant in the above styled cause and for answer to the petition to modify custody heretofore filed in this cause says:

1. She admits the allegations of paragraph 1 of the petition.

2. She admits the allegations of paragraph 2 of the petition.

3. She admits the allegations of paragraph 3 of the petition.

4. She denies the allegations of paragraph 4 of the petition and demands strict proof thereof.

5. She denies the allegations of paragraph 5 of the petition and demands strict proof thereof.

6. She denies the allegations of paragraph 6 of the petition and demands strict proof thereof.

7. For further answer to the petition and by way of Complainant's petition to modify the custody decree heretofore rendered in this cause Complainant says:

A. That on the 10th day of June, 1959, in this cause the Court entered a final decree divorcing Complainant from Respondent and ordering the Respondent to pay One Hundred Dollars ($100.00) each month to Complainant for the support and maintenance of Nancy Ann Hall and Patricia Hall, minor children of Complainant and Respondent. The said Respondent, H. R. Hall, has failed for the last nine months to make the said payments of One Hundred Dollars ($100.00) each month as required by said decree, although having the sufficient means to comply with the said decree and

has willfully and contemptuously refused to obey said decree.

B. That the Respondent is addicted to alcohol and stays in a state of drunkardness habitually; that he is now under indictment in the Southern District of the United States District Court of Alabama for threatening the life of the Complainant using interstate communications for said purpose; that although Respondent had the right to have the care, custody and control of the two minor children of the parties hereto during the month of July of each year beginning in the year 1960, he did not have the care, custody and control of the said minor children during said month during the year 1960 or any other months; that he does not have a fit and proper place to live in which has a wholesome environment; that he is now married to a woman with whom he had adulterous relationships during his marriage to Complainant and by whom he had an illegitimate child before his divorce from Complainant; that he continuously visits and calls Complainant at her home and place of business in Mobile, Alabama, for the purpose of harassing and embarrassing her; that he has no interest in the minor children of the parties, but this petition was filed solely for the purpose of harassing and embarrassing Complainant.

C. That it would be to the best interest of the minor children of the parties hereto that Complainant have the permanent care, custody and control of them and that Respondent be denied the right to visit them at any time.

WHEREFORE, the premises considered your Complainant prays for the following separate and several relief:

1. That a rule be issued to said H. R. Hall requiring him at a time and place to be therein stated, to appear before the Court and show cause, if any he have, why he should not be punished as for a contempt.

2. That the decree heretofore rendered on July 8, 1960, be modified so as to give Complainant the permanent care, custody and control of the two minor children involved, Nancy Ann Hall and Patricia Hall.

3. Complainant further prays for such other and further relief as she may be equitably entitled to, the premises considered.

Respectfully submitted,

Solicitor Complainant

FILED
MAY 26 1961
ALICE J. DUCK, Register

SULLIVAN & CAMERON
ATTORNEYS AT LAW
SUITE 617 FIRST NATIONAL BANK BUILDING
POST OFFICE BOX 275
MOBILE, ALABAMA

JOSEPH C. SULLIVAN
ALLAN R. CAMERON
JOSEPH M. POWERS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

June
5th
1959

Miss Alice J. Duck, Register
Circuit Court in Equity
Baldwin County Courthouse
Bay Minette, Alabama

Re: Ann R. Hall vs. H. R. Hall, Divorce

4616

Dear Miss Duck:

I herewith hand you the following papers for filing in this cause:

1. Original Bill of Complaint.

2. Answer and Waiver of the Respondent.

3. Agreement between the Complainant and the Respondent.

Will you please acknowledge receipt and filing of these papers by signing a copy of this letter which I enclose, and return to me in the enclosed stamped, self-addressed envelope.

Thanking you and with kindest personal regards, we are

Very truly yours,

SULLIVAN & CAMERON

By Joe C. Sullivan
Joseph C. Sullivan

J
C
S
/jb
Encls.

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
Vs.	)	IN EQUITY
H. R. HALL,	)	CASE NO. 4614
Respondent.	)	

ANSWER TO CROSS BILL

A.

The Respondent denies the allegations of Section A.

B.

For answer to Section B., the Respondent says that he is not addicted to alcohol. That he does not drink at all. He says further that he has a fit and proper place to rear young girls, and that he did attempt to have the children with him during the month of July, 1960, but that the Complainant sent the girls to a summer camp in the Carolinas to prevent him from having these children. For further answer to this Section, the Respondent says that the Complainant has by her actions admitted the Respondent's fitness to have the children born to this union. That she let Patricia come and live with the Respondent for 2 months at a time not provided for in the Court's Decree.

C.

For answer to Section C., the Respondent says that the matters alleged therein are untrue.

WILTERS & BRANTLEY

BY: Sellers M Brantley

FILED
JUN 1 1961
ALICE J. DUCK, Register

124 C

ANN R. HALL,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	IN EQUITY NO. 4614
Respondent.	)	

ORDER SETTING DATE FOR HEARING

This cause coming on to be heard is set for hearing, by agreement between the parties hereto, on June 23, 1961, at 9:00 o'clock A. M.

ORDERED on this the 7 day of June, 1961.

Robert M. Hill
Judge

FILED
JUN 7 1961
ALICE J. DUCK, CLERK
REGISTER

230 C.

ANN R. HALL, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL, Respondent.	)	IN EQUITY NO. ~~4614~~ 4668

MOTION TO DISMISS

Now comes the Complainant in the above styled cause and moves the Court to enter an order directing the Respondent to post security for costs in this cause on the grounds that it affirmatively appears from the petition heretofore filed in this cause that the Respondent is a non-resident of the State of Alabama, and Complainant further moves the Court that in the event the said Respondent does not post said security for costs within the time directed by the Court that the said cause be dismissed, all in accordance with Title 11, Section 29 of the 1940 Code of Alabama.

Respectfully submitted this 26th day of October, 1961.

Solicitor for Complainant

FILED
OCT 26 1961
ALICE J. DUCK, CLERK REGISTER

124 J.

FILED
OCT 26 1961
ALICE J. DUCK, CLERK
REGISTER

ANN R. HALL,

Complainant,

No. 4614 VS

H. R. HALL,

Respondent.

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated, the _____ day of June, 1959.

