

3920

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ALICE THOMAS

Complainant

vs.

GEORGE THOMAS

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEMAND FOR CONFESSION~~ on service by Registered mail/answer and waiver, and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said

ALICE THOMAS

is forever divorced from the

said GEORGE THOMAS

for and on account of

Cruelty

The parties in this cause have entered into a stipulation and agreement and have requested that the Court take cognizance of said agreement and grant relief in conformity with the stipulations therein made.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the stipulations and agreement herein entered by the parties on the 24th day of July, 1956, which said stipulation and agreement has been filed in this cause, be and the same is hereby ratified and confirmed and the terms thereof made a part of this decree.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

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

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

This 24th day of July 1956

Robert M. Hall

Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree, rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
JUL 23 1956
WALTON J. DUCK, Register

ALICE THOMAS,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
vs.	I	BALDWIN COUNTY, ALABAMA
GEORGE THOMAS,	I	IN EQUITY
Respondent.	I	
	I	

The Complainant, Alice Thomas, in the above styled cause has filed her suit for divorce against the Respondent, George Thomas, in the Circuit Court of Baldwin County, Alabama and in such suit she has prayed for custody of their minor son, Sam Charles Thomas, who is now 5 years of age. The parties to this cause have now stipulated and agreed as follows concerning the custody of such child:

1. That such Court shall give the Complainant the custody and control of said minor child with the right of the Respondent to visit such child at reasonable and proper times.

2. It is stipulated and agreed between the parties that the Respondent shall have the right to have such child visit with him at the following periods:

A. From Thanksgiving until the following Sunday.

B. One week preceeding Christmas day;

C. A period of about three or four days either preceeding Easter Sunday or the Sunday before or after Easter Sunday, such week-end to be agreed upon between the parties;

D. A period of thirty days during the months of June, July or August. Said days to be selected by the Respondent.

3. It is further agreed that the Respondent shall be required to come after the child and to return him within the time limit hereinabove stipulated. Should such child be sick during any of the periods above stipulated to such an extent that he cannot visit with his father during that period of time, in that event he shall be allowed to visit his father for the same number of days on week-ends.

4. It is further stipulated and agreed that while such

child is in the custody of his mother, that the Respondent shall send to her to be expended for the benefit of such minor the sum of \$50.00 a month. It is further understood and agreed that the mother will keep the child in South Alabama and should it be necessary for her to move from her present address she will inform the Respondent and the Register of the Court of any change of address. When the Respondent takes such child with him as above provided for he shall inform the Complainant where he is carrying such child and she shall have the right to visit the child at reasonable and proper times.

IN WITNESS WHEREOF the parties hereunto set their hands and seals on this the 24th day of July, 1956.

Alice Thomas
Complainant

George Thomas
Respondent

WITNESSES:

Donald J. Well

John D. ...

Law Offices of
Horne & Webb
Attorneys at Law
Atmore, Ala.

FRANK G. HORNE
DOUGLAS S. WEBB

July 3, 1956

Mrs. R. S. Duck
Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed you will find the following
in the case of Alice Thomas vs; George Thomas:

- (1) Bill of Complaint and Summons and copy.
- (2) Affidavit of non residence.

This is the second divorce for these
young people in your court.

Please advise me when service is
perfected or when service fails.

Very truly yours

By: Frank G. Horne

FGH/lh

Q. What did he do?

A. Hit me in the stomach.

Q. Did he choke you?

A. Yes sir.

Q. Are you afraid to live with him as his wife?

A. Yes sir.

Q. Do you have any children?

A. A son.

Q. What is his name?

A. Sam Charles Thomas.

Q. How old is he?

A/ Five.

Q. Have you all made a stipulation and agreement in regard to the custody, maintenance and support of this child?

A. Yes sir.

Q. Do you ask the Court to consider that agreement in making his decree in your case?

A. Yes sir.

I hereby certify that the foregoing is a true and correct transcript of the testimony in the foregoing cause, in open Court, on this 24th day of July, 1956.

Court Reporter

THE STATE OF ALABAMA

ESCAMBIA COUNTY

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

TO: ANY SHERIFF OF THE STATE OF ALABAMA= GREETINGS:

You are commanded to summons GEORGE THOMAS to appear

and demur, plead to or answer within thirty (30) days from the

service thereof, to the BILL of Complaint filed in the Circuit

Court of Baldwin County, Alabama, in Equity, by ALICE THOMAS

Complainant against GEORGE THOMAS Respondent.

Herein fail not, and make due return of this writ as

the law directs.

WITNESS my hand this the _____ day of _____, 1956.

REGISTER

I hereby certify that I have this day issued and sent

by Registered United States Mail Postage pre paid, and return

receipt requested demanded mark "For delivery only to the person to

whom addressed, to GEORGE THOMAS, 4318 Airline, Houston, Texas", a

copy of the within summons together with a copy of the BILL of

Complaint.

This the _____ day of _____, 1956.

REGISTER

HORNE & WEBB
Solicitors in Chancery

Atmore, Alabama

BY:

Solicitor for the Complainant

ALICE THOMAS		IN THE CIRCUIT COURT OF
COMPLAINANT		BALDWIN COUNTY, ALABAMA
VS:		IN EQUITY.
GEORGE THOMAS		NO. _____
RESPONDENT		

TO: HONORABLE A. H. HALL, JUDGE OF THE
CIRCUIT COURT, BALDWIN COUNTY, ALA-
BAMA: IN EQUITY SITTING:

Now comes the Complainant, ALICE THOMAS, Humbly com-
plaining of the Respondent, GEORGE THOMAS, in a matter as will here-
inafter appear, and represents and shows unto Your Honor as follows:

(1) That the Complainant is a bona fide resident citizen of
Baldwin County, Alabama, and has so resided for more than one year
immediately preceding the date of the filing of this bill of complaint,
and the Respondent is a non resident and he resides at 4318 Airline,
Houston, Texas. The Complainant and Respondent are both over the age
of twenty-one years.

