

(3869)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

AUDREY CHANNELL, Complainant

vs.

WILLIAM H. CHANNELL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DECREED BY THE COURT~~ Respondent's Answer & 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

AUDREY CHANNELL is forever divorced from the said WILLIAM H. CHANNELL

Upon consideration of the written agreement entered into between the complainant and the Respondent touching the custody of the minor child of the marriage, namely Nelda Marie Channell, and the support and maintenance of said child, it is further, ORDERED, ADJUDGED and DECREED by the Court as follows:

- 1. That the said written agreement is ratified hereby and approved, and the care, control and custody of the minor child of the marriage is awarded to the mother, the Complainant, with rights of visitation at reasonable times and places to the father, the respondent.
2. That the Respondent pay over to the complainant the sum of \$50.00 per month, beginning immediately for the support of Nelda Marie Channell.

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 AUDREY CHANNELL the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 6th day of SEPTEMBER 19 56

Richard M. Hall Judge Circuit Court, In Equity.

I, ALICE J. DUCK, 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 SEPTEMBER, 19 56

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  
SEP 6 1956

ALICE J. DUCK, *A. J. Duck*

**THE STATE OF ALABAMA**  
 Baldwin County.

Circuit Court of Baldwin County, Alabama  
 (In Equity)

AUDREY CHANNELL Complainant

VS.

WILLIAM H. CHANNELL Respondent

I, JUSTINE GARDNER

as Register and Commissioner

have called and caused to come before me AUDREY CHANNELL and  
ETTA PEARL WOODARD

witnesses named in the Requirement for Oral Examination, on the 6<sup>th</sup> day of SEPTEMBER  
 194 56, at the office of JUSTINE GARDNER  
 in FOLEY, Alabama, and having first sworn said Witness ES to speak the  
 truth, the whole truth, and nothing but the truth, the said AUDREY CHANNELL  
ETTA PEARL WOODARD doth depose and say as follows:

My name is Audrey Channell. I am over the age of eighteen years. I am now and have been a bona fide resident of Baldwin County, Alabama for over ten years. The past ten years. William H. Channell is over the age of twenty-one years and is a resident of Baldwin County, Alabama. I legally married William H. Channell on December 24, 1953 at Foley, Alabama. We have one child ~~xxxx~~ born to us, Her name is Nelda Marie Channell and she was born December 15, 1954.

William H. Channell abandoned me over a year ago before I filed for this divorce, without fault on my part, since which time we have not lived together or in anywise recognized each other as husband and wife.

William H. Channell and I have entered into a written agreement which I include here as part of my testimony. The agreement is marked Exhibit "A" and dated Fifteenth day of August, 1956. By its terms, I am to have the care, control and custody of our child Nelda Marie Channell and William H. Channell is to pay to me \$50.00 a month for the support and maintenance of ~~the~~ Nelda Marie Channell.

Audrey E. Channell

My name is Etta Pearl Woodard. Audrey Channell is my daughter. She is over the age of eighteen years and is ~~xxxx~~ and has been a resident of Baldwin County, Alabama for the past ten years. Audrey Channell married William H. Channell here in Foley, Alabama December 24, 1953. They have one child, Nelda Marie Channell. Audrey and Nelda Maire have been living with me for the past year. William H. Channell has abandoned Audrey without fault on here part for more than a year, since which time they have not been living together as husband and wife.

Etta Pearl Woodard

**FILED**

SEP. 6 1956

ALICE J. DUCK, Register

**ORAL EXAMINATION.**

I, Justine Gardner, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself \_\_\_\_\_

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness \_\_\_\_\_; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 6th day of September, 1956, 194

Justine Gardner (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

\_\_\_\_\_  
AUDREY CHANNELL

vs. Complainant

\_\_\_\_\_  
WILLIAM H. CHANNELL

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_, 194

\_\_\_\_\_, Register.

Recorded in

\_\_\_\_\_, Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: JUSTINE GARDNER

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine AUDREY CHANNELL and

ETTA PEARL WOODARD

a witnesses in behalf of AUDREY CHANNELL in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

AUDREY CHANNELL

, Complainant

and WILLIAM H. CHANNELL

Respondent

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

Witness 6th day of September, 1956

Alice J. Duck Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

**THE STATE OF ALABAMA  
Baldwin County**

**CIRCUIT COURT**

AUDREY CHANNELL

Complainant

VS.

WILLIAM H. CHANNELL

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

JUSTINE GARDNER

WITNESSES:

AUDREY CHANNELL

ETTA PEARL WOODARD.

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AUDREY CHANNELL

vs.

WILLIAM H. CHANNELL

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_  
Respondent's Answer and waiver. Commission to Take Deposition, \_\_\_\_\_  
Oral Deposition of Complainant's witnesses including Exhibit A \_\_\_\_\_  
Agreement of Parties, complainant and Respondent. \_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_

*Arthur C. Epperson*  
Attorney for the Complainant

*Alice J. Wuck*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

AUDREY CHANNELL

vs.

WILLIAM H. CHANNELL

**NOTE OF TESTIMONY**

Filed in Open Court this .....  
day of ..... , 194.....

