

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JO ROGERS ARNOLD

Complainant

vs.

CLAUDE W. ARNOLD

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ Waiver and Answer 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 JO ROGERS ARNOLD is forever divorced from the said CLAUDE W. ARNOLD for and on account of "CRUELTY".

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the agreement between the parties filed in this suit as Exhibit "A" to the bill of complaint be, and it is hereby, ratified and confirmed and made a part of this decree and the parties hereto are ordered to keep and abide by the terms of said agreement.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant be and she is hereby authorized to resume the use of her maiden name, JO ROGERS. 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 CLAUDE W. ARNOLD the respondent pay the cost herein to be taxed, for which executed may issue.

This 19th day of April 1957

[Signature of Judge]
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. 4013 Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
APR 19 1957
ALICE J. BRICK, REGISTER

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: JAMES R. OWEN

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

as witnesses in behalf of JO ROGERS ARNOLD in a cause pending in our Circuit Court in Baldwin County, of said State, wherein JO ROGERS ARNOLD

is the _____, Complainant
and CLAUDE W. ARNOLD

is the _____ Respondent

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

Witness 19th day of April, 1947

Archie J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 4013

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

JO ROGERS ARNOLD

Complainant

VS.

CLAUDE W. ARNOLD

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

Subscribed and sworn to before me this 10th day of July 1967.

Notary Public for Baldwin County, Alabama

1967

Notary Public for Baldwin County, Alabama

JO ROGERS ARNOLD
Complainant
vs.
CLAUDE W. ARNOLD
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit: JO ROGERS ARNOLD

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

J. J. Madbury, Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of JAMES R. OWEN
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

J. J. Madbury, Jr.
Solicitor for Complainant

DEMAND FOR ORAL EXAMINATION

JO ROGERS ARNOLD

Complainant

vs.

CLAUDE W. ARNOLD

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this FILED day of

APR 19 1957

194---

ALICE L. MOORE, Register

Register

Moore Printing Co.

JO ROGERS ARNOLD

vs.

CLAUDE W. ARNOLD

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, WAIVER AND ANSWER, and Testimony of Jo Rogers Arnold, and Agreement of the Parties.

and in behalf of Defendant upon Waiver and Answer and Agreement of the Parties.

J. Fair J. Washburn

Livingston
Register.

No. 4013

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

JO ROGERS ARNOLD

vs.

CLAUDE W. ARNOLD

NOTE OF TESTIMONY

Filed in Open Court this 19

day of Apr, 1947

Beig J. Newk
Register.

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JO ROGERS ARNOLD

Complainant

VS.

CLAUDE W. ARNOLD

Respondent

I, JAMES R. OWEN

as ~~Register and~~ Commissioner

have called and caused to come before me

JO ROGERS ARNOLD

witness named in the Requirement for Oral Examination, on the 19th day of April 1957, at the office of Telfair J. Mashburn in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said JO ROGERS ARNOLD

doth depose and say as follows: "My name is JO ROGERS ARNOLD and I am over the age of twenty-one years. I am the complainant in this cause. I am a resident of Baldwin County, Alabama, and have been for more than two years next preceding the filing of the bill of complaint in this cause. The respondent, CLAUDE W. ARNOLD, is over the age of twenty-one years and is a resident of Baldwin County, Alabama. The respondent and I were married at Waxahachie, Texas, on the 22nd day of May, 1939. We lived together as husband and wife until the 9th day of April, 1957. My husband has been inclined to be jealous of me for a long time. About the 30th day of August, 1956, he struck and beat me. Because of the children, we decided to try to make a go of it, but on many occasions since that time he has threatened me with physical violence, and because of his action I have become convinced that, should I continue to live with him as his wife, he will carry out his threats and do further violence to me person which would necessarily endanger my life or health. I am convinced that it would be dangerous for us to continue to live together as husband and wife. We have four children, Stuart Paul Arnold, age 15 years, Curtis Michael Arnold, age 13 years, Sharon Elaine Arnold, age 12 years, and Jacquelin Claire Arnold, age 7 years. My husband and I have reached an agreement with regard to the custody and control and support and maintenance of said child, and as to alimony or support forme, a copy of which was attached to the bill of complaint in this cause. I feel that this agreement is the best way to dispose of the matter and I respectfully request the Court to ratify and confirm said agreement." Further Deponent says not.

Jo Rogers Arnold

ORAL EXAMINATION.

I, JAMES R. OWEN, 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 _____ and read over to HER and SHE signed the same in the presence of myself Telfair J. Mashburn, Jr.

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 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 19th day of April, 1957

 (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

JO ROGERS ARNOLD

vs. Complainant

CLAUDE W. ARNOLD

Respondent.

Oral Deposition

Filed _____, 195____

FILED
Recorded in
APR 19 1957

Register.

Record

Vol. _____ Page _____

Register

JO ROGERS ARNOLD,
 Complainant,
 VS.
 CLAUDE W. ARNOLD,
 Respondent.

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

Comes the respondent in the above-styled cause and accepts service of a copy of the bill of complaint filed 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 at any time.

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 admits the allegations contained in paragraph 5 of said bill of complaint.

Claude W. Arnold

Executed in the presence of:

J. R. O.

On Equity

No. 4013

vs. Arnold

vs.

Claude W. Arnold

Waiver & Answer.

FILED

APR 19 1957

ALICE L. BOSE, Register

JO ROGERS ARNOLD,
Complainant,
VS.
CLAUDE W. ARNOLD,
Respondent.

