

RUTH EVELYN WALLACE

COMPLAINANT

VS

IRVIN V. WALLACE

RESPONDENT

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

~~ORDER GRANTING TEMPORARY CUSTODY~~

This day came Ruth Evelyn Wallace, by verified petition and complaint, wherein she seeks a divorce from her husband Irvin V. Wallace and prays therein that temporary custody of her children be granted her pending a final determination of this cause. The court having read this petition and hearing the testimony of Ruth Evelyn Wallace is of the opinion that she should be granted the temporary custody of her said minor children.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that she be and she is hereby awarded the custody of Ruth Ann, Mary Jane and John Andrew, pending a final hearing of this cause.

July 24, 1956

J. Hubert M. Hall

RUTH EVELYN WALLACE  
COMPLAINANT  
VS  
IRVIN V. WALLACE  
RESPONDENT

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

ORDER GRANTING TEMPORARY CUSTODY

This day came Ruth Evelyn Wallace, by verified petition and complaint, wherein she seeks a divorce from her husband Irvin V. Wallace and prays therein that temporary custody of her children be granted her pending a final determination of this cause. The court having read this petition and hearing the testimony of Ruth Evelyn Wallace is of the opinion that she should be granted the temporary custody of her said minor children.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that she be and she is hereby awarded the custody of Ruth Ann, Mary Jane and John Andrew, pending a final hearing of this cause.

*July 24, 1956*

*Hubert M. Hall*  
JUDGE

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons IRVIN V. WALLACE to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by RUTH EVELYN WALLACE as Complainant and against IRVIN V. WALLACE, as Respondent.

WITNESS my hand this the 24 day of July, 1956.

*Bevington*  
Register

RUTH EVELYN WALLACE

COMPLAINANT

VS

IRVIN V. WALLACE

RESPONDENT

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

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

Comes now your Complainant and respectfully shows unto Your Honor as follows:

1.

That the Complainant and Respondent are both over the age of twenty-one years and are bona fide resident citizens of said county and state and have been for more than two years next preceding the filing of this bill of Complaint.

2.

That your Complainant and Respondent were lawfully married to one another on to-wit, December 11, 1946, at Gulf Shores, Alabama.

3.

That there was born to their union the following named children: Ruth Ann, a girl age 8; Mary Jane, a girl age 7; and John Andrew, a boy, age 3.

4.

That the Respondent owns the following described lands in Baldwin County, Alabama, to-wit:

North half of a one acre square situated in the extreme Southeast corner of Lot 1 in Block 2 of the Subdivision of "William Wallace Estate", comprising Lot 5 of "Wallace Division", in LaCoste Grant and the West half of the West half of the Southwest quarter of Section 18, Township 9 South, Range 1 East, as above shown as per plat made by R. J. Greenwood, County Surveyor and said plat of record.

That there is now a mortgage on the aforesaid land in the amount of FOURTEEN HUNDRED (\$1400.00) DOLLARS. Your Complainant further avers that this property was purchased by the joint efforts of the Complainant and Respondent.

5.

That on to-wit, June 24, 1956, and on various occasions prior thereto the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did believe that if she continued to live with the respondent that he would do actual violence to her person, which would necessarily endanger her life and health.

6.

Your Complainant further avers that she is a fit and proper person to have the care, custody and control of her minor children; that the Respondent is not because of the foregoing allegations and because he does not have a suitable place in which to keep them.

7.

The Complainant avers that the Respondent is an abled bodied man and is presently earning a salary of SEVENTY FIVE (\$75.00) DOLLARS per week.

8.

Your Complainant further avers that the Respondent has threatened to take her children and carry them to Port Sulphur, Louisiana, and she verily believes he will carry out his threats. That the place the respondent is now staying in Port Sulphur, Louisiana, is unsuitable for the rearing of small children; that it is infested with poisonous snakes and is located very near a railroad; that the respondent has no one to care for these children while he is away from home. That the Complainant verily believes that her children's health and life will be endangered if the respondent is allowed to take his children to Port Sulphur, Louisiana.

That the Complainant has employed the Firm of Wilters and Brantley to represent her in this matter of divorce and has no means of paying them for their services.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Irvin V. Wallace, party respondent to this Bill of Complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practices of this Honorable Court.

