

(4846)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VIOLA ANN CHAMBLESS

Complainant

vs.

DAVID CHAMBLESS

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 Viola Ann Chambless is forever divorced from the said David Chambless for and on account of

CRUELTY

And it is further ordered, adjudged and decreed that Complainant, Viola Ann Chambless be and she hereby is awarded custody of the minor children, Gwendolyn Arnida Chambless, James David Chambless and Charles Blane Chambless, Respondent to have reasonable privileges of visitation of said children and to have custody of said children for one month in each year, and that Respondent contribute \$100.00 per month support for said children, and alimony for Viola Ann Chambless.

It is futher 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 futher 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 futher ordered that David Chambless the Respondent pay the cost herein to be taxed, for which executed may issue.

This 29th day of February 1960

H. M. HALL, 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.

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No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*Filed 2-29-60
Alice J. Hume
Rey*

VIOLA ANN CHAMBLESS
COMPLAINANT
VS
DAVID CHAMBLESS
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NUMBER: _____

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

Comes now your Complainant, Viola Ann Chambless, respectfully represents and shows unto Your Honor and this Honorable Court as follows:

I

That your Complainant is over the age of 21 years and is a bona fide resident of Baldwin County, Alabama, and that Respondent is over 21 years of age and is a bona fide resident of Baldwin County, Alabama.

II

That Complainant and Respondent were married in Bay Minette, Alabama on July 1954 and that they lived together as husband and wife until to-wit: December 12, 1959 and that they have not lived together as husband and wife since that date. There are three children born of this marriage, Gwendolyn Arnida Chambless aged 4 years, James David Chambless aged 3 years, and Charles Blane Chambless aged 2 years, and that Complainant is a fit and proper person to have custody of said children.

III

That on to-wit: December 12, 1959, the said Respondent committed actual violence to her person by striking her with his hand attended with danger to her life or health or that from his conduct and threats toward her at said time there was and is grave danger that he would commit further violence.

Now therefore, the premises considered, Complainant prays that this Honorable Court will cause process to issue to the said Respondent, David Chambless requiring him to plead, answer or demur to same within the time allowed by law.

And Complainant further prays that upon final hearing of this cause Your Honor will grant to her an absolute divorce forever barring

the bonds of matrimony existing between Complainant and Respondent giving her custody of the said children Gwendolyn Arnida Chambless, James David Chambless and Charles Blane Chambless, allowing her alimony and that Your Honor will grant such other, further, different or general relief to which Complainant may be in equity and good conscience entitled.

Viola Anne Chambless

W. L. Hays
Solicitor for Complainant

Filed
2-10-60

VIOLA ANN CHAMBLESS
COMPLAINANT
VS
DAVID CHAMBLESS
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NUMBER: _____

.....

Comes now the Respondent in the above styled cause and accepts service of a copy of the Complainant's Bill of Complaint and waives further notice and waives all further notice of taking of testimony and submission and, for answer to the Bill and each paragraph thereof says:

1. Respondent admits to the allegations contained in paragraph I.
2. Respondent admits to the allegations contained in paragraph II.
3. Respondent denies the allegations contained in paragraph III and demands strict proof thereof.

David Chambliss

Sworn to and subscribed to before me this the 8th day of February, 1960.

Filed
2-10-60

W. A. Hays
Notary Public, State of Ala. at Large

AGREEMENT

This agreement made and entered into this 8th day of February, 1960 in contemplation of a divorce between the parties hereto witnesseth:

That David Chambless, of one part and Viola Ann Chambless of the other part agree as follows:

1. That the said David Chambless will pay to the said Viola Ann Chambless the sum of ONE-HUNDRED (\$100.00) DOLLARS per month as support for their three children, Gwendolyn Arnida Chambless, James David Chambless and Charles Blane Chambless and alimony for the said Viola Ann Chambless.

2. It is further agreed that the said David Chambless shall have visitation rights of a reasonable nature with the said children, it being within the contemplation of the parties that thirty (30) days per year is a reasonable time.

3. That the said David Chambless will pay to Wilson Hayes, Attorney for the said Viola Ann Chambless, a reasonable attorney's fee for their divorce, upon its being granted, and the costs of court in such instance.