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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, JO ROGERS ARNOLD, respectfully represents
and shows unto your Honor as follows:

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 CLAUDE W. ARNOLD is over the
age of twenty-one years and resides in Baldwin County, Alabama.
2. That your complainant and the respondent were lawfully
married in Waxahachie, Texas, on or about, to-wit: 22 May 1939.
3. Your complainant avers and charges that the said respon-
dent did on or about the 30th day of August, 1956, and many times
subsequent thereto assault, beat, hit and strike complainant; that
said respondent has committed actual violence on her person attended
with danger to her life or health; complainant avers that respondent
has made numerous threats of doing her physical harm and from his
manner and conduct toward her, she is reasonable convinced that he
will commit an actual violence on her person, attended with danger
to her life or health; and that as a result of said treatment, she
was forced to leave him on, to-wit: the 9th day of April, 1957.
4. That there were four children born of this union, to-wit:
STUART PAUL ARNOLD, age 15 years, CURTIS MICHAEL ARNOLD, age 13
years, SHARON ELAINE ARNOLD, age 12 years, and JACQUELIN CLAIRE
ARNOLD, age 7 years.
5. That complainant and respondent have entered into an agree-
ment with reference to custody and support and maintenance of said
children and with reference to alimony, a copy of which agreement
is hereto attached as Exhibit "A" and, by reference, made a part here-
of as though fully set out herein.

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.

WHEREFORE, THE PREMISES CONSIDERED, your complainant makes CLAUDE W. ARNOLD 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 CLAUDE W. ARNOLD, commanding him to answer, plead or demur to this bill of complaint within the time required by law.

Your Complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree divorcing your complainant from the said respondent, granting her the right to resume the use of her maiden name, JO ROGERS, ratifying and confirming the agreement between the parties, Exhibit "A" to this bill of complaint, and ordering the parties hereto to keep and abide by the terms of said agreement; and your complainant prays for such other, further, different or general relief as unto your Honor may seem just and proper, and as in duty bound, your complainant will ever pray, etc.

Jeffrey J. Madhury

EXHIBIT "A"

STATE OF ALABAMA, 0
 0
COUNTY OF BALDWIN. 0

BOOK 022 PAGE 189

THIS AGREEMENT, Made and entered into on this the 19th day of April, 1957, by and between CLAUDE W. ARNOLD, hereinafter referred to as the party of the first part, and JO ROGERS ARNOLD, hereinafter referred to as the party of the second part:

WITNESSETH:

WHEREAS, the parties hereto have been husband and wife for a period of almost 18 years, and as a result of such union have four children, STUART PAUL ARNOLD, age 15 years, CURTIS MICHAEL ARNOLD, age 13 years, SHARON ELAINE ARNOLD, age 12 years, and JACQUELIN CLAIRE ARNOLD, age 7 years; and

WHEREAS, said parties have definitely concluded that under conditions now existing it is impracticable for them to live together as man and wife.

NOW, THEREFORE, IN CONSIDERATION THEREOF, and of the mutual agreements hereinafter made, they have mutually agreed to a complete separation under the following express terms and conditions:

1. The said parties shall entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate, or otherwise act in any way so as to embarrass or humiliate the other party.

2. The party of the first part shall have the custody, control and support of the above named children, and the party of the second part shall have the right at all convenient times of access and visitation of said children and to have said children visit her at such times as such visits will not interfered with their schooling.

It is understood and agreed that if the bests interests of said children made it desirable that this agreement be changed or modified, this agreement is subject to such change or modification upon the joint consent of the parties hereto. It is further agreed and understood that the children shall not be by either party hereto removed for any permanent period or permanent residence from the State of Alabama without the written consent of the other party.

3. In lieu of alimony and support and maintenance, the party of the first part agrees to pay to the said party of the second part the sum of Fifty-five Hundred (\$5,500.00) Dollars, which amount represents money loaned to the party of the first party by the party of the second part to set up his business, or money paid out for furniture by the said party of the second part. It is agreed and understood by the parties hereto that the said \$5,500.00 shall be repaid in monthly installments of One Hundred (\$100.00) Dollars each, without interest. And it is further agreed and understood by the parties hereto that in the event the party of the second part shall succeed in obtaining a divorce from the party of the first part, and should marry someone other than the party of the first part, then the party of the first part shall be relieved of making regular monthly payments until such time as CURTIS MICHAEL ARNOLD shall attain the age of 22 years.

It is further agreed and understood that the party of the first part assumes all responsibility for supporting and maintaining and educating the minor children of this marriage, and the party of the second part is relieved of all responsibility for such support and maintenance.

4. In the event the party of the second part insists on her express determination to file a suit for divorce against the party of the first part, it is agreed and understood that the party of the first part denies and expects to continue to deny that she is in any way entitled to a divorce, and in the event the court, upon a hearing, should decide that the party of the second 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.

It is further agreed and understood that under such conditions the Court thereafter shall reserve and maintain its right in the interest and welfare of the children to make such changes in reference to the custody, control and support of the children as the Court may determine, after proper hearing with due notice,

is in the best interests of said children.

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

Claude W. Arnold (SEAL)

Jo Roger Arnold (SEAL)

Executed in the presence of:

Virginia Jones

J. G. Marshall, Jr.

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

JO ROGERS ARNOLD,
Complainant,

VS.

CLAUDE W. ARNOLD,
Respondent.

AGREEMENT

4013