

(3920)

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

IRIS OLETA BELL

, Complainant

vs.

HORACE L. BELL

, 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

IRIS OLETA BELL

is forever divorced from the

said HORACE L. BELL

for and on account of

Cruelty. It is further ordered, adjudged and decreed that the written agreement entered into between the Complainant and the Respondent, and attached to the Bill of Complaint, touching the distribution of real and personal property is hereby ratified and approved and the parties will abide thereby.

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 Iris Oleta Bell the Complainant pay the cost herein to be taxed, for which executed may issue.

This 9 day of November 1956

[Handwritten signature]

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

IRIS OLETA BELL

Complainant

vs.

HORACE L. BELL

Respondent

DIVORCE DECREE

FILED

NOV 9 1956

ANGE J. DUCK, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

IRIS OLETA BELL COMPLAINANT

vs.

HORACE L. BELL RESPONDENT

I, Melda D. Cobb

as ~~Register and~~ Commissioner

have called and caused to come before me Iris Oleta Bell

witness named in the requirement for Oral Examination, on the 7th day of November
19 56, at the office of Ernest M. Bailey, Attorney at Law,
in Fairhope, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Iris Oleta Bell

doth depose and say as follows:

STATEMENT OF IRIS OLETA BELL:

My name is Iris Oleta Bell and the Respondent's name is Horace L. Bell. We are both over the age of twenty-one years and are bona fide residents of Baldwin County, Alabama.

We were married at Belforest, Alabama on March 25, 1951 and lived together as man and wife until November 5, 1956. On that date the Respondent cursed, abused and threatened to do violence upon my person. The Respondent has on other occasions abused and threatened to do violence to me. I am of the opinion that if we continue to live together as man and wife the Respondent will actually commit bodily violence upon my person or will injure me permanently.

Iris Oleta Bell
Iris Oleta Bell, Complainant

I, Melda D. Cobb as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness _____ and read over to her and she signed the same in the presence of myself and Ernest M. Bailey, Attorney at Law, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof 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 7th day of November, 1956.

Melda D. Cobb (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

IRIS OLETA BELL,

COMPLAINANT

vs.

HORACE L. BELL,

RESPONDENT

ORAL DEPOSITION

Filed _____, 19 _____

FILED

NOV 9 1956

Register

Alicia C. Oakes, Register

Record

Vol. _____ Page _____

Register

IRIS OLETA BELL

vs.

HORACE L. BELL

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, _____
and Oral Testimony of Iris Oleta Bell

and in behalf of Defendant upon Answer and Waiver

FILED
NOV 9 1956

ALICE J. DUCK, Register

6
Counsel for Plaintiff
Submitted for Complaint

Alice J. Duck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

IRIS OLETA BELL

vs.

HORACE L. BELL

NOTE OF TESTIMONY

Filed in Open Court this
day of, 194

Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Melda D. Cobb

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 Iris Oleta Bell

a witnesses in behalf of Iris Oleta Bell in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Iris Oleta Bell

Complainant and Horace L. Bell

Respondent on oath, to be by you administered, upon Iris Oleta Bell 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 November, 1956

Alicia J. Duck Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

IRIS OLETA BELL,
Complainant

VS.

HORACE L. BELL
Defendant

FILED

NOV 9 1956

ALICE J. DUCK, Registrar
COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
MELDA D. COBB

WITNESSES:
IRIS OLETA BELL

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IRIS OLETA BELL,
Complainant

vs.

HORACE L. BELL,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Comes now Horace L. Bell, the Respondent in the above styled cause and for answer to the Bill of Complaint filed in this cause, says:

1. That he admits the allegations of Paragraph FIRST in the Bill of Complaint.
2. That he admits the allegations of Paragraph SECOND in the Bill of Complaint as to the date of marriage and the date of separation but he denies all the other allegations and demands strict proof of the same.
3. That he admits the allegations of Paragraph THIRD of the Bill of Complaint.

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

Horace L. Bell
RESPONDENT

WITNESS:

Subscribed to and sworn before me this 7th day of November, 1956.

