

CLARA F. PETTUS,
Complainant.

VS

STEPHEN W. PETTUS,
Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause, coming on to be heard in vacation, was submitted upon the Bill of Complaint, Answer, testimony as noted by the Register, and upon the consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for in her said bill.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore existing between Complainant and Respondent be, and the same are, hereby dissolved and the said CLARA F. PETTUS is forever divorced from the said STEPHEN W. PETTUS on account of cruelty as alleged in said Bill.

IT IS FURTHER ORDERED that the Respondent, STEPHEN W. PETTUS have the care and custody of the children of the marriage until they reach the age of fourteen years or until further orders of this Court as to said custody, and that for the purpose of making such orders the Court retains control and authority in this cause, it being understood, however, that Complainant shall have the right of access to said Children at all convenient hours.

IT IS FURTHER ORDERED that the parties hereto are permitted to again contract marriage upon payment of the costs in this cause, with which said costs the Respondent is herein taxes and for which execution may issue. Should such execution be returned "No property found" the execution for such costs may issue against the Complainant. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the parties shall not marry again

except to each other until sixty days after this date and
that if an appeal be taken within sixty days that they shall
not marry again except to each other during the pendency of
said appeal.

Done in vacation ~~time~~ at Monroeville, Alabama, this
the 6th day of August, 1932.

J. W. Hare

Judge of the Circuit Court of Baldwin
County, Alabama.

RECORDED

AUG 10 1932

CLERK OF COURT

BY

CLERK OF COURT

RECORDED

RECORDED

*Original
filed in
case No. 1000
Aug 10 1932*

RECORDED

CLARA F. PETTUS

Complainant

VS

STEPHEN W. PETTUS,

Respondent.

DECREE OF DIVORCE.

Filed Aug 8th 1932
T W Williams
Register

LAW OFFICES
ELLIOTT G. RICKARBY
ROBERTSDALE, ALA.

August 3rd, 1932

Thomas W. Richerson, Esq.
Bay Minette, Alabama

Dear Tom:

PETTUS VS PETTUS: Elliott wrote me that he had sent you the deposition in this case, so with this I am sending you a request for submission in vacation but as I do so, am not sure that I sent you the answer and waiver of the defendant or that service of notice has been had upon him. The file in this case is in the Fairhope office and this is written from Robertsdale. If these papers have not been filed and the case is not ready for submission, let me know at once, addressing me at Fairhope, and hold the request for submission till we get the other matters straightened out.

I am also sending a decree of divorce embodying the agreement between the parties as to the custody of children. Please see that this, too, goes forward with the other papers.

As soon as the Judge signs the decree, let me know and send me a bill of the costs which the Respondent is to pay. We can then all get our pittance, so sorely needed as usual.

Sincerely,

Elliott G. Rickarby

R:F
1001

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

Clara F. PETTUS,
Complainant
vs.

In Equity.

STEPHEN W. PETTUS,
Defendant

The COMPLAINANT

requests the oral examination of the following named witnesses, on behalf of the Complainant

- viz:

Mrs Clara F. Pettus,

Mrs. Grace Renauld,

said witnesses reside in the County of Mobile, State of

Alabama.

ELLIOTT G. RICKARBY, Jr., who resides at
Mobile, Alabama

or the Register of this Court is suggested as a suitable person
to be appointed Commissioner to take the deposition of said witness on such oral examination.

Elliott G. Rickarby
Solicitor for Complainant

RECORDED

CIRCUIT COURT OF
Baldwin County, Alabama

IN EQUITY

Clara F. PETTUS.

Complainant..

vs.

STEPHEN W. PETTUS.

Defendant..

DEMAND FOR ORAL EXAMINATION

Filed July 28th 1923

W. B. Brown Register.

Moore Printing Co. Bay Minette, Ala.