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

1. Original Bill of Complaint.
2. Answer & Waiver of Respondent.
3. Agreement between Complainant and Respondent.
4. Depositions of Ann R. Hall and Mrs. J. D. Wilkinson.

Sullivan & Cameron
By [illegible]
Solicitor—for Complainant

FILED, 6-11-59

[illegible] Register

FOR RESPONDENT

Solicitor—For Respondent

No. 4614

ANN R. HALL,

Complainant,

Vs.

H. R. HALL,

Respondent.

ORDER OF SUBMISSION

NOTE OF EVIDENCE

FILED

..... Terms, 19.....

JUN 1 9

....., 19.....

ALICE J. DUCK, CLERK REGISTER

Ent. Min. No....., Page.....

ANN R. HALL,	*	IN THE CIRCUIT COURT
Complainant,	*	OF
vs.	*	BALDWIN COUNTY, ALABAMA,
H. R. HALL,	*	IN EQUITY.
Respondent.	*	Case No. _____

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

Your Complainant, Ann R. Hall, exhibits this, her Bill of Complaint, against H. R. Hall, and respectfully shows unto your Honor as follows:-

ONE

That your Complainant, Ann R. Hall, is over the age of twenty-one (21) years, of sound mind, and a bona fide resident citizen of the State of Alabama, residing in Fairhope, Baldwin County, Alabama, and has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of this Bill of Complaint; that the Respondent, H. R. Hall, is over the age of twenty-one (21) years, of sound mind, and is a non-resident of the State of Alabama, his residence being Aransas Pass, Texas.

TWO

That your Complainant and Respondent were lawfully married in Andalusia, Covington County, Alabama, on the 29th day of January, 1938, and after said marriage, lived together as husband and wife in Fairhope, Baldwin County, Alabama, until the month of September, 1957.

THREE

That the Respondent, H. R. Hall, during the month of September, 1957, voluntarily abandoned your Complainant and his bed and board with your Complainant without just cause for so doing and without fault on the part of your Complainant for his so doing,

and that such voluntary abandonment has continued for more than one year next preceding the filing of this Bill of Complaint, and that said voluntary abandonment has been continuous to this date.

FOUR

Complainant further shows unto your Honor that there was born of her marriage with the Respondent, four children, namely, Charles Allen Hall, Don Hall, Nancy Ann Hall, and Patricia Hall; that said children are now in the care and custody of your Complainant, and your Complainant further avers that she has always properly cared for the moral well-being and education of said children and that she is a proper and suitable person to have the care and custody of said children.

PRAYER FOR PROCESS

WHEREFORE, the premises considered, Complainant prays that said H. R. Hall be made a party Respondent to this Bill of Complaint, and that service of process be had upon him as required by Law and the practices of this Honorable Court, requiring the said H. R. Hall to plead, answer or demur to this Bill of Complaint within the time required by Law and the practices of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that upon a hearing of this cause, your Honor will decree an absolute divorce in favor of the Complainant, dissolving the bonds of matrimony now existing between the Complainant and the Respondent.

Complainant further prays that your Honor will award to her the care and custody of said minor children born of her marriage with the Respondent, and will ratify and confirm the written agreement between the Complainant and the Respondent, an executed copy of which is on file in this cause and will award and grant to the Complainant all the rights and matters agreed on between the Complainant and Respondent in said written agreement.

Complainant further prays for such other, further and additional relief as in equity and good conscience she may merit and in duty bound she will ever pray.

Ann R. Hall
Complainant

FILED
4-8-59
ALICE L. DUCK, CLERK REGISTER

SULLIVAN & CAMERON
Solicitors for Complainant,

By Joe E. [illegible]

ANN R. HALL,	*	IN THE CIRCUIT COURT OF
Complainant,	*	BALDWIN COUNTY, ALABAMA
vs.	*	IN EQUITY.
H. R. HALL,	*	
Respondent.	*	Case NO._____

ANSWER AND WAIVER

Comes H. R. Hall, the Respondent in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences, marriage, and birth and custody of children, and denies each and every other allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

I further agree that Jean M. Buckner may take the testimony in this cause without the issuance of a commission.

H. R. Hall
H. R. Hall (Respondent)

Complainant agrees that Jean M. Buckner may take the testimony in this cause as Commissioner, without issuance of a commission.

Ann R. Hall
Ann R. Hall (Complainant)

WITNESSES:

Guy L. Ellis

V. L. Thagard, Jr.

FILED
JUN 8 1959
ALICE J. DUCK, CLERK REGISTER

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA,
VS.	)	
H. R. HALL,	)	IN EQUITY NO. _____
Respondent.	)	

AGREEMENT BETWEEN THE COMPLAINANT AND RESPONDENT

THIS AGREEMENT, made and entered into by and between Ann R. Hall, the Complainant, and H. R. Hall, the Respondent, WITNESSETH:

WHEREAS, the within named parties were legally married in Andalusia, Covington County, Alabama, on the 29th day of January, 1938, and are now bona fide residents of Baldwin County, State of Alabama, and,

WHEREAS, there were born of the marriage between the Complainant and Respondent four children, namely, Charles Allen Hall, Don Hall, Nancy Ann Hall, and Patricia Hall, all minors under the age of twenty-one years, said children now being in the care and custody of their mother, the Complainant, and residing with her in Fairhope, Baldwin County, Alabama, and,

WHEREAS, said Complainant has filed in the Circuit Court of Baldwin County, Alabama, a Bill of Complaint against the Respondent, seeking an absolute divorce from the Respondent and the custody and the care of said minor children, and,

WHEREAS, the Complainant and Respondent are desirous of making a suitable property settlement for said Complainant, and provisions for the care and custody of said minor children.

HRH
AR H

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. The Complainant shall have the sole and exclusive custody, care, and control of Charles Allen Hall, Don Hall, Nancy Ann Hall, and Patricia Hall, the minor children born of the marriage between the parties hereto, and of their education and rearing during their minority, provided that the Respondent shall have the right to visit with and be visited by and see said children at all reasonable times, but under no circumstances shall any such visits with Nancy Ann Hall and Patricia Hall be conducted in the presence or company or home of Virginia Jackson of Aransas Pass, Texas.