4. The said Viola Ann Chambless agrees to allow the said visitation as above set out at such time and under such circumstances as may be proper for the welfare and management of the said children.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year above first written.

David Chambless
DAVID CHAMBLESS

Viola Ann Chambless
VIOLA ANN CHAMBLESS

VIOLA ANN CHAMBLESS,	Y	
Complainant,	Y	IN THE CIRCUIT COURT OF
vs.	Y	BALDWIN COUNTY, ALABAMA
DAVID CHAMBLESS,	Y	
Respondent.	Y	IN EQUITY NO. 4846
	Y	

Comes now the Respondent in the above styled cause and respectfully represents and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That on heretofore, to-wit: the 29th day of February, 1960, this Honorable Court entered a Decree of Divorce in this cause whereby the Complainant was divorced from your Respondent for and on account of cruelty. That in and by the terms of said decree the Complainant was awarded the custody of the minor children of the parties to this cause with reasonable visitation rights and the right to the custody of said children for one month out of each year in your Respondent; and in addition thereto said decree required the Respondent to contribute One Hundred Dollars (\$100.00) per month support for said children and alimony for the Complainant.

SECOND:

That since the rendition of said decree and on, to-wit: the 2nd day of May, 1960, the Complainant re-married and is now married to Thomas Edward Jerkins and resides with him and the said three children at 603 13th Street, Pascagoula, Mississippi. That in view of the remarriage of the Complainant there has been a change of circumstances in the parties to this cause which would warrant a reduction in the amount required by your Respondent to be paid under and by the terms of the decree of February 29, 1960.

THIRD:

That your Respondent is willing and able to contribute to the support of his minor children and feels that the sum of Forty Dollars (\$40.00) per month is the maximum that he should be required to pay

B-34-P-126A

in view of the changed circumstances.

PRAYER FOR PROCESS

The premises considered your Respondent respectfully prays that this Honorable Court will cause process to issue to the Complainant as a non-resident of the State of Alabama and that service be had upon her of a copy of this petition in accordance with the Equity Rules in such made and provided, requiring her to plead, answer or demur to this petition within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Respondent respectfully prays that upon a final hearing of this cause that this Honorable Court will enter an order or decree modifying its decree of February 29, 1960, by decreeing that the Complainant is not entitled to any alimony for and on account of her remarriage and further fixing the amount which this Respondent should be required to pay as support for his three minor children.

Respectfully submitted,

By: David Chambliss
David Chambliss

OF COUNSEL

CHASON & STONE
Bay Minette, Alabama

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Marbano C. Stone, Jr., a Notary Public, in and for said County in said State, personally appeared David Chambliss who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is David Chambliss; that he signed the foregoing petition and all of the facts alleged therein are true and correct.

FILED

SEP 7 1960

ALICE J. DUCK, Register

David Chambliss

126B

Sworn to and subscribed before me on
this the 6th day of September,
1960.


Notary Public, Baldwin County, Alabama

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 1846

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon

Viola Ann Chambless

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

Viola Ann Chambless

Defendant

by

David Chambless

Plaintiff

Witness my hand this

7th

day of

September

1960

William J. Quirk, Clerk

126 D

No. 4846

Page

STATE of ALABAMA

Baldwin County

CIRCUIT COURT

VIOLA ANN CHAMBLESS

Plaintiffs

vs.

DAVID CHAMBLESS

Defendants

Summons and Complaint

Filed Sept. 7, 1960

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

, 19

Sheriff.

I have executed this summons

this 19

by leaving a copy with

Sheriff.

Deputy Sheriff.

VIOLA ANN CHAMBLESS,
Complainant,
VS.
DAVID CHAMBLESS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4846

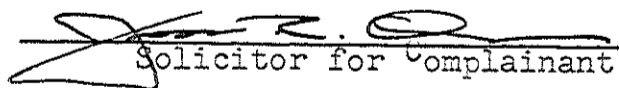
DEMURRER

Now comes the Complainant in the above styled cause and demurs to the petition heretofore filed by the Respondent on September 7, 1960, and to each and every paragraph thereof and as grounds for said demurrer assign the following separately and severally:

1. There is no equity in the said petition.
2. The said petition does not allege sufficient facts upon which relief can be granted to the Respondent.
3. The petition fails to allege a change in circumstances sufficient to warrant a modification of the decree heretofore rendered in this cause on February 29, 1960.