Premises considered, your Complainant prays that Your Honor will forthwith grant her an ex parte hearing and grant her the temporary custody of the aforementioned children pending a final hearing of this cause.

Your Complainant further prays that on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting her the right to remarry; your Complainant further prays that Your Honor will by said decree grant her the permanent care, custody and control of her minor children, Ruth Ann, Mary Jane, and John Andrew; Your Complainant further prays that Your Honor will grant her alimony in gross and cause the Respondent to convey title to the property described in this Bill to the Complainant. Your Complainant further prays that Your Honor will order the Respondent to pay the Complainant support money for his minor children. Your Complainant further prays that the Court will ascertain a reasonable attorneys fee to be paid the firm of Wilters and Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceedings. Your Complainant further prays for such other, further or different relief to which the Complainant may in equity be entitled.

Wilters & Brantley

BY: John M. Brantley  
Solicitors for the Complainant

Irvin V. Wallace  
Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority, personally appeared Ruth Evelyn Wallace, the Complainant in this cause, who being by me first duly sworn, doth depose and say: I am the complainant in this cause. I have read this Bill of Complaint and have personal knowledge of the matters set out therein and hereby verify them to be true and correct.

Ruth Wallace

Sworn to and subscribed before me this 24 day of July, 1956.

Golden M. Brantley  
Notary Public, Baldwin County, Alabama

NOTARY PUBLIC  
BALDWIN COUNTY, ALABAMA  
JUL 24 1956

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STATE OF ALABAMA  
BALDWIN COUNTY

TO THE SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon IRVIN V. WALLACE to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by RUTH EVELYN WALLACE as Complainant and against IRVIN V. WALLACE, as Respondent.

WITNESS my hand this the 24 day of July, 1956.

*David J. ...*  
Register

RUTH EVELYN WALLACE	∩	IN THE CIRCUIT COURT OF
COMPLAINANT	∩	BALDWIN COUNTY, ALABAMA,
VS	∩	IN EQUITY
IRVIN V. WALLACE	∩	
RESPONDENT	∩	

TO THE HONORABLE HERBERT H. WELLS, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes now your Complainant and respectfully shows unto Your Honor as follows:

1.

That the Complainant and Respondent are both over the age of twenty-one years and are bona fide resident citizens of said county and state and have been for more than two years next preceding the filing of this bill of Complaint.

2.

That your Complainant and Respondent were lawfully married to one another on to-wit, December 14, 1946, at Gulf Shores, Alabama.

3.

That there was born to their union the following named children: Ruth Ann, a girl age 6; Mary Jane, a girl age 7; and John Andrew, a boy, age 3.

4.

That the Respondent owns the following described lands in Baldwin County, Alabama, to-wit:

North half of a one acre square situated in the extreme Southeast corner of Lot 1 in Block 2 of the Subdivision of "Williar Wallace Estate", comprising Lot 5 of "Wallace Division", in LaCoste Grant and the West half of the West half of the Southwest quarter of Section 18, Township 9 South, Range 4 East, as above shown as per plat made by R. J. Greenwood, County Surveyor and said plat of record.

That there is now a mortgage on the aforesaid land in the amount of FOURTEEN THOUSAND (\$14,000.00) DOLLARS. Your Complainant further avers that this property was purchased by the joint efforts of the Complainant and Respondent.

5.

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6.

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WILBERS & BRANTLEY

BY:

*Robert M Brantley*  
Solicitors for the Complainant

*Ruth Wallace*  
Complainant

STATE OF ALABAMA

BAIRDEN COUNTY

Before me the undersigned authority, personally appeared Ruth Evelyn Wallace, the Complainant in this cause, she being by me first duly sworn, doth depose and say: I am the complainant in this cause. I have read this

~~Bill of Complaint and have personal knowledge of the matters set out therein~~  
and hereby verify them to be true and correct.

Ruth Wallace

Sworn to and subscribed before me this 29 day of July, 1956.

*Filed*  
*July 23, 1956*  
*Alice J. Nuck, Reg.*

Robert M. Brantley  
Notary Public, Baldwin County, Alabama

not found in my county after diligent search and inquiry.  
By Taylor 19 56  
Taylor, Sheriff  
Deputy Sheriff

3832

V. F.  
try Port Sulphur La.

FILED  
JUL 23 1956  
ALICE J. DUCK, Register

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