## THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

|  | BERNICE ATKINS   | Complainant  |
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|  | VS.  |  |
| •  | CLARENCE N. ATKINS   | Posmondout   |
| This cause coming on to  | be heard was submitted upon Bill of Co   | Respondent<br>mplaint, Decree Pro Confesso   |
|  | he Respondent and Testimony as no is of the opinion that the Complainant   |  |
| It is therefore ordered, ad  | judged and decreed by the Court that t   | he bonds of matrimony here-  |
| ofore existing between the Con   | mplainant and Defendant be, and the  | same are hereby, dissolved   |
| and that the saidBernice   | Atkins   |  |
|  | d Clarence N. Atkins   |  |
| or and on account ofCruel  |  |  |
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| It is further ordered,   | adjudged and decreed that the  | Complainant,   |
| And the first section of the section | she is hereby awarded the cus  | A CONTRACTOR CONTRACTOR  |
| It is further ordered that o again contract marriage upon  It is further ordered that  | adged and decreed that neither party days after the rendition of this decree, as gain marry except to each other during the Complainant and Respondent be, as the payment of the cost of this suit.  Clarence N. Atkins  The pay the cost herein to be taxed, for which the cost of the co | nd that if appeal is taken within the pendency of said appeal.  d they are hereby permitted they |
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|  | Juo  | lge Circuit Court, in Equity.  |
| Γ,   | Court of Baldwin County, Alabama,  |  |
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| The State of Alabama  BALDWIN COUNTY |   |
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|      | BERNICE ATKINS   | THE STATE OF A   | LABAMA         |
|      | COMPLA INANT   | Baldwin Cou  | nty            |
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|      | CLARENCE N. ATKINS   | IN EQUI  | TY             |
|      | RESPONDENT   | Circuit Court of Baldy   |                |
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|      | This cause is submitted in behalf of Complainan  | t upon the original Bill of Compleie   | <b>,</b>       |
|      | Answer and waiver of the Respondent  |  |                |
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STATE OF ALABAMA BALDWIN COUNTY

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

WE COMMAND YOU that you summon CLARENCE N. ATKINS to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within thirty days after the service of summons, and there to plead, answer or demur without oath to a bill of complaint lately exhibited by Bernice Atkins, against the said Clarence N. Atkins, 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 thereon to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Court, this the  $\frac{14}{4}$  day of February, 1945.

Register

PERNICE ATKINS
COMPLAINANT

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA

CLARENCE N. ATKINS RESPONDENT IN EQUITY

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

Your Complainant, Bernice Atkins, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and are over twenty-one years of age;

2.

That your Complainant and the Respondent were married at Mobile, Alabama, August 7, 1930, and lived together as husband and wife until on to-wit January 1, 1945.

3.

That on to-wit January 1, 1945, and at various times prior thereto, the Respondent threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give the Complainant

every reasonable apprehension to believe, and she did actually believe that if she continued to live with him, he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

4.

That there was born to said marriage between the Complainant and the Respondent, one child, a girl, Barbara, now 9 years old who is now and has been all her life with your Complainant, who is fully capable of maintaining, caring and supporting her.

WHEREFORE, the premises considered, Complainant prays that your Honor will by proper process, make the said Clarence N. Atkins party Respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon the hearing hereof, enter an order and decree, granting to the Complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; and that she be awarded the care, custody and control of the said minor child, Barbara Atkins.

Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

Solicitors for the Complainant

BERNICE ATKINS
COMPLAINANT

CLARENCE N. ATKINS RESPONDENT

SUMMONS AND COMPLAINT

R. S. DUCK clerk, - register

BERNICE ATKINS
COMPLAINANT

vs.

CLARENCE N. ATKINS RESPONDENT IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY

And now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent admits the allegations as to resident, age and marriage, alleged in the bill of complaint, but denies all other allegations contained therein, and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant, the right to cross examine the Complainant's witnesses and agrees that this cause be submitted for final decree without notice.

Respondent

WITNESS:

BERNICE ATKINS COMPLAINANT

vs.

CLARENCE N. ATKINS RESPONDENT

ANSWER AND WAIVER

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R. G. Royal rouster

| THE       | STATE   | OF   | ALABAMA | <b>,</b> |
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## CIRCUIT COURT

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|   | Witnesses                               |         |  |
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## THE STATE OF ALABAMA, Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

| BERNICE RIA   | Complainant       |
|---|-------------------|
| VS.   |                   |
| CLARENCE N.   | ATKINS Respondent |
| I, Lillian Patterson  |                   |
| as Register and Commissioner have called and caused to come before me                                 | Bernice Atkins    |
|   |                   |
| witness—named in the Requirement for Oral  194.5 , at the office of Beebe & Hall                      |                   |
| in Bay Minette , Alabama, and have truth, the whole truth, and nothing but the truth, doth depose and |                   |

My name is Bernice Atkins. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. The Respondent is also a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

The Respondent and I married in Mobile, Alabama, August 7, 1930. We lived together as husband and wife until on te-wit-January 1, 1945.

The Respondent and I have for the past 4 or 5 years been having our family troubles. The conditions have grown worse from time to time, until it has gotten to the point where we can no longer live together as husband and wife, as we should. The Respondent has on various occasions threatened and abused me and has often threatened to do violence to my person which necessarily endangered my life and health. The conduct of the Respondent is such as to give me every reasonable apprehension to believe, and I do believe that if I continue to live with him he will carry out his threats and do violence to my person which will necessarily endanger my life and health. The Respondent has for a number of years been working with the Southern Bell Telephone Company, and I likewise have been working for the past several years.