Now comes the Complainant and demurs to that aspect of the Bill of Complaint which seeks to modify the decree dated February 29, 1960, in this cause and as grounds for said demurrer assign grounds Numbered 1, 2 and 3 above as if specifically re-written here.

Respectfully submitted,


Solicitor for Complainant

FILED
SEP 21 60
ALICE J. DUCK, CLERK
REGISTER

VIOLA ANN CHAMBLESS (JERKINS)

Complainant,

VS.

DAVID CHAMBLESS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 4846 1/2

Comes the complainant in the above styled cause, and, for answer to the petition heretofore filed in this cause by the respondent, says:

FIRST

She admits the allegations of the First paragraph of said petition, except that she denies that, since her said divorce from the respondent, she has been paid anything as alimony for herself, but avers that she has only been paid ONE HUNDRED (\$100.00) DOLLARS per month as support for her three minor children; and that said sum is paid to her by the Government (Air Force) by check, monthly, marked "for child support".

SECOND:

She admits the allegations of paragraph SECOND as to her remarriage and her place of residence, but she emphatically denies that there has been such a change of circumstances in the parties as would warrant a reduction in the amount paid by the respondent to her for the support of their children.

THIRD:

That she denies the allegations of paragraph THIRD.

For further answer to the petition, complainant says that the respondent has paid her nothing by way of alimony for herself since their said divorce; that actually the ONE HUNDRED (\$100.00) DOLLARS per month she receives from the Government on behalf of the respondent for support of the minor children is insufficient to maintain and support them.

WHEREFORE, THE PREMISES CONSIDERED, Complainant prays that your Honor, upon hearing, will decree that ONE HUNDRED (\$100.00) DOLLARS per month is a reasonable amount for the respondent to pay for the support of his minor children and that he is not entitled to the relief prayed for in his petition.

I certify that I have reviewed a copy of the Respondent's petition by handing a copy of this case this 26th day of February, 1961.

Felton J. Mashburn
SOLICITOR FOR COMPLAINANT.

FILED

FEB 28 1961

ALICE J. DUCK, Register

126F-

AGREEMENT

This agreement made and entered into this 8th day of February, 1960 in contemplation of a divorce between the parties hereto witnesseth:

That David Chambless, of one part and Viola Ann Chambless of the other part agree as follows:

1. That the said David Chambless will pay to the said Viola Ann Chambless the sum of ONE-HUNDRED (\$100.00) DOLLARS per month as support for their three children, Gwendolyn Arnida Chambless, James David Chambless and Charles Blane Chambless and alimony for the said Viola Ann Chambless.

2. It is further agreed that the said David Chambless shall have visitation rights of a reasonable nature with the said children, it being within the contemplation of the parties that thirty (30) days per year is a reasonable time.

3. That the said David Chambless will pay to Wilson Hayes, Attorney for the said Viola Ann Chambless, a reasonable attorney's fee for their divorce, upon its being granted, and the costs of court in such instance.

4. The said Viola Ann Chambless agrees to allow the said visitation as above set out at such time and under such circumstances as may be proper for the welfare and management of the said children.

IN WITNESS WHEREOF, we have hereunto set our hands and seals the day and year above first written.

David Chambless
DAVID CHAMBLESS

Viola Ann Chambless
VIOLA ANN CHAMBLESS

VIOLA ANN CHAMBLESS,
 Complainant,
 VS.
 DAVID CHAMBLESS,
 Respondent.