[Signature]
NOTARY PUBLIC, STATE OF ALABAMA
AT LARGE

3920

ANSWER AND WAIVER

IRIS OLETA BELL,
Complainant

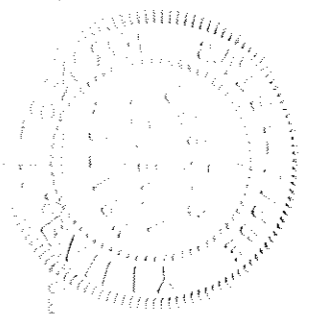
vs.

HORACE L. BELL,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
NOV 9 1956
A. DUCK, Register

FILED
NOV 9 1956
A. DUCK, Register



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STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT -- IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Horace L. Bell 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 Iris Oleta Bell, as Complainant, against Horace L. Bell, as Respondent.

Witness my hand this 9th day of November, 1956.

Alisa J. Dugan
REGISTER

IRIS OLETA BELL,
Complainant

vs.

HORACE L. BELL,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes your Complainant, Iris Oleta Bell, and files this her Bill of Complaint for divorce against Horace L. Bell, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are both over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, March 25, 1951 at Belforest, Alabama, and lived together as man and wife until on, to-wit, November 5, 1956 when on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on the 5th day of November, 1956 and at times prior thereto your Com-

plainant states that the Respondent, from his manner and conduct towards her gave reasonable apprehension of committing violence on her person and that from his manner and conduct towards her, she is reasonably certain that if she continues to live with the Respondent he will commit such violence on her person attended with danger to her life and health.

THIRD:

That the Complainant and the Respondent have no children of this marriage and have heretofore entered into an agreement disposing of their real and personal property among themselves, a copy of which is attached to the Bill of Complaint.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Horace L. Bell be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided. That upon a final hearing of this cause that Your Honor will grant unto your Complainant an absolute divorce from said Respondent. That Your Honor will also decree that the Complainant be allowed to remarry if she sees fit. Your Complainant also prays that she be allowed to resume her maiden name upon the final hearing of this cause. That Your Honor will confirm the agreement between the Complainant and the Respondent as to the disposal of their real and personal property between themselves. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Iris Oleta Bell
COMPLAINANT

James M. Bailey
SOLICITOR FOR COMPLAINANT

FILED

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IRIS OLETA BELL, Complainant vs. HORACE L. BELL, Respondent IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

SUMMONS AND THE BILL OF COMPLAINT

FILED

THIS COURT HAS JURISDICTION OF THE MATTER AND THE PLAINTIFFS ARE ENTITLED TO THE RELIEF DEMANDED IN THE PETITION AND BILL OF COMPLAINT.

IRIS OLETA BELL,
Complainant

vs.

HORACE L. BELL,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

S T I P U L A T I O N

It is stipulated and agreed by and between the parties hereto as a property division in lieu of alimony that the said Horace L. Bell has this day transferred to Iris Oleta Bell all his interest in a certain family Chevrolet automobile; that the transfer was made subject to an existing chattel mortgage of approximately \$220.00, payable to the American National Bank of Mobile, Alabama, which mortgage has been assumed by Iris Oleta Bell. That the parties have also agreed between themselves as follows: That the said Iris Oleta Bell has this day transferred and assigned to Horace L. Bell all her leasehold interest in certain lands and improvements of the Fairhope Single Tax Corporation of Fairhope, Alabama, and more specifically described as land in Block 23 of Magnolia Beach Addition to Fairhope and further described as Lot 14 and the East one-half of Lot 15, Blocks 23-27 of the Single Tax Corporation's unrecorded resubdivision map. This conveyance is subject to an existing mortgage to Liberty National Life Insurance Company; which mortgage Respondent hereby assumes and agrees to pay; The parties further agree that a division of personal property (household effects) shall be distributed as follows: Complainant to have (1) five piece living room suite, (1) five piece dining room suite, stove, refrigerator, washing machine, TV set, (1) four piece bedroom suite, Cedar chest, (1) set of silver and (1) set of China, (washing machine and television set are subject to installment payments, which payments Complainant agrees to assume and pay). That the parties have also agreed that the Respondent shall have an air conditioner and an outboard motor which are jointly owned by the parties, the installment payments on which Complainant does hereby assume and agree to pay.

Dated this the 7th day of November, 1956.

Witness: ^{Co} Greenash McRae
Hermine P. Naughton

Iris Oleta Bell
IRIS OLETA BELL
Horace L. Bell
HORACE L. BELL