2. The Respondent agrees to convey to the Complainant his right, title, and interest in the homeplace located in Fairhope, Alabama, together with all furniture, fixtures, and contents, and Respondent also agrees to convey to the Complainant all his right, title, and interest in and to two other parcels of real property located in Fairhope, Alabama, so that the entire title to all property in which he has an interest located in Fairhope, Alabama, will be vested absolutely in the Complainant.

3. Respondent agrees to convey and transfer to the Complainant all his right, title, and interest in and to the partnership and the assets of said partnership known as H. R. Hall and Company, 12 S. Commerce Street, Mobile Alabama, together with all his capital stock in American Block Corporation, an Alabama corporation organized in Baldwin County, Alabama.

4. Respondent has presently in force on his life two insurance policies with the National Life and Accident Insurance Company, Nashville, Tennessee, in which the Complainant is named beneficiary, each of said policies being in the face sum of $5,000.00, and being Policies No. 847229 and 822646. Respondent also has in force on his life two insurance

HRH
OR 18

39

policies with the Protective Life Insurance Company, each in the face sum of $50,000.00, said policies being term policies, Policy No. 201144, expiring on January 7, 1960, and Policy No. 201143, expiring on October 20, 1959. Respondent agrees that he will irrevocably change the beneficiary in said policies to the above named four minor children, share and share alike.

5. The Marine Supply Company of Aransas Pass, Texas, a Texas corporation, in which the Respondent is a stockholder, is indebted to H. R. Hall and Company of Mobile, Alabama, in the sum of $11,430.50. Respondent agrees to pay the sum of $5,000.00 in full and final settlement of this indebtedness to the H. R. Hall and Company. Such indebtedness shall be evidenced by a note of even date herewith, said note to be payable in equal successive monthly installments each in the sum of $300.00, to bear no interest, and be secured by a valid first mortgage on the motor vessel, "Ramrod," of Corpus Christi, Texas.

6. Respondent hereby agrees to pay to Complainant for application by her to the expenses of the care and maintenance of Nancy Ann Hall and Patricia Hall only, the sum of Fifty Dollars ($50.00) per month for each named minor child, such sum of Fifty Dollars ($50.00) to be paid to Complainant monthly until each respective child being the beneficiary of such payment shall reach the age of twenty-one (21) years.

7. Complainant, Ann R. Hall, agrees to transfer and assign to Respondent, H. R. Hall, all capital stock owned by her in Marine Supply Company of Aransas Pass, Texas, and Marine Supply Company of Freeport, Texas, and Marine Supply Company of Port Isabel, Texas, all Texas corporations.

8. Respondent agrees to pay to Sullivan & Cameron, Solicitors for the Complainant, the sum of $1,500.00 for services rendered in this

cause and also agrees to pay all court costs incurred in and about this cause.

9. It is further agreed between the parties hereto that this agreement shall be and become a part of the final decree of the Circuit Court of Baldwin County, Alabama, in this cause and is made subject to the approval of and further action by said Court.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, in duplicate, on this the 29 day of May, 1959.

Ann R. Hall (SEAL)
Ann R. Hall
(Complainant)

H. R. Hall (SEAL)
H. R. Hall
(Respondent)

WITNESSES:

U. L. Hayes, Jr.

Wm. L. Ellis

FILED
6-8-59
ALICE J. DUCK, CLERK
REGISTER

HRH
ARH

41

THE STATE OF ALABAMA--JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

October Term, 19 60-61

To the Register of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said county, in a certain cause lately pending in said Court between

Ann R. Hall, Appellant,

and

H. R. Hall, Appellee,

wherein by said Court, ~~at the~~ ~~Term, 19~~, it was considered adversely to said appellant, were brought before our Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant:

Now, it is hereby certified, That it was thereupon considered ordered, adjudged and decreed by our Supreme Court on the 1st day of May 19 61,

On Motion of Appellant, that the said appeal be and stand dismissed; and that it was further considered ordered, adjudged and decreed that the appellant, ~~and~~

Ann R. Hall

and

James R. Owen, surety on the appeal bond, pay

the costs accruing on said appeal in this Court and in the Court below for which costs let execution issue.

Witness, J. Render Thomas, Clerk of the Supreme Court of Alabama, at the Capitol, this the 1st day of May, 19 61

J. Render Thomas

Clerk of the Supreme Court of Alabama.

THE SUPREME COURT OF ALABAMA

October Term, 19 60-61

1st *Div., No.* 934

Ann R. Hall

Appellant,

v.

H. R. Hall

Appellee.

From Baldwin Circuit *Court.*

In Equity No. 4614

CERTIFICATE OF DISMISSAL

The State of Alabama,

FILED

County. } *Filed*

this MAY *day of* 3 1961 *19*

ALICE J. DUCK, CLERK REGISTER

BROWN PRINTING CO., MONTGOMERY, ALA. 1938

AUG 30 1962

THE STATE OF ALABAMA - - - - - - JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

SPECIAL TERM, 1962

1 Div. 49

H. R. Hall

v.

Ann R. Hall (Haas)

Appeal from Baldwin Circuit Court, In Equity

SIMPSON, JUSTICE.

The appellant, H. R. Hall, brings this appeal from a decree of the Circuit Court in Equity of Baldwin County, overruling his petition for a modification of a former decree of modification growing out of a previous divorce

between the parties.

The parties were formerly husband and wife, and the appellee obtained a divorce from appellant in June of 1959, in which decree appellee was awarded custody of their four minor children, two of whom are now of age and married. Appellant brought the present proceedings to be awarded custody of their two minor daughters, one in her teens and the other about 12 years of age. He also sought a reduction in the payments for the support of these minor children. The lower court denied his petition on both counts, and we are at the conclusion that to disturb his findings in such a matter, where he heard the witnesses testify and knows all the persons participating in this unfortunate drama, would be entirely unwarranted.

Several unsavory aspects were brought out at the hearing against both the parties so we will refrain from detailing the evidence. However, there is no evidence that the mother, in whom the custody of the two minor daughters is reposed, is an unfit person. Indeed, some of the appellant's witnesses testified that the was entirely fit. On the other hand, appellant has since remarried and his second wife has three children, and if we were to look into the evidence without indulging the usual presumption in favor of

the trial court's findings in such cases, it would seem that to place the custody of the two minor children of the parties in the home where there are already three children might result in considerable disaffection between them. But be that as it may, we are affirming the case under the well-settled principle that where the trial court heard the witnesses testify in open court and was privileged to observe their demeanor, his findings will not be disturbed, unless palpably erroneous, which we can not say. - Ala. Dig., Appeal and Error, Key 1008(1).