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IN THE
 CIRCUIT COURT OF BALDWIN COUNTY,
 ALABAMA. IN EQUITY.
 NO. 4846

ORDER:

It having been made to appear to the Court in the above styled cause that the Respondent David Chambless has been denied the right to the custody of his children in accordance with the decree of this Court in said cause dated February 29, 1960, a sworn petition to that effect having been this day filed with the Court, and the Court having considered said petition is of the opinion that the Respondent should be allowed to have the custody of his children during the week of November 7th. and that the Complainant Viola Ann Chambless Jerkins, Thomas Edward Jerkins and A. D. McKinley should be required to deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, for delivery to David Chambless; it is, therefore

ORDERED AND DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that David Chambless be, and he hereby is, awarded the custody of Gwendolyn Chambless, James Chambless and Charles Chambless for and during the week of November 7th. 1960; and A. D. McKinley, Thomas Edward Jerkins and Viola Ann Chambless Jerkins, the persons who are exercising the custody and control of said children, and each of them, are hereby ordered to forthwith deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, to be delivered to the said David Chambless.

Done this 7th day of November, 1960.

Hubert M. Wade

Circuit Judge

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

VIOLA ANN CHAMBLESS

COMPLAINANT

vs.

DAVID CHAMBLESS

RESPONDENT

I, RUTH K. HOWELL

as Register and Commissioner

have called and caused to come before me Viola Ann Chambless

witness named in the requirement for Oral Examination, on the _____ day of _____

19____, at the office of _____

in Bay Minette, Alabama, and having first sworn said witness _____ to speak the

truth, the whole truth, and nothing but the truth, the said Viola Ann Chambless

doth depose and say as follows:

My name is Viola Ann Chambless, the Complainant in this case. I am over 21 years of age and my husband, David Chambléss is over 21 years of age and we live in Bay Minette, Alabama. On July 30, 1954 we were married in Bay Minette, Alabama. We lived together as husband and wife until December 12, 1959 on that day my husband David Chambléss struck me with his hands. I am afraid that he will do further violence. I left him on that day and we have not lived together as husband and wife since that time. We have three children, Gwendolyn Arnida Chambléss, James David Chambléss and Charles Blane Chambléss. I am a fit and proper person to have custody of the said children.

Viola Ann Chambléss

ORAL EXAMINATION

I, RUTH K. HOWELL 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 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 29th day of February, 1960.

Ruth K. Howell (L. S.)

3846

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

VIOLA ANN CHAMBLESS

COMPLAINANT

vs.

DAVID CHAMBLESS

RESPONDENT

ORAL DEPOSITION

Filed 2-29, 1960

RECORDED IN

Ruth K. Howell, Register.

Record

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County



Circuit Court

TO: RUTH K. HOWELL

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 VIOLA ANN CHAMBLESS

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein VIOLA ANN CHAMBLESS

and DAVID CHAMBLESS

, Complainant

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 29 day of Feb

, 1950

Alvin J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VIOAL ANN CHAMBLESS

Complainant

VS.

DAVID CHAMBLESS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

8581—NOTE OF TESTIMONY

858

VIOLA ANN CHAMBLESS

COMPLAINANT

vs.

DAVID CHAMBLESS

RESPONDENT

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
and testimony of Viola Ann Chambless

and in behalf of Defendant upon answer and waiver

Walter Hays
Att'y for Complainant

Alice J. ...
Register.

VIOLA ANN CHAMBLESS,)	
)	
Complainant,)	IN THE
)	
VS.)	CIRCUIT COURT OF BALDWIN COUNTY,
)	
DAVID CHAMBLESS,)	ALABAMA. IN EQUITY.
)	
Respondent.)	NO. 4846
)	
)	
)	

O R D E R:

It having been made to appear to the Court in the above styled cause that the Respondent David Chambless has been denied the right to the custody of his children in accordance with the decree of this Court in said cause dated February 29, 1960, a sworn petition to that effect having been this day filed with the Court, and the Court having considered said petition is of the opinion that the Respondent should be allowed to have the custody of his children during the week of November 7th. and that the Complainant Viola Ann Chambless Jerkins, Thomas Edward Jerkins and A. D. McKinley should be required to deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, for delivery to David Chambless; it is, therefore

ORDERED AND DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that David Chambless be, and he hereby is, awarded the custody of Gwendolyn Chambless, James Chambless and Charles Chambless for and during the week of November 7th. 1960; and A.D. McKinley, Thomas Edward Jerkins and Viola Ann Chambless Jerkins, the persons who are exercising the custody and control of said children, and each of them, are hereby ordered to forthwith deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, to be delivered to the said David Chambless.

