

11299

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

ALICE BOLLER

Complainant

VS.

ISIAH BOLLER

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 ALICE BOLLER

is forever divorced from the said ISIAH BOLLER

for and on account of 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 ISIAH BOLLER  
the Defendant pay the cost herein to be taxed, for which execution may issue.

This 27<sup>th</sup> day of March, 19 45.

*J. W. Stare*  
Judge Circuit Court, in Equity.

I, ROBERT S. DUCK, 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 March, 19 45

Register of Circuit Court, in Equity

DIVORCE DECREE

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ALICE BOLLER

vs.

ISAIAH BOLLER

Complainant

Respondent

DIVORCE DECREE

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ALICE BOLLER

vs. Complainant

ISAIAH BOLLER

Respondent

DIVORCE DECREE

Filed this \_\_\_\_\_ day of \_\_\_\_\_

March, 1945

Register

It is hereby ordered that the Complainant do and pay for the costs of this suit.

It is further ordered that the Respondent do and pay for the costs of this suit.

ISAIAH BOLLER

The Defendant

*Handwritten signature*

day of \_\_\_\_\_ 1945

*Handwritten signature*

Register of the Circuit

ROBERT W. BROWN

Register of the Circuit

of \_\_\_\_\_ 1945

Register of Circuit Court in Baldwin

ALICE BOLLER,  
Complainant

vs

ISAIAH BOLLER,  
Defendant

E Q U I T Y  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF ALICE BOLLER, DORIS LOCKE AND FRANCES McCONICO  
WITNESSES FOR COMPLAINANT.

Said witnesses being by me first duly sworn to tell the truth, upon examination by the solicitor for Complainant testified as follows:

ALICE BOLLER

I am the Complainant in this case and, like my husband, Isaiah Boller, am over the age of twenty-one years and a life long resident of the State of Alabama, for eighteen years a resident of Baldwin County. We were married on November 12, 1926 and lived together as husband and wife up to March, 1944, when I discovered that my husband was carrying on with another woman and had even given to her his pay check. He had been acting surly and ugly for quite a while before this and when I took up the matter with him he became enraged and threatened my life if the subject was ever mentioned again. I have been afraid to bring the matter up any more and knowing that he has ceased to care for me and is very bitter and ugly in his manner toward me, I feared to continue living with him for fear he would beat me severely or even kill me to get rid of me. He has a violent temper and in one of his rages is liable to do me injury. I managed to get along with him for a number of years but now that he is older and more irritable I have had to take steps for my own safety and leave him. He has done nothing for my support since we parted and until I put the matter in the hands of my lawyer, when we agreed upon a separation, he deeded to me the home on which we live. This was to be in full of all future claim on him, and I am glad to part with him under such conditions.

Alice Boller

DORIS LOCKE

I am over the age of twenty-one years, married and live within about one half a mile of Alice Boller. I have heard her testimony read over, and, while I do not know of my personal knowledge about his cruelty to her, I know that about a year ago, they had a violent quarrel and he left her and has been living away ever since. They have recently reached some sort of a settlement about

the property but she did not go back to him because she is afraid of him and fears that he will do her serious harm if she continues living with him.

Doris Locke

FRANCES McCONICO

I am a fairly close neighbor of Alice Boller and I have known her and her husband for many years. While I was not present or saw what happened, I have been reliably informed that about a year ago they had some serious trouble and parted, and know she is afraid to live with him any longer because of his treatment of her. Just what he actually did to her I do not know of my personal knowledge, but know that they have been living apart for the past year and that she is not the kind of woman who would leave her husband without just cause.

Frances <sup>Mc</sup>Conico

I, HELEN P. BAUGH, acting as commissioner by agreement of the parties hereby certify that in the case of ALICE BOLLER, Complainant, vs. ISAAH BOLLER, Respondent, pending on the Equity side of the Circuit Court of Baldwin County, I caused ALICE BOLLER, DORIS LOCKE and FRANCES McCONICO, witnesses for the Complainant, to appear before me at my office in Fairhope, Alabama, where, after being duly sworn, upon examination by the Solicitor for the Complainant, they testified as is herein set out; and their testimony after being reduced to writing was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

In witness whereof, I hereto set my hand and seal as commissioner this the 23rd day of March, 1945.

Helen P. Baugh  
Commissioner.

ALICE BOLLER  
Complainant

E Q U I T Y

VS

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

ISAAIAH BOLLER  
Respondent

Comes ISAAIAH BOLLER, Respondent in the above styled cause, and his answer to the bill of complaint says he denies each and every allegation of same.

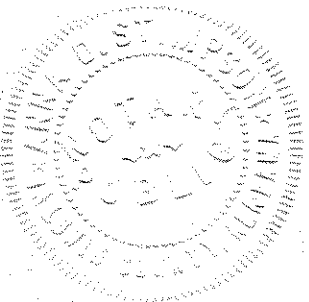
Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

*Isiah Boller*  
Respondent

*being made known to me.*

Before me the undersigned Notary personally appeared ISAAIAH BOLLER who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal on this the *17<sup>th</sup>* day of March, 1945.



*Anna D. Steenson*  
Notary Public, Baldwin County, Alabama.



Alice Boller.

VS.

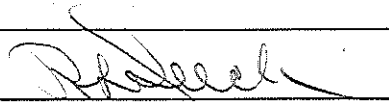
Isiah Boller.

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 Alice Boller, Doris Locke and Francis McConico.

and in behalf of Defendant upon ~~Answer and~~ <sup>W</sup> ~~waiver~~.

 Register.

1299.

No. \_\_\_\_\_

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Alice Boller.

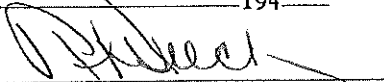
VS.

Isaiah Boller.

NOTE OF TESTIMONY

Filed in Open Court this 26th

day of March, 194 45



Register.

Moore Printing Co.



TO THE

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

Comes ALICE BOLLER, and by this her Bill of Complaint,  
presented against ISAAH BOLLER, respectfully shows:

FIRST: That Complainant and Defendant are both over the  
age of twenty-one years and are now and have been for over  
eighteen years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married Novem-  
ber 12, 1926, but have not lived together since March, 1944,  
when they parted for reasons hereinafter stated.

THIRD: That on or about the month of January, 1944,  
Complainant had reason to believe that Defendant was maintaining  
improper relations with another woman and on accusing him of  
this, Defendant became enraged and threatened Complainant with  
violence and because of his threats and for fear of her personal  
safety and life she then parted from him and since that date they  
have lived separate and apart without support from him in that  
time.

FOURTH: That Complainant because of Defendant's threats  
and violent temper as well as his moral behavior, of which while  
thoroughly convinced, she has no absolute proof, fears to go back  
to Defendant as his wife, feeling that to do so would jeopardize  
her life.

THE PREMISES CONSIDERED Complainant prays that ISAAH BOLLER  
be made party defendant to this cause and by proper process be re-  
quired to answer this bill within the time prescribed by law.

Complainant further prays that upon the hearing of this cause  
a decree be rendered forever divorcing her from said ISAAH BOLLER,  
granting her the right to marry again should she so desire, and to  
have such other, further or different relief as to equity may seem  
meet.

*Elliot S. Pinkley*  
Solicitor for Complainant