AFFIRMED.

Livingston, C.J., Merrill and Harwood, J.J., concur.

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

1st *Div., No.* 49,

H. R. Hall, *Appellant*

vs.

Ann R. Hall (Haas), *Appellee,*

From Baldwin *Circuit Court.*
In Equity

The State of Alabama,
City and County of Montgomery,

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages, numbered from one to three *inclusive, contain a full, true and correct copy of the opinion of said Supreme Court in the above stated cause, as the same appears and remains of record and on file in this office.*

Witness, J. Render Thomas, Clerk of the
Supreme Court of Alabama,

this August 30, 1962

J. Render Thomas
Clerk of the Supreme Court of Alabama

THE SUPREME COURT OF ALABAMA

Special
~~October~~ Term, 19 62

1st Div., No. 49

H. R. Hall

Appellant,

vs.

Ann R. Hall (Haas)

Appellee.

From Baldwin Circuit Court.
In Equity

COPY OF OPINION

BROWN PRINTING CO., MONTGOMERY 1962

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE SUPREME COURT OF ALABAMA

Special
~~October~~ *Term,* 19 62

To the Register *of the* Circuit *Court,*
Baldwin *County—Greeting:*

Whereas, the Record and Proceedings of the _____ *Court* _____ *of said county, in a certain cause lately pending in said Court between* _____

H. R. Hall, *Appellant*,

and

Ann R. Hall (Haas), *Appellee*,

wherein by said Court it was considered adversely to said appellant, were brought before our Supreme Court, by appeal taken, pursuant to law, on behalf of said appellant:

NOW, IT IS HEREBY CERTIFIED, That it was thereupon considered, ordered, adjudged, and decreed by our Supreme Court, on the 30th *day of* August, 1962, *that said* Decree *of said* Circuit *Court be in all things affirmed, and that it was further considered, ordered, adjudged, and decreed that the appellant, and* Tolbert M. Brantley and Harry J. Wilters, Jr., sureties on the appeal bond, pay

the costs accruing on said appeal in this Court and in the Court below.

It is further certified that, it appearing that said parties have waived their rights of exemption under the laws of Alabama, it was ordered that execution issue accordingly.

Witness, J. Render Thomas, Clerk of the Supreme Court of Alabama, this the 30th *day of* August, 1962

J. Render Thomas

Clerk of the Supreme Court of Alabama.

4614

THE SUPREME COURT OF ALABAMA

Special
~~October~~ Term, 19 62

1st Div., No. 49

H. R. Hall
Appellant,

vs.

Ann R. Hall (Haas)
Appellee.

From Baldwin Circuit *Court.*
In Equity

CERTIFICATE OF AFFIRMANCE

The State of Alabama,
FILED *County.* } *Filed*

this *day* AUG 21 1962 19

ALICE J. DUCK, CLERK
REGISTER

BROWN PRINTING CO., MONTGOMERY

ANN R. HALL,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
	)	
H. R. HALL,	)	IN EQUITY NO. 4614
Respondent.	)	

Comes H. R. Hall, the Respondent in the above styled cause, and files this his petition to modify the decree of divorce heretofore rendered in said cause on June 10, 1959, insofar as such decree relates to the custody and support of Nancy Ann Hall and Patricia Hall, the minor children of the parties, is concerned, and shows unto this Court and unto Your Honor as follows:

1. That paragraph "1" of such decree provides as follows:

"That the Complainant shall have the sole and exclusive custody, care and control of Charles Allen Hall, Don Hall, Nancy Ann Hall and Patricia Hall, the minor children born of the marriage between the parties hereto, and of their education and rearing during their minority, provided that the Respondent shall have the right to visit with and be visited by and see said children at all reasonable times, but under no circumstances shall any such visits with Nancy Ann Hall and Patricia Hall be conducted in the presence or company or home of Virginia Jackson of Aransas Pass, Texas."

2. That paragraph "6" of such decree provides as follows:

"Respondent shall pay to the Complainant for application by her to the expenses of the care and maintenance of Nancy Ann Hall and Patricia Hall only, the sum of Fifty Dollars ($50.00) per month for each named minor child, such sum of Fifty Dollars ($50.00) to be paid to Complainant monthly until each respective child being the beneficiary of such payment shall reach the age of twenty-one (21) years."

That such decree should be modified as to the custody and support of such minor children because of material changes in the circumstances of all parties. Since the entering of such decree the said H. R. Hall has married Virginia Jackson of Aransas Pass, Texas, and she is now living with the said H. R. Hall as his wife in their home in Aransas Pass, Texas. That they have a suitable place where such minors could visit with them and they have wholesome surroundings where they could entertain and keep such children. That such decree provided that the Respondent would have the right

to visit with and be visited by and see said children at all reasonable times but it further provided that under no circumstances shall any such visit with Nancy Ann Hall or Patricia Hall be conducted in the presence or company or home of the said Virginia Jackson. That her home is now the home of your Respondent and such provision of said decree prevents him from having such children visit him in his home.

Your Respondent further shows unto Your Honor that the Complainant has not lived up to the terms or spirit of the decree heretofore rendered in said cause. Your Respondent was unable to visit with the said Nancy Ann Hall from approximately the time of the rendition of said decree until about Christmas of 1959, as the Complainant sent the said Nancy Ann Hall to Washington, D. C. to visit with the mother of such Complainant and Nancy Ann Hall was enrolled in school in Washington, D. C. for the first semester of the Fall term of 1959. That Patricia Hall was sent to Summer Camp for approximately two months, during which period of time the Respondent did not have an opportunity to visit with her, as such camp was in the State of North Carolina. That the Respondent came back to Baldwin County, Alabama, three times in the Fall of 1959, and remained here approximately three days on each visit. That during such visits the Respondent was permitted to see his children only in the presence of the Complainant and he was not permitted to have such minor girls visit with him. That the Respondent came to this County again in the early part of April of this year with the intention of remaining here approximately one month and he was immediately greeted with attachment proceedings, refusal to allow him to properly visit with said minor children and other violations of said decree.