Done this 7th day of November, 1960.

Hubert M. Stace
Circuit Judge

FILED

NOV 7 1960

ALISE J. DUCK, CLERK
REGISTER

4846

Viola Ann Chambless

vs

David Chambless

Executed Nov. 21, 1960
By serving a copy of
order on
Thomas Jenkins &
Viola Chambless Jenkins.
And delivering three written
children to
David Chambless

Jaylar Wilkins, Sheriff
By W. O. Garner C. D.

()

VIOLA ANN CHAMBLESS,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
	X	
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
DAVID CHAMBLESS,	X	IN EQUITY
Respondent.	X	NO.4846
	X	

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

Comes your Petitioner the undersigned David Chambless and respectfully represents and shows unto this Honorable Court as follows:

FIRST:

That he is the Respondent in the above styled case wherein a divorce decree was rendered by this Court on February 29, 1960 in and by the terms of which your Petitioner was given and granted the right and privilege of visiting his children, Gwendolyn Chambless, James Chambless and Charles Chambless and was also given and granted the right to have custody of said children for one month in each year.

SECOND:

That your Petitioner has filed, and there is now pending in this Court, a petition to modify said divorce decree insofar as the same relates to the amount required to be paid by him as support for said children and alimony for the said Viola Ann Chambless, now Viola Ann Jerkins by virtue of her marriage to Thomas Edward Jerkins since the rendition of said decree.

THIRD:

That your Petitioner is now at home in Bay Minette, Alabama on a furlough and will be home until on or about November 12th or 13th and learned upon his arrival at home that his former wife is a patient in Providence Hospital in Mobile, Alabama and that his said children

are staying in the home of her parents Mr. and Mrs. A. D. McKinley in Bay Minette, Alabama. That upon learning that his former wife was in the hospital he requested that he be allowed to keep the children during his stay in Bay Minette on furlough or for at least a part of said stay and was refused the right by his former wife, her present husband and Mr. McKinley. That your Petitioner has not had the custody of said children for a full month in this year but on the contrary has only had them for approximately six days.

FOURTH:

That your Petitioner has the right to have said children in his custody under and by virtue of the terms of said decree and it would be to the best interest of said children if they were allowed to be in his custody while their mother is in the hospital and he is home on furlough.

WHEREFORE, the premises considered your Petitioner respectfully prays that this Honorable Court will, upon the filing of this petition, enter an order or decree directed to Mr. and Mrs. A. D. McKinley and Thomas Edward Jerkins, the persons who are now exercising the custody and control of said children, directing them, or either of them, to deliver said children to the custody of your Petitioner until such time as he returns to his military base. And your Petitioner further prays that this Honorable Court will enter an order or decree directed to the said A. D. McKinley, Thomas Edward Jerkins and Viola Ann Jerkins to appear in this Court and show cause why they should not be held in contempt of this Court for failing and refusing to recognize the rights of your petitioner.

Respectfully Submitted,

OF COUNSEL:
CHASON & STONE
Attorneys at Law
Bay Minette, Alabama



David Chambless

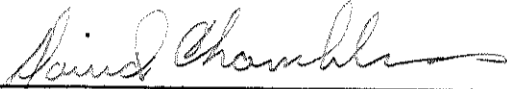
STATE OF ALABAMA

BALDWIN COUNTY

Before me, Norborne C. Stone, Jr., a Notary Public, in and

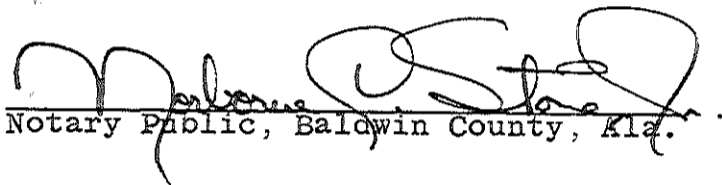
for said County in said State, personally appeared David Chambless who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That his name is David Chambless; that he signed the foregoing petition and all of the facts alleged therein are true and correct.



David Chambless

Sworn to and subscribed before me on this the 7th day of November, 1960.



Notary Public, Baldwin County, Fla.

