

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

Ella Florence McCullough Complainant

VS.

William S. McCullough Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso

on personal service 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 Ella Florence McCullough

is forever divorced from the said William S. McCullough

for and on account of Statutory Cruelty

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 the payment of the cost of this suit.

It is further ordered that William S. McCullough

the Respondent pay the cost herein to be taxed, for which execution may issue.

This 6th day of February, 1945

J. W. Stare
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

DIORCE DECREE

THE STATE OF ALABAMA, BALDWIN COUNTY

WILLIAM S. McCULLOUGH

Complainant

vs.

ELLA FLORENCE McCULLOUGH

Respondent

DIORCE DECREE

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Ella Florence McCullough

vs. Complainant

William S. McCullough

Respondent

DIVORCE DECREE

Filed this _____ day of _____

February, 1945

Register

... the parties have agreed to the terms of this decree and have signed the same in the presence of the court and of the clerk of the court and of the undersigned, a Justice of the Peace for the County of Baldwin, Alabama, and the same shall be binding upon the parties and their heirs, assigns and personal representatives.

W. S. McCullough
WILLIAM S. McCULLOUGH

... the court do hereby decree that the marriage of Ella Florence McCullough and William S. McCullough is dissolved from and after the date hereof, and that the parties are at liberty to marry again.

... the court do hereby decree that the parties are at liberty to marry again.

Ella Florence McCullough

VS.

William S. McCullough

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, _____
~~Summons, Demand for Oral Examination, Commission to take Testimony and Oral~~
Depositions.

and in behalf of Defendant upon _____
Answer and Waiver

Ernest Christy
Attorney for Complainant

R. H. [Signature] Register.

No. 1568

The State of Alabama,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

Ella Florence McCullough

VS.

William S. McCullough

NOTE OF TESTIMONY

Filed in Open Court this _____

day of February 1945

Blair
Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Alica A. Christian

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 Ella Florence McCullough and Lou Ella Arant

as witnesses in behalf of Ella Florence McCullough in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Ella Florence McCullough

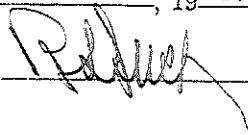
Complainant

and William S. McCullough

Defendant,

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

Witness 1 day of February, 19 45.



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Ella Florence McCullough

Complainant

vs.

William S. McCullough

Defendant

Commission To Take Deposition

COMMISSIONER:

Alica A. Christian

Witnesses:

Ella Florence McCullough

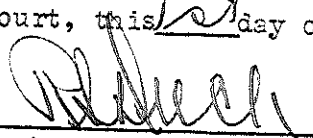
Lou Ella Arant

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA-- GREETING:

WE COMMAND YOU, that you summon William S. McCullough, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Ella Florence McCullough, against the said William S. McCullough, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this 2 day of February, 1945.


Register

ELLA FLORENCE McCULLOUGH,
Complainant

vs.

WILLIAM S. McCULLOUGH,
Respondent

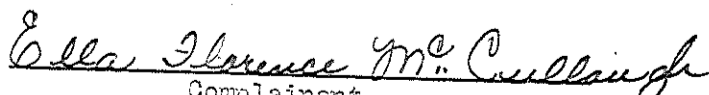
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your oratrix, Ella Florence McCullough, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about September 8, 1938, oratrix intermarried with said William S. McCullough, at Pensacola, Florida, and they lived together as man and wife until about seven months ago, most of the time residing in Baldwin County, Alabama, and oratrix has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

2. The respondent has committed actual violence upon the person of the complainant attended with danger to her life and health or from his conduct there is reasonable apprehension of such violence, for on numerous occasions the Respondent has violently hit and slapped the Complainant with his fist and hand, knocking her to the floor, thus injuring her about the face and body and putting her in constant apprehension of such violence.

3. The premises considered, oratrix prays for a subpoena, directed to the said William S. McCullough, directing him to answer the charge herein made against him, under the rules of this Court, and that he, William S. McCullough, be made a party respondent to this bill; and that upon a final hearing of the evidence your Honor will order, adjudge and decree that the bonds of matrimony heretofore existing between your oratrix and the said William S. McCullough be forever dissolved, and for such other relief as may in equity and good conscience be due your oratrix in the premises.


Complainant

Forest A. Christian, Foley, Alabama,
Solicitor for Complainant

11268

Ella Florence McCullough

vs.

William S. McCullough

ANSWER AND WAIVER

To the Court, 445
Answer
P. 11268

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Ella Florence McCullough

Complainant

VS.

William S. McCullough

Respondent

I, Alica A. Christian

as ~~Register and~~ Commissioner

have called and caused to come before me

Ella Florence McCullough

witness^{es} named in the Requirement for Oral Examination, on the 31 day of January
1945, at the office of Forest A. Christian
in Foley, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Ella Florence McCullough and
Lou Ella Arant doth depose and say as follows:

My name is Ella Florence McCullough. I am the complainant in the cause of Ella Florence McCullough versus William S. McCullough in the Circuit Court of Baldwin County, Alabama, in Equity. I am twenty-five years of age and have been a resident of Baldwin County since the year 1935. My husband is thirty-five years of age. We were married on September 8, 1938, at Pensacola, Florida.

My husband is a very large man and for a number of years he has in a rage of temper put his hand around my neck and choked me, hit me and slapped me. When this happens it causes a nervous reaction against my heart and I lose consciousness and pass out because I have a very enlarged heart and I am nervous. He has hit me and choked me more frequently recently. I am afraid to have him around and he wrote me a letter threatening to kill me.

Ella Florence McCullough
Ella Florence McCullough

My name is Lou Ella Arant. I am the mother of the complainant in the case of Ella Florence McCullough versus William S. McCullough. I am 61 years of age. My daughter and William were married at Pensacola, Florida, on September 8, 1938. Since that time they have lived next door to me in Foley.

I know that he hits her whenever things go a little wrong. And my daughter always faints and I would have to go out to help her. Every time he goes into a rage my daughter faints because she has a bad heart. I have seen William slap and choke my daughter many time.

Lou Ella Arant
Lou Ella Arant

ORAL EXAMINATION.

I, Alica A. Christian, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~s~~ 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 Forest A. Christian

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 31 day of January, 194⁵.

Alica A. Christian (L. S.)

NO. 1368

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Ella Florence McCallough

vs. Complainant

William S. McCallough

Respondent.

Oral Deposition

Filed February 18th, 194⁵

Richard, Register.

Recorded in

Record

Vol. _____

Page _____

, Register.