That paragraph "6" of such decree which provides for the payment by your Respondent to the Complainant of the sum of One Hundred Dollars ($100.00) per month for the support and maintenance of Nancy Ann Hall and Patricia Hall should be modified because of the following change of circumstances:

a. At the time such decree was granted your Respondent conveyed to the Complainant real and personal property and stock in

going businesses so that the value of his interest in the property which he conveyed to her was approximately Two Hundred Thousand Dollars ($200,000.00). The Complainant previously owned an undivided one-half (½) interest in all of such property so that her net worth after the divorce was granted and the property conveyed was approximately Four Hundred Thousand Dollars ($400,000.00). In such settlement the Complainant conveyed to the Respondent her interest in certain businesses in Texas, the interest being conveyed by her having a net worth of approximately Sixty-seven Thousand Five Hundred Dollars ($67,500.00) and the Complainant already had the same interest in said property so that his net worth after the divorce was granted was approximately One Hundred Thirty-five Thousand Dollars ($135,000.) or approximately one-third of the net worth of the Complainant. The companies owned by such Respondent in Texas have their fiscal year ending on April 1, 1960, and during the fiscal year ending on the 1st day of April, 1960, such companies had a net loss of approximately Thirty Thousand Dollars ($30,000.00). The Respondent has been compelled to pay to the Complainant the sum of Five Thousand Dollars ($5,000.00), to her attorney the sum of One Thousand Five Hundred Dollars ($1,500.00) and various other substantial amounts so that the net worth of such Respondent is now approximately Seventy-five Thousand Dollars ($75,000.00).

Your Respondent further shows unto Your Honor that the net worth of the Complainant is now approximately Four Hundred Thousand Dollars ($400,000.00), all of which has been given to her either as gifts or by the terms of the decree heretofore referred to. That such Respondent is now losing money rather than earning it. That under the circumstances the Complainant is far more capable of supporting said minor children out of what the Respondent has given her than the Respondent is capable of supporting them.

WHEREFORE, your Respondent prays that such decree be modified as follows:

1. That paragraph "1" of the original decree be modified so that it will provide that Nancy Ann Hall and Patricia Hall shall remain in the care, custody and control of the Complainant during that period of time when they are in school in Baldwin County, Ala-

bama, and that the Respondent be awarded their care, custody and control from May 20th until August 20th of each year while such children are not in school. That such Respondent shall also be entitled to have the children visit with him on alternate holidays of Thanksgiving and Christmas. That such decree as so modified will permit the children to visit in the home of Virginia Jackson who is now the wife of your Respondent.

2. That paragraph "6" of such decree be modified so as to provide that no payments will be made by the Respondent to the Complainant during the period of time that such children are in the custody of your Respondent and an amount less than One Hundred Dollars ($100.00) per month be paid during the period of time when such children are in the custody of the Complainant.

Your Respondent further prays that a day will be set for the hearing of this petition and that the Complainant be given due notice of the day set for the hearing as provided by the laws of the State of Alabama and the rules of this Honorable Court. That upon such hearing the divorce decree will be modified as hereinabove set out effective immediately as of the date of the rendition thereof.

Dated this 9th day of May, 1960.

H. R. Hall
Respondent

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Blanche White, a Notary Public, in and for said County in said State, personally appeared H. R. Hall, 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 he signed the foregoing petition and all of the matters and facts alleged therein are true and correct to the best of his knowledge and belief.

H. R. Hall

Sworn to and subscribed before me on this 9th day of May, 1960.

Blanche White
Notary Public, Baldwin County, Alabama

FILED
MAY 10 1960
Circuit Clerk

ANN R. HALL, Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL, Respondent.	)	IN EQUITY. NO. 4614.

DEMURRER:

Now comes the Complainant in the above styled cause and demurs to the petition heretofore filed in this cause by the Respondent on May 10, 1960, and to each and every paragraph thereof, and as grounds for said demurrer, assign the following, separately and severally:

1. It affirmatively appears from the said petition that there has been no change of circumstances since June 10, 1959, authorizing this court to modify the said decree, heretofore rendered in this cause on June 10, 1959.

2. It affirmatively appears from the said petition that there has been no material change in the status of the Complainant and the Respondent since June 10, 1959, authorizing this court to modify the said decree heretofore rendered on June 10, 1959.

3. It does not appear that the welfare of the minor children requires an order respecting their custody and maintenance.

4. It affirmatively appears from the said petition that there has been no change of conditions or other substantial reasons authorizing this court to modify the decree heretofore rendered in this cause on June 10, 1959.

5. No facts are alleged in the petition which would authorize this court to modify the decree heretofore rendered on June 10, 1959.

Now comes the Complainant and demurs to that aspect of the petition which seeks to modify the decree dated June 10, 1959, so that it will provide that the custody of the minor children be changed and as grounds for said demurrer, separately and severally assigns the same grounds of demurrer numbered 1 through 5 above.

Now comes the Complainant and demurs to that aspect of the petition seeking to modify the decree dated June 10, 1959, with respect to the amount of the payments to be made for the support and maintenance of said minor children and as grounds for said demurrer, assigns the same grounds of demurrer numbered 1 through 5 above.

FILED
MAY 16 1960
ALICE J. DUCK, Register

Solicitor for Complainant.

ANN R. HALL,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	
Respondent.	)	IN EQUITY. NO. 4614.

MOTION TO DISMISS:

Now comes the Complainant in the above styled cause and moves the court to enter an order directing the Respondent to post security for costs in this cause on the grounds that it affirmatively appears from the petition heretofore filed in this cause that the Respondent is a non-resident of the State of Alabama, and Complainant further moves the court that in the event the said Respondent does not post said security for costs within the time directed by the court that the said cause be dismissed, all in accordance with Title 11, Section 59 of the 1940 Code of Alabama.

Respectfully submitted this 17th day of May, 1960,

FILED
MAY 17 1960
ALICE J. DUCK, Register

Solicitor for Complainant.

Now comes the Complainant and demurs to that aspect of the petition seeking to modify the decree dated June 10, 1959, with respect to the amount of the payments to be made for the support and maintenance of said minor children and as grounds for said demurrer, assigns the same grounds of demurrer numbered 1 through 5 above.

FILED
MAY 16 1960
ALICE J. DUCK, Register

Solicitor for Complainant.

ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA
vs.	)	
H. R. HALL,	)	IN EQUITY. NO. 4614.
Respondent.	)	

ORDER:

The motion to dismiss in this cause and the motion to enter an order directing the Respondent to post security for costs in this cause heretofore filed on May 17, 1960, coming on to be heard on this date and being considered by the Court, the Court is of the opinion that the said Respondent be not required to post security for costs and the motion to dismiss should be denied, it is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the Respondent be not required to post security for costs in this cause and the motion to dismiss heretofore filed on May 17, 1960, is hereby denied.

ORDERED, ADJUDGED AND DECREED on this the 18th day of May, 1960.

Walter W. Steer

Judge.

ANN R. HALL, Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL, Respondent.	)	IN EQUITY. NO. 4614.

ANSWER:

Now comes the Complainant in the above styled cause and for answer to the petition heretofore filed in this cause on May 10, 1960, and to each and every count thereof and each aspect thereof, separately and severally, says:

1. The Complainant denies the allegations of the petition and demands strict proof thereof.

2. The Complainant denies the allegations contained in each paragraph of said petition and demands strict proof thereof.

Complainant, for further answer to the said petition says:

1. That the decree heretofore rendered in this cause on June 10, 1959, should be modified as to custody and support of such minor children because of the following changes in the circumstances of said parties:

(a) Since the decree heretofore rendered on June 10, 1959, the Respondent has married Virginia Jackson of Aransas Pass, Texas, and she is living with the said H. R. Hall as his wife in their home in Aransas Pass, Texas; that they do not have a suitable place where the minor children could visit with them and they do not have wholesome surroundings where they could entertain and keep said minor children. That said Respondent, H. R. Hall, and his wife, Virginia Hall, are not suitable persons to have the care, custody and control of said minor children and that the said decree heretofore rendered on June 10, 1959, should be modified so that the said minor children would not be allowed to visit in the home of said Respondent.

2. Complainant further alleges that the said decree heretofore rendered on June 10, 1959, should be modified so that

the Respondent would pay to the Complainant a larger sum than $100.00 each month for the support and maintenance of his said minor children because of the following:

(a) The Respondent is an able bodied man, capable of earning large sums of money and presently has a net worth of approximately $75,000.00. The Respondent maintains an extremely high standard of living and expends large sums of money unmecessarily for the support, maintenance and comfort of his present wife, Virginia Hall.

(b) That by the terms of paragraph 4 of the divorce decree heretofore rendered in this cause on June 10, 1959, the Respondent agreed to irrevocably change the beneficiary of two large insurance policies on his life in the amount of $50,000.00 each to his four minor children named in said decree, share and share alike; that the Respondent did so change the beneficiary in said policies but that Complainant was forced to pay the premiums and keep them in force; that since June 10, 1959, the Respondent has willfully refused to submit himself to a physical examination so that the said policies would remain in force and effect, all to the detriment of his said minor children.

WHEREFORE, your Complainant prays that said decree heretofore rendered on June 10, 1959, be modified as follows:

1. That paragraph 1 of the original decree heretofore rendered be modified so that it will provide that Nancy Ann Hall and Patricia Hall shall remain in the permanent care, custody and control of the Complainant at all times; that Respondent be allowed to visit the said minor children at such times and places as may be reasonable but under no circumstance shall any such visit with said minor children be conducted in the presence of Virginia Hall and that the said minor children be not allowed to visit with the said Respondent on any boat or boats owned by said Respondent or in his possession and that they not be allowed to visit with said Respondent at any place outside of the State of Alabama.

2. That paragraph 6 of such decree heretofore rendered be modified so that as to provide that the said Respondent pay to Complainant the sum of $100.00 each month for each of the said minor children for application by her to the expenses of the care, maintenance and education of said minors, such sums to be paid to Complainant monthly on the first day of each month under each respective child being the beneficiary of such payment shall reach the age of twenty-one years.

Complainant further prays for such other, further and general relief as she may be entitled to, the premises considered.

Solicitor for Complainant.

Filed 5/18/60
18 M, Hall
Judge

ANN R. HALL,		
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
H. R. HALL,	)	IN EQUITY NO. 4614
Respondent.	)	

ORDER

This day came H. R. Hall, the Respondent in the above styled cause and filed his petition in writing, under oath, praying that this Court enter an order or decree modifying the decree heretofore rendered in this cause on June 10, 1959, and award to such Respondent the custody and control of Nancy Ann Hall and Patricia Hall, during the Summer months and to reduce the amount that the Respondent shall pay as support and maintenance during the period of time that the Complainant has such custody and control; it is therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, as follows:

That the petition of H. R. Hall this day filed in this cause be, and the same is hereby, set down for hearing on the 18th day of May, 1960, at 10:00 A. M. and that the said Ann R. Hall be given notice of the filing of said petition and of the day set for the hearing thereof by service upon her of a copy of said petition and a copy of this order.

Done this 10 day of May, 1960.

FILED
MAY 10 1960
ALICE J. DUCK, CLERK REGISTER

Hubert M. Hall
Circuit Judge

m

Received 10 day of May 1960.
and on 10 day of May 1960
served a copy of the within
on Mrs Ann Hall

By service on

TAYLOR WILKINS, Sheriff
By W. C. Garner D. S
J Hope

Sheriff claims ____ miles at
Ten Cents per mile Total $____
TAYLOR WILKINS, Sheriff
BY ____
DEPUTY SHERIFF

ANN R. HALL,

Complainant,

vs.

H. R. HALL,

Respondent.

* * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 4614

* * * * * * * * * * * * * * * * * *

ORDER

* * * * * * * * * * * ** * * * * *

ANN R. HALL,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
	X	BALDWIN COUNTY, ALABAMA
vs.	X	
	X	IN EQUITY CASE NO.4614
H. R. HALL,	X	
Respondent.	X	

This matter coming on to be heard on the demurrer filed to the petition to modify the divorce decree and the Court having considered the same is of the opinion that such demurrer should be overruled.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the demurrer to the petition to modify the divorce decree is hereby overruled.

Done this 16th day of May, 1960.

Hubert M Steele
Judge

FILED
MAY 16 1960
ALICE J. DUCK, Register

FILED
MAY 16 1960
ALICE J. DUCK, Register

ANN R. HALL,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN COUNTY
VS.	)	ALABAMA. IN EQUITY.
H. R. HALL,	)	NO. 4614
Respondent.	)	

This cause coming on to be heard is submitted upon the petition of the Respondent, H. R. Hall, to amend the original decree of divorce rendered on June 10, 1959, insofar as such decree rela tes to the custody and support of the minor children, Nancy Ann Hall and Patricia Hall, and the answer of the Complainant, Ann R. Hall, and the testimony of the witnesses taken ore tenus.