FILED
NOV 7 1960
ALICE J. DUCK, CLERK
REGISTER

VIOLA ANN CHAMBLESS (JERKINS)
Complainant,
VS.
DAVID CHAMBLESS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 4846 $\frac{1}{2}$

NOTE OF SUBMISSION

This cause, being called, is submitted on behalf of the complainant, VIOLA ANN CHAMBLESS (JERKINS), on her answer to the respondent's petition and the testimony of VIOLA ANN CHAMBLESS (JERKINS) AND THOMAS E. JERKINS.

I hereby certify that the above Note of Submission is true and correct this the 28th day of February, 1961.


REGISTER


SOLICITOR FOR COMPLAINANT.

VIOLA ANN CHAMBLESS (JERKINS)	⌘	
Complainant,	⌘	IN THE CIRCUIT COURT OF
vs.	⌘	BALDWIN COUNTY, ALABAMA
DAVID CHAMBLESS,	⌘	
Respondent.	⌘	IN EQUITY NO. 4846 $\frac{1}{2}$
	⌘	

This cause coming on to be heard on the petition of the Respondent to modify the decree of divorce of this Court entered in said cause on February 28, 1960, was submitted on behalf of the Respondent on his petition and on behalf of the Complainant on her demurrer to the petition and her answer to said petition and on behalf of both parties on the testimony taken orally in open court on this day. And the Court having considered all of the above is of the opinion that the demurrer to the petition should be overruled and that the decree of divorce of February 29, 1960, should be modified insofar as it required the Respondent to pay the Complainant the sum of \$100.00 per month as support for the three minor children of the parties to this cause and as alimony for the Complainant; it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, as follows:

1. That the demurrer of the Complainant Viola Ann Chambless (Jerkins) to the petition of the Respondent David Chambless, aforesaid, be, and the same is hereby, overruled.

2. That the decree of divorce of this Court dated February 29, 1960, in and by the terms of which the Complainant was divorced from the Respondent and awarded the care, custody and control of the three minor children born to said parties during their marriage and requiring the Respondent to pay to the Complainant the sum of \$100.00 per month for the support of Gwendolyn Chambless, James Chambless and Charles Chambless, the minor children of the parties, and as alimony for the Complainant, be, and the same is hereby, modified and amended as follows: the Respondent shall not be required to pay to the Complainant any amount as alimony. The Respondent shall be, and he hereby is, required to pay to the Complainant (now Viola Ann Jerkins) the sum of \$90.00 per month for the support, maintenance and education of

Gwendolyn Chambless, James Chambless and Charles Chambless. That said decree of February 29, 1960, in all other respects shall remain unchanged and unmodified.

Done this the 28th day of February, 1961.

Hubert M. Face
Circuit Judge

FILED
FEB 28 1961
ALICE J. DUCK, CLERK
REGISTER

VIOLA ANN CHAMBLESS,)	
)	
Complainant,)	IN THE
)	
VS.)	CIRCUIT COURT OF BALDWIN COUNTY,
)	
DAVID CHAMBLESS,)	ALABAMA. IN EQUITY.
)	
Respondent.)	NO. 4846
)	
)	
)	

ORDER:

It having been made to appear to the Court in the above styled cause that the Respondent David Chambless has been denied the right to the custody of his children in accordance with the decree of this Court in said cause dated February 29, 1960, a sworn petition to that effect having been this day filed with the Court, and the Court having considered said petition is of the opinion that the Respondent should be allowed to have the custody of his children during the week of November 7th. and that the Complainant Viola Ann Chambless Jerkins, Thomas Edward Jerkins and A. D. McKinley should be required to deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, for delivery to David Chambless; it is, therefore

ORDERED AND DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that David Chambless be, and he hereby is, awarded the custody of Gwendolyn Chambless, James Chambless and Charles Chambless for and during the week of November 7th. 1960; and A.D. McKinley, Thomas Edward Jerkins and Viola Ann Chambless Jerkins, the persons who are exercising the custody and control of said children, and each of them, are hereby ordered to forthwith deliver said children to Taylor Wilkins, Sheriff of Baldwin County, Alabama, to be delivered to the said David Chambless.

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Done this 7th day of November, 1960.

Circuit Judge