

MARGARET F. BELL,  
Complainant,  
VS.  
JOSEPH HOBSON BELL,  
Respondent.

IN THE  
CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA. IN EQUITY.  
NO. 3916

This cause coming on to be heard was submitted for a final decree upon the original bill of complaint, answer and testimony ore tenus. The testimony is to the effect that the Complainant is a mature woman with a monthly income of not less than \$71.19; that she is in good physical condition, and has relatives and friends with whom she spends practically all of her time; that the Respondent is a man in his middle sixties; that he is sick and has been under the care of a Physician since 1951, and that it is necessary that he take medicine all of the time; that he is indebted to his Physician in the sum of \$914.00, and in addition thereto, his Doctor and Medical bill amount to approximately \$25.00 a month; that his necessary expenses total approximately \$190.00 per month; that he is at present on probation at Brookley Field to determine whether or not his physical condition will be such that he can continue to work; that his income is approximately \$120.00 each two weeks; that his physical condition, in the opinion of his Physician, is such that it will probably not get any better.

That the condition of the Respondent was known to the Complainant at the time they married.

The Court is, therefore, of the opinion and to the conclusion, having had the opportunity to see and hear the respective parties and their witnesses, that the Complainant is not entitled to the relief prayed for.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that the bill of complaint on behalf of the Complainant be, and the same is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant pay the cost herein taxed, for which execution may issue.

d

This 22nd day of February, 1957.

*Hubert M. Hall*

Judge, 28th Judicial Circuit of Alabama.

FILED  
FEB. 22 1957  
ALICE A. BROWN, CLERK

MARGARET F. BELL,  
Complainant,  
VS.  
JOSEPH HOBSON BELL,  
Respondent.

0  
0  
0  
0  
0  
0  
0  
0

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

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

Your Complainant, Margaret F. Bell, respectfully represents  
and shows unto your Honor:

1.

That complainant is over the age of twenty-one years and  
is a resident of said State and County, and has been a bona fide  
resident of said State for more than two years next preceding the  
filing of this bill of complaint; that JOSEPH HOBSON BELL is over  
the age of twenty-one years and resides in Baldwin County, Alabama.

2.

That your Complainant and the respondent were lawfully mar-  
ried on or about, to-wit: February 23, 1955, at Bay Minette, Ala-  
bama.

3.

That on, to-wit: the 20th day of August, 1956, the respondent  
voluntarily abandoned the bed and board of complainant and, since  
that time, they have not lived together as husband and wife, nor  
has the respondent in any way provided for the support and main-  
tenance of complainant, despite the fact that he well able to do  
so. That complainant was without fault in said abandonment.

4.

That when complainant married the respondent, he was in poor  
health; and that during the time she lived with him, she took such  
good care of him that he gained twenty pounds.

5.

That respondent has a good job in Brookley Field, Mobile,  
Alabama, and makes approximately Eighty (\$80.00) Dollars per week;  
that your complainant is without sufficient funds to support and  
maintain herself; and that she has no funds with which to pay her  
Solicitor for his services in this cause; and that she has employed  
Telfair J. Mashburn, Jr., Esq., to represent her in this cause.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your complainant makes the said JOSEPH HOBSON BELL a party respondent to this 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 JOSEPH HOBSON BELL, commanding him to plead, answer or demur to this bill of complaint within the time, and under the pains and penalties prescribed by law and the practice of this Honorable Court.

BOOK 022 PAGE 84

PRAYER FOR RELIEF

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

1. Divorcing complainant from the bed and board of the respondent.
2. Fixing, and ordering the respondent to pay, a reasonable sum for the support and maintenance of your complainant.
3. Fixing, and ordering the respondent to pay, a reasonable sum as fees for your complainant's Solicitor, for his services in this cause.

And your complainant 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.

Julian J. Madhury, Jr.  
SOLICITOR FOR COMPLAINANT.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 3916

November

TERM, 19 56

BOOK 022 PAGE 85

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon JOSEPH HOBSON BELL

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

JOSEPH HOBSON BELL

, Defendant

by

MARGARET F. BELL

, Plaintiff

Witness my hand this 7th day of November 19 56

*Alice J. ...* Clerk

*in old Steard hand*  
*received from Steard law etc*  
No. 3916 Page .....

**THE STATE OF ALABAMA**  
**BALDWIN COUNTY**

**CIRCUIT COURT**

MARGARET F. BELL

Plaintiffs

vs.

JOSEPH HOESON BELL

Defendants

**SUMMONS and COMPLAINT**

Filed NOV. 7 1956

Alice J. Duck, Clerk

TELFAIR J. MASHBURN, JR.  
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

11-7, 1956

, Sheriff

I have executed this summons  
this December 4, 1956  
by leaving a copy with

Joseph Hobson Bell

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00

TAYLOR WILKINS, Sheriff

BY *Steadham*  
DEPUTY SHERIFF

*Taylor Wilkins* Sheriff

*R.E. Dannee* Deputy Sheriff

*Edw. Steadham*  
*Fairhope Ala*

MARGARET F. BELL,  
Complainant  
vs.

¶  
¶  
¶  
¶

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY No. 3916

JOSEPH HOBSON BELL,  
Respondent

ANSWER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, separately and severally, says:

1.

The Respondent admits the allegations of the first paragraph of the Bill of Complaint.

2.

The Respondent admits the allegations of the second paragraph of the Bill of Complaint but says that the Complainant and Respondent were married on or about, to-wit: March 23, 1955.

3.

The Respondent denies all the allegations of the third paragraph of the Bill of Complaint and demands strict proof thereof.

4.

The Respondent denies the allegations of the fourth paragraph of the Bill of Complaint and demands strict proof thereof.

5.

The Respondent denies the allegations of the fifth paragraph of the Bill of Complaint and demands strict proof thereof.

6.

For further answer to the Bill of Complaint the Respondent says that at the time of the separation on or about August 20, 1956 the parties were living in a house owned by the late wife of the Respondent from which it was necessary that they move; that no discussions had been had between them as to the separation and, without his knowledge and consent the Complainant abandoned him without just or legal

excuse and he did not know where she had gone for several days; that he rented a new home for the Complainant but that she left the State of Alabama and did not live with him in that home. That he has always supported the said wife to the best of his ability; that he is financially unable to maintain two homes. That the Respondent is in poor health and is unable to perform full time employment and that he regularly is treated by medical doctors for his poor health. The Respondent says further that he does not earn \$80.00 per week for that he is unable to perform full time employment and his pay, after deductions, amounts to an average considerably less than \$80.00 per week and that Complainant is financially independent and is sufficient funds to support and maintain herself. The Respondent says further that it was not necessary for the Complainant to employ a solicitor in this cause as she had voluntarily abandoned the Respondent and he has properly supported her up until the date she abandoned him; and that she has sufficient funds with which to pay her solicitor for his services in this cause.

*Ernest M. Bailey*  
 Ernest M. Bailey  
 Solicitor for Defendant

TO THE CLERK OF THE  
 DISTRICT COURT OF THE  
 FIRST JUDICIAL CIRCUIT  
 IN AND FOR THE COUNTY OF  
 ALABAMA

FILED  
 DISTRICT COURT  
 FIRST JUDICIAL CIRCUIT  
 IN AND FOR THE COUNTY OF  
 ALABAMA



