

4645

Witness my hand this 14 day of July, 1959.

Wm. J. Smith
REGISTER

3. That on, to-wit: the night of the 9th day of July, 1959, the respondent did strike, beat, and assault your complainant; that he knocked her down while she was holding her baby in her arms; that he threatened to kill your complainant unless she left the house at once; that the respondent has committed actual physical violence on the person of your complainant on many occasions prior to the said 9th day of July, 1959; that said physical violence has been attended with danger to the life and/or health of your complainant; and that your complainant is reasonably convinced that should she return to live with the respondent as his wife, he will commit further

actual violence to her person which would necessarily endanger her life or health;

4. That there was born to this marriage two children, little girls, WANDA JEAN WALLACE, who will be 5 in August, and LORETTA ANN WALLACE, who is $2\frac{1}{2}$ years of age; that your complainant is a suitable and proper person to have the care, custody and control of said children; that the respondent is not a suitable person to have the care, custody and control of said children; and that it will be to the best interest of said children to be placed in the custody of your complainant;

5. That your complainant is without funds with which to support herself and her said children; that when the respondent ran her away from their home he did not give her any money to feed herself or her children; that she has no funds with which to pay her solicitor for services rendered, and to be rendered, in this proceedings; and that she has employed Telfair J. Mashburn, Esq., as her Solicitor;

6. That the respondent works regularly at Brookley Field in Mobile, Alabama, where he earns approximately \$100.00 per week; that he is well able to support your complainant and their children;

7. That your complainant and the respondent own their own home, near the Elsanor Community in Baldwin County, Alabama; that said home and all of the furniture in it is completely paid for and there is no debt on it; that said home and furniture has been bought and paid for since the marriage of your complainant and the respondent; and that it would be to the best interests of your complainant and the minor children if your Honor decreed that said home should be set apart to them and that said respondent should convey said home to your complainant;

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your complainant makes the said THOMAS RICHARD WALLACE a party respondent to this her bill of complaint, and in order that complainant may have the relief hereinafter prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said ^{THOMAS}/RICHARD WALLACE, commanding him to plead, answer or demur to this bill of complaint within the time provided by law.

PRAYER FOR RELIEF

YOUR Complainant prays that your Honor will direct the Register of this Court to hold a reference immediately to fix a reasonable sum to be paid to your complainant weekly for the support of herself and her minor children, and for her Solicitor's fees, during the pendency of this Suit;

And your Complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree granting her the following separate and several relief:

1. Granting her a divorce from the respondent;
2. Giving her the care, custody and control of the minor children of this marriage, WANDA JEAN WALLACE AND LORETTA ANN WALLACE:

3. Fixing a reasonable sum for the respondent to pay to your complainant weekly by way of alimony and for the support and maintenance of your complainant and their minor children;

4. Ordering the respondent to convey to your complainant the home and furniture they own near the Elsanor Community so that she and their children may be assured of a home; and, on his failure, to make such conveyance, ordering the Register of this Court to make such conveyance in the name of the said respondent;

5. Fixing a reasonable sum to be paid by the respondent to your complainant's solicitor, Telfair J. Mashburn, Esq., for his services in this cause.

And, if your complainant be mistaken in the relief to which she is entitled, she prays for such other, further, different or general relief as in equity and good conscience she may be entitled to receive, and, as in duty bound, she will ever pray, etc.

FILED

JUL 14 1959

ALICE J. DUCK, Register

Telfair J. Mashburn
SOLICITOR FOR COMPLAINANT.

THE STATE OF ALABAMA,
Baldwin County

No. _____ Circuit Court, In Equity.

DELORES WALLACE

Complainant---

Vs.

THOMAS RICHARD WALLACE

Defendant----

Motion is hereby made for a Decree Pro Confesso against THOMAS RICHARD WALLACE

Defendant-----

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

This 12th day of August 19 59

Isaiah G. Madison

Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

DELORES WALLACE

Vs.

THOMAS RICHARD WALLACE

Motion for Decree Pro Confesso on
Personal Service

Filed 17 August 19 59

Alice J. Slack
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

DELORES WALLACE
Complainant,
Vs. THOMAS RICHARD WALLACE
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

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

THOMAS RICHARD WALLACE

by the Sheriff of Baldwin County, on the 15th day of July,
1945.

And it further appears to the Register, that that the said _____

THOMAS RICHARD WALLACE

_____ the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of TELFAIR J. MASHBURN Solicitors

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

and it hereby is, in all things taken as confessed against the said THOMAS RICHARD WALLACE

This 19th day of August, 1949

Alice J. Luck
Register.

No. _____

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

DELORES WALLACE

Complainant,

Vs.

THOMAS RICHARD WALLACE

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____
194_____.

Register.

THE BALDWIN TIMES

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