

3886

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Eunice Jarvis

Complainant

vs.

James W. Jarvis

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 Eunice Jarvis is forever divorced from the said James W. Jarvis for and on account of

~~Cruelty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the care custody and control of her minor children, James Wilson Jarvis, Jr., Lena Eva Jarvis, Joe W. Jarvis, Norman O. Jarvis, Linda Jarvis, subject to the right of the respondent to visit the minor children at reasonable times, and have them visit him at reasonable times.~~
IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Respondent pay to the Complainant the sum of Fifteen (\$15.00) dollars per week, for the support and maintenance of said minor children.

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 Eunice Jarvis the Complainant pay the cost herein to be taxed, for which executed may issue.

This 2nd day of April 1957

Hubert Moore
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

Eunice Jarvis

Complainant

vs.

James W. Jarvis

Respondent

DIVORCE DECREE

FILED

APR 2 1957

RECEIVED BY *[Signature]*

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

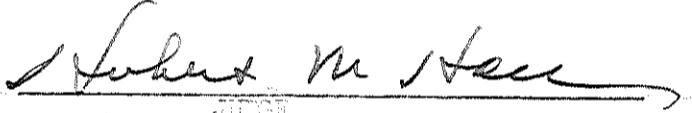
NO. 3886

This matter coming on to be heard on the demurrers filed by the Respondent in said cause to the original bill of complaint filed by the Complainant in said cause and the court having considered the same is of the opinion that such demurrers to the complaint should be over ruled.

IT IS THEREFORE ORDERED AND DECREED, by the Court, that the Respondent's demurrer to the Complainant's Complaint be and the same are hereby over ruled.

The Respondent is hereby given twenty days to file further pleadings in this cause.

Done this 18th day of December, 1956.


JUDGE

M

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

ORDER OVERRULING DEMURRERS

FILED

DEC 19 1956

ALICE A. BUCK, Clerk

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 3886

Eunice Jarvis, having filed her verified petition praying that James W. Jarvis be required to appear and show cause, if any he has, why he should not be punished as for a contempt in regards to the nature of the things set out in the verified petition; and upon consideration of said petition, it is,

ORDERED, ADJUDGED AND DECREED, by the court, that the said James W. Jarvis, appear before the court at 2 PM o'clock on the 18 day of June 1957, in the court room of the Circuit Court of Baldwin County, at Bay Minette, Alabama, and show cause, if any he has, why he should not be punished as for a contempt. Let a copy of said petition and of this rule to show cause be served upon James W. Jarvis by any Sheriff of the State of Alabama.

Done this 27 day of May, 1957.

Hubert M. Hall

3886 ¹¹⁷

ALICE JARVIS

COMPLAINT

VS

JAMES W. JARVIS

RESUME

Received 27 day of May 1957

and on _____ day of _____ 19____

I served a copy of the within Order

James W. Jarvis

This 12th day of June

1957

in service of Justice L. Walby Sheriff

T. L. WICKENS, Sheriff

By A. D. Daniels

ORDER TO SHOW CAUSE

FILED

MAY 27 1957

ALICE J. DUCK, Register

Route 1
Tallapoosa, Ala
Oct 25, 1957

Dear Mr. Herbert M. Hall;

I am the Grandmother of
Joe M. Jarvis. I have cared for
Joe if he was my own child.

I have seen that he has
went to school. I have took him
to Church and Sunday School.

We all at home enjoy having
Joe stay with us and we are looking
forward to see him come back
again.

Sincerely yours,
Mrs Eva M. Jarvis

Tallassee City Schools

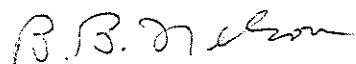
OFFICE OF SUPERINTENDENT
TALLASSEE, ALABAMA

October 24, 1957

To Whom It May Concern:

Joe Jarvis, the son of Mr. J. W. Jarvis entered the fifth grade in the Tallassee City Schools Friday, August 30, and has attended every day, but one and he was sick that day.

Yours truly,



B. B. Nelson, Superintendent

lmc

TALLASSEE MILLS

OF THE



TALLASSEE, ALABAMA
October 24, 1957

Circuit Court
Baldwin County
Alabama

Attention: Honorable Herbert M. Hall

Gentlemen:


Mr. James W. Jarvis was employed by us through March 21, 1957 at which time he was separated from our employment due to a temporary reduction in personnel.

Unfortunately production requirement has been such that we have been unable to re-employ Mr. Jarvis. He has, on several occasions, applied for work with us since the separation date mentioned above. To the best of our knowledge he has been totally unemployed since March 21, 1957.