FILED  
SEP 6 1956

ALICE J. DUCK, Register

Printed by the Baldwin Times



AUDREY CHANNELL	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
WILLIAM H. CHANNELL	)	
RESPONDENT	)	IN EQUITY

To the Honorable Judge of the Circuit Court of Baldwin County, Sitting in Equity:

Your complainant Audrey Channell respectfully represents and shows unto your Honor:

1. That complainant is over the age of eighteen years and is a resident of Baldwin County, Alabama and has been a bona fide resident of said State for more than one year next preceding the filing of this bill of complaint; that William H. Channell is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or about, to-wit: December 24, 1953 at Foley, Alabama, and of this marriage there is one minor child, Nelda Marie Channell, born December 15, 1954.

3. Complainant further avers that said respondent voluntarily abandoned the bed and board of complainant for more than one year next preceding the filing of this bill of complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

4. That complainant and respondent have entered into an agreement with reference to the custody, control, support and maintenance of the said minor child, a copy of which is hereto attached as Exhibit A and made a part thereof; and by the terms of which agreement the complainant shall have the care, control and custody of the said minor child and the respondent shall pay to the complainant \$50.00 a month for the support and maintenance of the said minor child.

Complainant avers that this is a reasonable, just and proper agreement and prays the Court that in the event a decree of divorce is given in this cause that the Court will decree that the parties keep and abide by the terms of said agreement.

The premises considered, your complainant makes the said William H. Channell a party respondent to this bill of complaint and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said William H. Channell, commanding him to answer, plead or demur to this bill of complaint within the time required by law; and that on a final hearing of this cause that your Honor will enter a decree divorcing your complainant from said respondent; and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray.

*Arthur C. Johnson*  
Solicitor for Complainant

EXHIBIT "A"

STATE OF ALABAMA

BALSWIN COUNTY

THIS AGREEMENT made and entered into this the Fifteenth day of August, 1956, by and between Audrey Channell, hereinafter referred to as the party of the first part, and William H. Channell, hereinafter referred to as the party of the second part,

WITNESSETH:

WHEREAS, the parties hereto have been husband and wife since December 24, 1953, and as a result of such union have one minor child, Nelda Marie Channell, born December 15, 1954; and,

WHEREAS, the parties have been separated and living apart for over a year and have definitely concluded that it is impractical for them to live together as man and wife; and,

WHEREAS, the party of the first part is contemplating bringing an action for a divorce and it is the desire to settle the matter of the care, control, support and maintenance of the said minor child of the marriage without litigation,

NOW THEREFORE, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to the following terms and conditions:

1. That the care, control and custody of the said minor child be in the mother, the party of the first part, with rights of visitation at reasonable times and places in the father, the party of the second part, and that the party of the second part shall pay to the party of the first part \$50.00 a month for the support and maintenance of the said minor child.

2. That in the event the party of the first part insists on her express determination to file a suit for divorce against the party of the second part, it shall be thoroughly understood that the party of the second part denies and expects to continue to deny that the party of the first part is in any way entitled to a divorce, and in the event that the Court, upon hearing should decide that the party of the first part is entitled to a divorce, then it is agreed and understood that this agreement and all of its terms shall be submitted to the Court for its approval and shall not be executed until and unless the Court does approve the same.

This agreement has been made and executed by the parties hereto in good faith on the day and date hereinabove set forth, with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely.

Arthur C. Epperson  
Witness

Audrey E. Channell  
Party of the First Part

Joseph Stealy  
Witness

William Howard Channell  
Party of the Second Part

Exhibit "A"

3868

AUDREY CHANNELL  
AND  
WILLIAM H. CHANNELL

AGREEMENT

6

Complaint

FILED

SEP 6 1956

ALICE J. DUCK, Register

AUDREY CHANNELL )  
COMPLAINANT )  
VS. )  
WILLIAM H. CHANNELL )  
RESPONDENT )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes the respondent in the above-styled cause and accepts service of a bill of complaint heretofore filed in this cause; waives notice of the filing of interrogatories in this cause, and the right to cross same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree, and for answer to the complaint heretofore filed in this cause the respondent says:

1. He admits the allegations in paragraph one of the said bill of complaint.

2. He admits the allegations of paragraph two of the said bill of complaint.

3. He denies each and every material allegation contained in paragraph three of the said bill of complaint and requires strict proof.

4. The respondent for answer to paragraph four avers that said agreement is a just and fair agreement and prays the Court that should the Court grant the complainant a divorce, that said agreement be incorporated into the decree and made a part thereof.

*William Howard Channell*  
Respondent

*Charles H. Jenkins*  
Witness

*Joseph Stetly*  
Witness

FILED  
SEP 26 1956

AMICE & DUCK, Register

3868

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

AUDREY CHANNELL  
COMPLAINANT

VS,

WILLIAM H. CHANNELL  
RESPONDENT

ANSWER AND WAIVER

FILED  
SEP 6 1956  
ALICE J. DUCK, CLERK

ARTHUR C. EPPERSON  
ATTORNEY AT LAW  
FOLEY, ALA.