The Respondent and I have accumulated some property in Mobile and Baldwin Counties, however, we have reached a complete settlement of any and all claims that I may have against the Respondent for the support of myself, or our minor child, Barbara. The Respondent in full settlement of all alimony and support for me and our child, is conveying to our child Barbara, property in Mobile and also paying to my child and me \$1000.00 in cash, and \$1000.00 in Government Bonds, and also one 1940 Ford Automobile.

It is expressly understood between the Respondent and me that our daughter, Barbara, is to live with me, and I assume all responsibility for maintaining and supporting her. I have agreed with the Respondent that he may at reasonable times, visit the daughter and that also at reasonable times the daughter may visit him.

Bernice atkins;

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

Your Petitioner, Bernice Atkins, respectfully represents and shows unto your Honor as follows:

1.

That on the 15 day of February , 1945, a decree was entered in the case of Bernice Atkins Complainant, vs Clarence N. Atkins being cause 1279 on the equity document of the Circuit Court of Baldwin County, Alabama.

2.

That in said decree your petitioner was awarded the custody of the minor child, Barbara Atkins.

3.

That the decree made no provisions for the maintenance and care of the said minor child, Barbara Atkins.

4.

That the said Barbara Atkins is in ill health and your petitioner is not financially able to care and provide for her in a proper manner and do defray the additional expenses necessary in keeping the said child in echool.

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That the said Clarence N. Atkins has a responsible job with the telephone company and makes a salary ample to contribute some toward the support and maintenance of the said child.

WHEREFORE, the premises considered, your petitioner prays that your Honor will by proper decree give necessary notices to the said Clarence N. Atkins, and set this matter down for a hearing, and at such hearing will award to your petitioner such amount as to Your Honor may seembjust and proper for the said Clarence N. Atkin to contribute to the support of the minor child, Barbara Atkins. Your Petitioner further prays that the original decree of this court by amended and middified so as to express the decree of the court after a proper hearing.

Sworn to and subscribed before me on this the Zoday of September, 1946.

otary Public, Baldwin County, Alabama

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Joo. S. Huffman, Notary Public Baldwin Co. Ala. My Commission Expires Oct. 5th/1949

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This Sept. 23 -d 1946 From Sare ation of the diffici order or implyin occupie, singless. Tear Parisisans, Before, Albino, Albino, agai barishig represente suk Abora naga the control of day of February (1961), a deaper and appeared in the cases of Res**pi**ces Littles Ganglishing, or Cleresies S. Affician being A ede ao essa de A , yankan garan la la kanada A nasada Court the decree mile, we property one of here restricted A CONTRACTOR OF STATE OF THE ST They had beream ackide to it til mailtrent potitioner iel. . Craide to think bidy to gally set it yrespects spaggretian ithin this things Terbilde meidl.Clarenes, il didid bescher lande beschieblig gebruisten vis ablegie Data describe that hat the terms of the contraction LEIFER BED 1930 TO BERRESSER PRESERVER, the promises considered, a for particularly dispersion your Modor vill by proper decree, give been early worde in the che said bilitedee to Acking - A first Kroper II by a 1962 of Greek to the Landson a major by the broken blill was that blie bit wit light from English big nite i se repull mot de laa degoes door recoldito Clarence I. Lining to conjudate to the application of the High-Hill Hill. Restern Lining. bellere lyt krot erskritt kildelikkirket kar odo tolt olygir, redous roma kilvel rocl To partition the point of the control of the contro and the second s Figure (1 to the tree and care the classification of the content o in the second se

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

Your Petitioner, Bernice Atkins, respectfully represents and shows unto

1.

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That in Said decree your petitioner was awarded the duston of the minor child, Barbara Atkins.

That the decree made no provisions for the maintenance and care of the said minor child, Barbara Atkins.

4.

That the said Barbara Atkins is in ill health and your petitioner is not financially able to care and provide for her in a proper manner and do defray the additional expenses necessary in keeping the said child in school.

That the said Clarence N. Atkins has a responsible job with the telephone company and makes a salary ample to contribute some toward the support and maintenance of the said child.

will by proper decree give necessary notices to the said Clarence N. Atkins, and set this matter down or a hearing, and at such hearing will award to your petitioner such amount as to Your Honor may seems just and proper for the said Clarence N. Atkin to contribute to the support of the minor child, Barbara Atkins. Your Petitioner further prays that the original decree of this court by amended and maddified so as to express the decree of the court after a proper hearing.

Sworn to and subscribed before me on this the 20 day of September, 1946.

Notary Public, Baldwin County, Alabama

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TO HONOLED STATE, JUICE OF THE CIRCUIT COURT OF BALDRIN COUNTY, ALABAMA, IN EQUITY:

Your Petitioner, Bernice Atkins, respectfully represents and whose unto

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That the said Clarence M. Atkins has a responsible job with the telephone company and makes a salary ample to wentribute some toward the support and maintenance of the said child.

WHENEVERS, the premises considered, our petitioner prays that your Monor will by proper decree give necessary notices to the said Clarence N. Atkins, and set the such hearing will sward to your petitioner such amount as to your Honor may seemijust and proper for the said Clarence N. Atkin to contribute to the support of the minor child, Berbere Atkins. Your Petitioner further prays that the original decree of this court by smended said pedified so as to express the decree of the court after a proper hearing.

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