The Court, in considering the testimony of the witnesses taken ore tenus, has considered only the legal testimony of said witnesses.

The Court, after considering the pleadings and testimony of the witnesses, finds as follows:

1. That on June 10, 1959, a decree of divorce was rendered in the above styled cause, forever divorcing and dissolving the bonds of matrimony heretofore existing between the Complainant and the Respondent.

2. That the Complainant, Ann R. Hall, was given the sole and exclusive custody, care and control of the two minor children involved, Nancy Ann Hall and Patricia Hall, together with other minor children and provided that the respondent have the right to visit with and be visited by and see said children a t all reasonable times, but under no circumstances

shall any such visits with Nancy Ann Hall and Patricia Hall be conducted in the presence or company or home of Virginia Jackson of Aransas Pass, Texas.

3. That since the said decree the Respondent, H. R. Hall, has married the said Virginia Jackson of Aransas Pass, Texas, and that they are now living together as husband and wife in their home in Aransas Pass, Texas.

4. That some question has arisen as to the right of the Respondent, H. R. Hall, relative to visiting and having the said minor children visit with him.

5. That the Court, in an effort to determine the best interest of the said minors, has caused to be made an investigation as to the home and surroundings of the said H. R. Hall and family in Aransas Pass, Texas; that a copy of said report is as follows:

COPY

SAN PATRICIO COUNTY
SINTON, TEXAS
P. O. Box 1205

May 20, 1960

Office of

E. L. Barrow
Juvenile Counselor

Miss Lillion Sawyer, Acting Director
Baldwin County Department of Pensions
and Security,
Bay Minette, Alabama.

Dear Miss Sawyer:

I have just returned from a visit in the home of Mr. and Mrs. R. H. Hall in Aransas Pass, Texas where I find the following prevailing conditions.

Mr. and Mrs. Hall live in a large two bedroom home which is exc eptionally well furnished and spotlessly clean. Indications are that they are well able to assume additional financial burdens. The home is near a ship channel. There are not any of the shacks usually found near the water front in this vicinity.

Mrs. Hall is probably several years younger than her husband, but she appears to have the poise and maturity of judgment necessary to properly cope with such situations which might arise out of having the girls in her home.

For the reasons herein stated, this agency recommends Mr. and Mrs. R. H. Hall as adequate and suitable foster parents for the two teen-age girls.

Sincerely,

s/ E. L. Barrow

E. L. Barrow

ELB: DP.

6. That there has been a substantial change in the home surroundings since the decree of divorce was rendered, in the home of the said Respondent, H. R. Hall.

7. That the Respondent, H. R. Hall, is a suitable and proper person to visit with and to have the said minor children, Nancy Ann Hall and Patricia Hall visit with him.

8. That the said Respondent, H. R. Hall is entitled to the relief prayed for insofar as it relates to the visiting with and having the said minor children, Nancy Ann Hall and Patricia Hall visit with him -

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the original decree of divorce granted on June 10, 1959, be modified insofar as the same relates to the said minor children, Nancy Ann Hall and Patricia Hall; tha t the Respondent have the right to visit with the said minor children in Fairhope, Alabama, or such other place as the said minors may reside, at reasonable times, and to have the said children visit with him at any time he may be in Fairhope, Alabama, or the town in which said minors live.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Respondent, H. R. Hall, has the right to have the said minors, Nancy Ann Hall and Patricia Hall, visit with him in his home in Aransas Pass, Texas, at reasonable times insofar as it does not interfere with their school work.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent, H. R. Hall, have the right to have said minor children, Nancy Ann Hall and Patricia Hall, visit with him in his home in Aranas Pass, Texas, or such other place as he may reside, during the month of July of each year, conditioned that he shall call for the said children at any time on or after July 1st. of each year and return the said children to their home on or before July 31st of each year.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the original decree of divorce entered on June 10, 1959, be and remain in full force and effect, subject only to t e rights of visitation as hereinabove set out.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent, H. R. Hall, pay the cost herein taxed, for which execution may issue.

Dated at Bay Minette, Alabama, this 8th day of July, 1960.

Hubert M Hall

Judge, 28th Judicial Circuit of Alabama.

FILED
JUL 11 1960
ALICE J. DUCK, CLERK REGISTER

ANN R. HALL,	)	
	)	IN THE
Complainant,	)	
	)	CIRCUIT COURT OF BALDWIN COUNTY,
VS.	)	
	)	ALABAMA. IN EQUITY
H. R. HALL,	)	
	)	NO. 4614
Respondent.	)	
	)	
	)	

D E C R E E:

This cause coming on to be heard is submitted upon the Petition of H. R. Hall, Respondent, to modify a decree heretofore rendered in this Court, the answer and cross bill of the Complainant, Ann R. Hall, and the testimony of witnesses taken ore tenus.

The Court, in arriving at a proper decree, has considered only the legal testimony offered at the hearing and the testimony taken ore tenus.

The Court, after considering all of the pleadings and the testimony is of the opinion and finds as follows:

1. That the Respondent, H. R. Hall, is not entitled to the modification of the decree as prayed for in his petition dated April 17, 1961. It is, therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the petition to modify on the part of H. R. Hall be, and the same is hereby dismissed.

2. The Court is of the further opinion that the Complainant, Ann R. Hall, is not entitled to the relief prayed for in her cross bill as to the custody of the said children. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the petition for modification on the part of Ann R. Hall, Complainant, be and the same is hereby dismissed.

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3. And it further appearing to the Court that the Respondent, H. R. Hall, in open Court, has purged himself of any contempt for not complying with the terms and conditions of the former decrees. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the petition asking for citation for contempt against H. R. Hall, be and the same is hereby dismissed.

4. The Court being of the further opinion that the evidence is not sufficient to show contempt on the part of the Complainant, Ann R. Hall, it is, therefore,

ORDERED, ADJUDGED AND DECREED that the Petition for citation for contempt against Ann R. Hall, be and the same is hereby dismissed.