If our operation should warrant the addition of personnel and we should re-employ Mr. Jarvis, we would be happy to notify the court if you so request.

Yours very truly,

TALLASSEE MILLS



J. D. Wisener
Personnel Director

JDW/lg

Office of
ROBERT M. ALTON, JR.
Attorney at Law

COUNTY SOLICITOR
ELMORE COUNTY
DIAL 3630

P. O. BOX 491
Tallapoosa, Alabama
November 16, 1956

Hon. Alice J. Duck
Clerk, Circuit Court
Bay Minnette, Alabama

Dear Sir:

Please find enclosed a demurrer which I wish to file in the case of Eunice Jarvis-vs James W. Jarvis- on your Equity docket.

I would appreciate very much if you will let me know as soon as the Judge rules on this demurrer, or when he has set a date for a hearing on this demurrer.

With kindest regards, and best wishes, I am,

Very truly yours,



Robert M. Alton, Jr.

Eunice Jarvis

vs.

James M. Jarvis

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, _____
~~answer and waiver of the respondent, testimony of Eunice Jarvis and~~
Juliet M. Jourdan

and in behalf of Defendant upon _____

*Walter B. Bentley
by Henry Williams, Jr.*

Arise Johnson
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Lunice Jarvis

vs.

James W. Jarvis

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of , 194

APR 1 1957

AMOS J. DUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO:

Evelyn Harris

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 _____

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

_____ and _____ Complainant _____

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

Witness _____ day of _____ 1952

_____ Register.

Witness' Fees, \$ _____

Commissioner's Fee, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Eunice Jarvis

Complainant

VS.

James W. Jarvis

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Eunice Jarvis

Juliet M. Jourdan

Filed: March 6, 1957

I, the undersigned, being a Commissioner of the Circuit Court of Baldwin County, Alabama, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears in the files of the Court.

Witness my hand and the seal of said Court at Baldwin, Alabama, this 6th day of March, 1957.

 Commissioner

 Notary Public

 Clerk of Court

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Eunice Jarvis Complainant

VS.

James W. Jarvis Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Eunice Jarvis and Juliet Jourdan

witnesses named in the Requirement for Oral Examination, on the 6 day of March
19457, at the office of Hilters & Brantley
in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Eunice Jarvis and Juliet
M. Jourdan doth depose and say as follows:

My name is Eunice Jarvis and I am the Complainant in this action. The Respondent and I were married on February 16, 1940, at Pascagoula, Mississippi, and lived together until September 15, 1956. We are both over the age of 21 and have been residents of Alabama for more than one years before filing this suit and we were residents of Baldwin County, at the time we separated. On September 16, 1956, the Respondent cursed, threatened and abused me and threatened to do actual violence to my person and he threatened to take my life with a rifle. His conduct toward me makes me believe without a doubt that if I continued to live with him he would do actual violence to my person which would endanger my life and health. We have five children, James Wilsey Jarvis, Jr., age 11; Lora Evie Jarvis, age 13; Joe M. Jarvis, age 11; Norman O. Jarvis, age 9; Linda Jarvis, age 4. I have had the care, control and custody of these children since the Respondent left me in September and I have a good home to care for them. The Respondent is an abled bodied man and is earning approximately \$40.00 per week now.

Eunice H Jarvis

My name is Juliet Jourdan. I have known the Complainant and Respondent for a number of years and know that he has abused and threatened her and that he is not a fit person to care for their children and that it is to the best interest of all concerned that they be separated.

Juliet M Jourdan

ORAL EXAMINATION.

I, Evelyn Watts, 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 and Harry J. Wilters Jr.

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 ES; 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 6 day of March, 1947.

Evelyn Watts (L. S.)

NO. _____ PAGE _____

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

Enrico Jarvis

vs. Complainant

James H. Jarvis

Respondent.

Oral Deposition

Filed _____, 1947

FILED

APR 1 1957

Register.

MADE & DUPLICATED
Recorded in Register

Record

Vol. _____ Page _____

Register.

Office of
ROBERT M. ALTON, JR.
Attorney at Law

COUNTY SOLICITOR
ELMORE COUNTY
DIAL 3630

P. O. BOX 491
Tallapoosa, Alabama
January 2, 1957

Hon. Alice J. Duck
Clerk, Circuit Court
Bay Minnette, Alabama

RE: Jarvis -vs- Jarvis

Dear Mrs. Duck:

Please find enclosed an answer which I wish to file for the Respondent in the case now pending on your Equity docket styled as shown on the caption of the answer.