(2) That the Complainant and Respondent were married at
Pascagoula, Mississippi on, to-wit: the 24th day of June, 1953 and
lived together thereafter as man and wife, until on, to-wit, the
15th day of June, 1955.

(3) That the Respondent has committed actual violence upon the
person of the Complainant, attended with danger to her life or health,
or from his conduct there is reasonable apprehension of such violence;
that prior to the date of separation on, to-wit, the 15th day of June,
1955, the Respondent choked the Complainant and knocked her down by
striking her with his fists in the stomach; that on many occasions
prior to the date of separation the respondent abused and mistreated
the Complainant; that the Respondent has threatened to do the Com-
plainant serious body injury and that she is afraid he will do the
same and from his conduct there is reasonable apprehension that she
will suffer death or body injury at his hands.

(4) There was born to the union of the Complainant and
Respondent one child, namely SAM CHARLES THOMAS, who is now about five

five years of age. That this child is in the custody of the Complainant and that she is in all respects a suitable person to be entrusted with the custody of said child and the best interest of the said child require that he be given into her custody.

PRAYER FOR PROCESS:

To the end that equity may be had in the premises, Complainant prays that GEORGE THOMAS be made party Respondent to this bill of Complaint, and that service be perfected upon him as provided by law; and that he be required to plead, answer or demur to the within bill of complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF:

Premises considered, the Complainant prays that on the final hearing of this cause Your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between the parties and will grant the Complainant a full and absolute divorce from the Respondent.

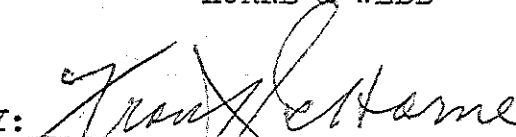
Complainant prays that in and by virtue of said decree she will be granted the right to again contract marriage.

Complainant prays that Your Honor in and by virtue of said decree will award to her the custody of the said child, namely SAM CHARLES THOMAS, subject to the future orders of this Honorable Court.

The Complainant prays all other, further and general relief to which she may be entitled, the premises considered, and she will ever pray. etc, etc,

HORNE & WEBB

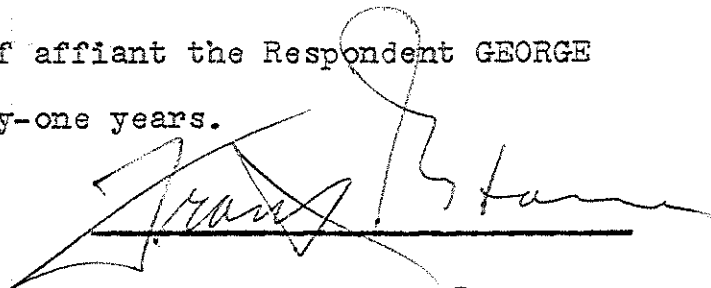
BY:


SOLICITOR FOR COMPLAINANT

ESCAMBIA COUNTY.

Before me, the undersigned authority in and for said State and County, personally appeared FRANK G. HORNE, who, is known to me and known to me to be one of the Solicitors of Record for the Complainant ALICE THOMAS, in that certain cause in the Circuit Court of Baldwin County, Alabama in Equity, wherein ALICE THOMAS is the Complainant and GEORGE THOMAS Respondent, and who, being by me first duly sworn, doth depose and say as follows: That he is one of the Solicitors for the Complainant ALICE THOMAS in her suit against GEORGE THOMAS Respondent in the Circuit Court of Baldwin County, Alabama, and that he is informed and believes and on such information and belief states that the Respondent GEORGE THOMAS is a non resident of the State of Alabama, and that his residence and Post Office address is GEORGE THOMAS 4318 Airline, Houston, Texas, and that service may be perfected upon him by Registered Mail.

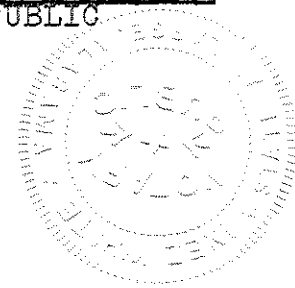
That in the belief of affiant the Respondent GEORGE THOMAS is over the age of twenty-one years.



Sworn to and subscribed before me this the 3rd day of July, 1956.

Notary Public, State of Alabama at Large
 My commission expires Feb. 25, 1957.
 Secured by The Employers Liability Assurance
 Corporation

Inez White
 NOTARY PUBLIC



ALICE THOMAS,

Complainant,

vs.

GEORGE THOMAS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause says as follows:

1. That he denies the allegations of the 1st paragraph in the Bill of Complaint.

2. That he denies the allegations of the 2nd paragraph in the Bill of Complaint.

3. That he denies the allegations of the 3rd paragraph in the Bill of Complaint.

4. That he denies the allegations of the 4th paragraph in the Bill of Complaint.

The Respondent hereby waives notice of the taking of testimony in said cause and notice of submission of said cause and agrees that the testimony may be taken and the cause may be submitted without further notice to him.

George Thomas
Respondent

CHASON & STONE

By: J. H. Stone
Attorneys for Respondent