5. It is further ORDERED that the cost of this proceeding be, and the same is taxed against H. R. Hall, the Respondent, for which execution may issue.

This 27th day of Novembef, 1961.

Robert M Stace

Judge, 28th Judicial Circuit of Alabama.

FILED
NOV 27 1961
ALICE L DUCK, CLERK
REGISTER

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ANN R. HALL,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA,
vs.	)	IN EQUITY
H.R. HALL,	)	
Respondent.	)	CASE NO. 4614

MOTION FOR JUDGMENT

Comes now the Complainant in the above styled cause, Ann R. Hall Haas, and respectfully shows unto Your Honor as follows:

1. That heretofore and during the year 1959, a Decree of Divorce was rendered in the above styled cause and that as part of the said Decree, the custody of the minor children born of the marriage of the Complainant and Respondent herein was awarded to the Complainant, and Respondent was ordered to pay periodic sums of money for their maintenance and support.

2. Complainant further avers that since the rendition of the said Decree and up to recent weeks the Respondent has failed and refused to keep the payments current and at the present time is indebted to the Complainant under the terms of the said Decree in a large sum of money and Complainant avers that payment of said funds are necessary to allow her to provide for the care and support of the said minor children.

3. Complainant further avers that the Respondent is now deceased, having departed this life within recent weeks and that he was at the time of his passing a resident of the State of Texas.

4. Complainant further avers that the Respondent, by Last Will and Testament admitted to Probate in the State of Texas on or about September 19, 1962, left no provision for the maintenance and support of the minor children born of the marriage of the Complainant and Respondent herein but that said estate contains large amounts of property and funds.

5. Complainant further avers that a part of the Respondent's estate is physically located in the State of Alabama, County of Mobile, consisting of real property and other improvements, a parti-

cular description of which is as follows:

> Lot on the West side of Commerce Street between Dauphin and Conti Streets, beginning at a point two hundred nineteen (219) feet from the Northwest corner of the intersection of Commerce and Conti Streets, thence running North along the West line of Commerce Street 32 feet to a point for the front of said lot; thence running West along the South line of a lot now or formerly owned by the estate of James Martin One Hundred Eighteen (118) feet to a point; thence running South 32 feet to a point; thence East one hundred eighteen (118) feet to the place of beginning, all measurements being more or less and having the same width throughout, together with all the right, title and interest in and to an alley in the rear of said premises extending Westwardly to Water Street, which right, title and interest was acquired by the Cunningham Hardware Company under deed from Richard Lee Fearn, et al, dated May 15, 1911 and recorded in Deed Book 147 N.S., Page 597 of the Probate Records of Mobile County.

6. Complainant avers that it would be to the best interest of the minor children and of your Complainant to have a lien placed against the said property for payment of all accrued and unpaid support payments up to the time of the Respondent's death.

WHEREFORE, Complainant prays that this Honorable Court will set a date for a hearing on this motion and that upon consideration of the evidence therein presented, will enter a judgment in favor of the Complainant herein for all amounts due and owing under the Divorce Decree and that a lien be placed against the real property and improvements hereinabove described; and Complainant prays for all such other, further and different relief to which she may be entitled, the premises considered.

Samuel W. Inge

Samuel W. Inge
Attorney for Complainant

FILED
SEP 20 1982
ALICE J. DUCK, CLERK
REGISTER

KILBORN, DARBY AND KILBORN
LAWYERS
FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
TELEPHONE HEMLOCK 2-2635
CABLE ADDRESS: VEEKAY

VINCENT F. KILBORN
WILLIS C. DARBY, JR.
BENJAMIN H. KILBORN

October 29, 1963

Mrs. Alice Duck
Register, Circuit Court of
Baldwin County, Alabama,
Court House
Bay Minette, Alabama

RE: ANN R. HALL
VS: H. R. HALL
Case No. 4614

Dear Mrs. Duck:

Enclosed you will find request by Mrs. Ann R. Hall Haas that the motion for judgment heretofore filed be dismissed with prejudice. The parties have settled this case.

Thank you.

Sincerely,

BENJAMIN H. KILBORN

BHK:sfh
Encl.

October 29, 1963

Mrs. Alice Duck
Register, Circuit Court of
Baldwin County, Alabama,
Court House
Bay Minette, Alabama

RE: ANN R. HALL
VS: H. R. HALL
Case No. 4614

Dear Mrs. Duck:

Please dismiss with prejudice the motion for judgment heretofore filed on my behalf on or about September 20, 1962. I have received the $1,000.00 back support which was due to me.

Sincerely,

Ann R. Hall

MRS. ANN R. HALL

CIVIL SUBPOENA — COPY — In case witness shall wish to charge for attendance, he shall produce to the Clerk in term this Subpoena, or within five days after adjournment of Court, else he will be barred.
EQUITY

THE STATE OF ALABAMA, Baldwin County. S. D. Page No. 4668 CIRCUIT COURT

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETINGS: Case No. [redacted] _____ Term, 19____

YOU ARE HEREBY COMMANDED TO SUMMON Mrs. J.D. Wilkinson (Margaret

if to be found in your County, at the instance of the Respondent
to be and appear before the honorable, the Judge of the Circuit Court of Baldwin County, at the Court House thereof, by 10:00 o'clock of the forenoon, on the 2nd day of November, 19 61, and from day to day and term to term of said Court until discharged by law, then and there testify, and the truth to say, in a certain cause pending, wherein Ann R. Hall, Plaintiff and R.H. Hall Defendant.
Herein fail not, and have you then and there this writ.

Given under my hand and seal, this 21 day of Oct. 1961

Alice J. Duck, Clerk

Printed by The Baldwin Times

H. C. JORDAN, M. D.
Res. Phone WA 8-9263
Office Phone WA 8-9261
Reg. No. 411

R. H. JOHNSON, M. D.
Res. Phone WA 8-9193
Office Phone WA 8-9261
Reg. No. 3057

25 NORTH SECTION STREET, FAIRHOPE, ALABAMA

For Charles Hall Age

Address Fairhope, Ala. Date 11-1-61

℞

The alone is ill and I do not believe that he should appear in court.

Refill ☐ Times
Refill P.R.N. ☐
Do Not Refill ☐

R H Johnson M. D.

TAKE THIS TO YOUR FAVORITE DRUGGIST

CASES

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