With kindest regards and best wishes, I am,

Sincerely,



Robert M. Alton, Jr.

your complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would do actual violence to her person, which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent five children: James Wilson Jarvis, Jr., age 14; Lora Eva Jarvis, age 13; Joe M. Jarvis, age 11; Norman O. Jarvis, age 9; and Linda Jarvis, age 4; that your Complainant is a fit and proper person to have the care, custody and control of her minor children;

5.

The Complainant avers that the Respondent is an abled bodied man and is presently earning a salary of Fifty (\$50.00) Dollars per week.

6.

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 James W. Jarvis 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.

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, James Wilson Jarvis, Jr., Lora Eva Jarvis, Joe M. Jarvis, Norman O. Jarvis, Linda Jarvis; 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.

[Faint, illegible handwritten notes in the top left corner.]

Your Complainant further Prays for such other, further or different relief to which the Complainant may in equity be entitled.

Wilters & Brantley

BY: *Gay Wilton*
Solicitors for the Complainant

[Faint, illegible text in the bottom left quadrant.]

[Faint, illegible text in the bottom right quadrant.]

Executed by serving
a copy of the within
on James W Jarvis
this 24th day of
Oct, 1956

Hester L. Waller Sheriff
N. D. Van Allen C.D.S.

3886

EUNICE JARVIS
COMPLAINANT
VS
JAMES W. JARVIS
RESPONDENT

BILL OF COMPLAINT

FILED

OCT 9 1956

ALICE J. DUCK, Registrar

Vertical text on the left side of the page, possibly a stamp or filing mark, including the words "RECEIVED" and "FILED".

WAIVER AND ANSWER

EUNICE JARVIS

Complainant

vs.

JAMES W. JARVIS

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
3886

Comes the respondent in the above styled cause and accepts service of a bill of complaint filed heretofore in said cause; waives notice of the filing of interrogatories in said 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 bill of complaint heretofore filed in this cause, respondent says:

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

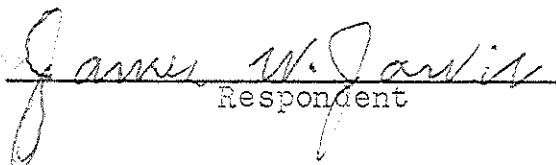
2. He admits the allegations contained in paragraph 2 of said bill of complaint.

3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.

4. He admits the allegations contained in paragraph 4 of said bill of complaint.

5. He denies each and every allegation contained in paragraph 5 of said bill of complaint and demands strict proof thereof.

6. He denies each and every allegation contained in paragraph 6 of said bill of complaint and demands strict proof thereof.


Respondent

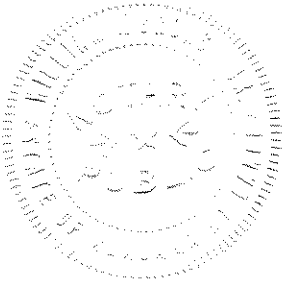
STATE OF ALABAMA)

BALDWIN COUNTY)

I William Broach a Notary Public in and for said County and State, hereby certify that JAMES W. JARVIS, whose name is signed to the foregoing waiver, and who is known to me, acknowledged before me on this day that, being informed of the contents of the waiver, he executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, on this the 14th day of March, 1957.

William Broach
Notary Public



PETITION FOR RULE TO SHOW CAUSE

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 3686

Comes your Petitioner, Eunice Jarvis, who is over the age of twenty-one years and respectfully shows unto the Court as follows:

That on the 2nd day of April, 1957, in the above entitled cause, a final decree was rendered divorcing your petitioner, the Complainant from James W. Jarvis, the Respondent, the said James W. Jarvis was directed to pay to your Petitioner Fifteen (\$15.00) Dollars per week for the support and maintenance of their minor children, James Wilson Jarvis, Jr., Lora Eva Jarvis, Joe M. Jarvis, Norman O. Jarvis, Linda Jarvis, whose custody was awarded to your Complainant.

That the said James W. Jarvis has failed to pay to your Complainant the sum of \$15.00 per week as directed in the decree, although having sufficient means to comply with said decree, and has willfully and contemptuously refused to obey the decree.

Premises considered, your Petitioner prays that a rule be issued to the said James W. Jarvis, requiring him, at a time and place to be therein stated, to appear before the court and show cause, if any he has, why he should not be punished for contempt. Your Petitioner prays for such, other, further, or different relief as may be meet and proper.

Eunice Jarvis

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Evelyn Watts, a Notary Public, in and for said County, in said State, personally appeared Eunice Jarvis, who is known to me, and who being by me first duly sworn, deposes and says, that she has knowledge of the facts stated in the above petition and that the same are true.

Eunice Jarvis

Sworn to and subscribed before me on this the 23 day of May, 1957.

Evelyn Watts
Notary Public, Baldwin County, Alabama

Executed by
serving a copy
of the within on
James W. Jarvis
This 12th day
of June 1957
Lester L. Hally Sheriff
D. W. Duvall
Chief D. S.
Columbiana
County

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

DEFENSE FOR RULE TO SHOW CAUSE

Respondent address is
Tallapoosa, Ala

FILED
MAY 23 1957
ALICE A. DICK, Clerk

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Eunice Jarvis, having filed her verified petition praying that James W. Jarvis be required to appear and show cause, if any he has, why he should not be punished as for a contempt in regards to the nature of the things set out in the verified petition; and upon consideration of said petition, it is,

ORDERED, ADJUDGED AND DECREED, by the court, that the said James W. Jarvis, appear before the court at 9 o'clock on the 28 day of October, 1957, in the court room of the Circuit Court of Baldwin County, at Bay Minette, Alabama, and show cause, if any he has why he should not be punished as for a contempt. Let a copy of said petition and of this rule to show cause be served upon James W. Jarvis by any Sheriff of the State of Alabama.

Done this 4 day of October, 1957.

Hubert M. Hall
JUDGE

FILED

OCT 4 1957

ALICE I. DUCK, Register

111

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

ORDER

RECEIVED JAN 10 1964

PETITION FOR RULE TO SHOW CAUSE

EUNICE JARVISS	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA,
VS	Ø	IN EQUITY
JAMES W. JARVIS	Ø	
RESPONDENT	Ø	

Comes your Petitioner, Eunice Jarvis, who is over the age of twenty-one years and respectfully shows unto the Court as follows:

1.

That on the 2nd day of April, 1957, in the above entitled cause, a final decree was rendered divorcing your petitioner, the Complainant, from James W. Jarvis, the Respondent, the said James W. Jarvis was directed to pay to your Petitioner Fifteen (\$15.00) Dollars per week for the support and maintenance of their minor children, James Wilson Jarvis, Jr., Lora Eva Jarvis, Moe M. Jarvis, Norman O. Jarvis, Linda Jarvis, whose custody was awarded to your Complainant.

2.

That the said James W. Jarvis has failed to pay to your Complainant the sum of \$15.00 per week as directed in the decree, although having sufficient means to comply with said decree, and has willfully and contemptuously refused to obey the decree.

3.

That the aforesaid decree awarded the care, control and custody of the said minor children to your petitioner with the right of the Respondent to visit the said children at reasonable times and to have him visit him at reasonable times.

4.

That on the 28th day of September, 1957, the Respondent did take one of the said minor children, Joe M. Jarvis, to Tallassee, Alabama, with out the permission of your Complainant and that the Respondent has not returned the said child to your Complainant and refuses to do so.

Premises considered, your petitioner prays that a rule be issued to the said James W. Jarvis, requiring him, at a time and place to be therein stated, to appear before the court and show cause, if any he has, why he should not be punished for contempt. Your Petitioner prays for such, other, further, or different relief as may be meet and proper.

Eunice Jarvis

STATE OF ALABAMA

BALDWIN COUNTY

Before me Gary J. Wilton, a Notary Public, in and for said County, in said State, personally appeared Eunice Jarvis, who is known to me, and who being by me first duly sworn, deposes and says, that she has knowledge of the facts stated in the above petition and that the same are true.

Eunice Jarvis

Sworn to and subscribed before me this the 4th day of October, 1957.

Gary J. Wilton
Notary Public, Baldwin County, Ala.

3886

Received 4 day of Oct 1957

and on _____ day of _____ 19____

Received a copy of the within Petition for

Rule to Show Cause

vs. James W. Jarvis

service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

EUNICE JARVIS

COMPLAINANT

VS

JAMES W. JARVIS

RESPONDENT

PETITION FOR RULE TO SHOW CAUSE

Executed by serving
a copy of this within
on James W. Jarvis
this 21st day of Oct,
1957

Lester L. Holley Sheriff
H. Decker, Union Co.

Respondent lives in
Tulsa, Okla

FILED

OCT 4 1957

ALICE A. BUCK, Register