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

Comes CLARA FRANKLIN PETTUS, and by this her bill
of complaint presented against STEPHEN W. PETTUS, respectfully
shows:

FIRST: That she and the Defendant hereinafter named are both
over the age of twenty-one years and are now, and have been all of
their lives bona fide residents of the State of Alabama, residing
now in the Town of Fairhope, in Baldwin County.

SECOND: That Complainant and the said Stephen W. Pettus were
legally married in the City of Mobile on October 22nd 1926 and
lived in that city and in Fairhope up to June 29th 1932.

THIRD: That the Defendant, since the said marriage, has com-
mitted actual violence upon the person of Complainant attended
with danger to her life and health by striking her violently in
a paroxysm of rage in the early part of the summer of 1931 and has
since that time threatened her further but without further violence
until June 30th of the present year when he again assaulted her,
whereupon Complainant again left him and has since that time lived
separate and apart, without in any way condoning said violence.

FOURTH: That three children have been born to the parties
hereto, two daughters, Helen, aged four and Gloria two years, and
a son Stephen Pettus Jr., one year of age, which children are now
living with the Defendant.

THE PREMISES CONSIDERED, Complainant prays that Stephen W.
Pettus be made defendant to this bill and by appropriate process
notified to answer same within the time required by law.

COMPLAINANT FURTHER PRAYS that upon the hearing of this
cause a decree be rendered forever divorcing her from the said
Stephen Pettus, requiring him to make proper provision for their
children and granting her the right to marry again and such other,
further or different relief as to equity may seem meet.

Clara Franklin Pettus
Complainant.

Clarence B. Rinehart
Solicitor for Complainant

NOTE: The Defendant is required to answer each paragraph of the
foregoing bill, but not under oath.

Clarence B. Rinehart
Solicitor for Complainant.

CLARA F. PETTUS,

Complainant,

vs.

STEPHEN F. PETTUS,

Defendant.

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

CERTIFICATE OF COMMISSIONER.

I, E. G. RICHARDY, Jr., the commissioner named in the attached commission, hereby certify that in pursuance thereof, on July 29th, 1932, I caused to come before me at the office of Edward P. Totten, in the Bank of Fairhope Building at Fairhope, Alabama, in the County of Baldwin, CLARA F. PETTUS, and on July 28th, 1932 at 214 Van Antwerp Building, Mobile, Alabama, Mobile County, MRS. GRACE REMAULD, and that said witnesses, after being first duly sworn did testify as heretofore set out; that the answers of said witnesses are set down as near as might be in their own language and that they subscribed their names thereto in my presents after reading over same.

I further certify that I am neither of counsel nor kin to either of the parties to this suit, nor in any manner ~~interested in the result thereof.~~

Witness my hand at Mobile, Alabama, on this the first day of August, 1932.


COMMISSIONER.

TESTIMONY OF GRACE REMOULD.

My name is Grace Remould, and I live in Mobile, Alabama and knew Mr. and Mrs. Stephens Pettus while they were living here in Mobile last summer. At that time I lived right next door from them, I lived at 204 McWilliam Street and they lived at 202 on the same street. I was friendly with both Mr. and Mrs. Pettus while they lived next to me and was often over at their house. In the early part of the summer one night, I do not remember the exact date I heard that Mr. and Mrs. Pettus were having some difficulties. I knew this from hearing some commotion from my house which was only ten feet apart from their house. I naturally looked over to see what was happening and saw that Mr. Pettus was chasing his wife. I saw her running through the dining room. Just previous to that I had heard her scream, with Mr. Pettus following her. I do not remember just what she said. I did not go over there then. This was real late around midnight.

The next morning I saw Mrs. Pettus while she was on her front gallery and noticed that her face was swollen and at that time she showed me her dress which she said Mr. Pettus had torn, I remember that this was the same dress that she was wearing the night before. I asked her about what had happened and she told me that Mr. Pettus had struck her and torn her clothes that night, and that was the trouble that I had heard.

I know that these are the Pettus's that are now living over at Fairhope, Alabama. I am not any kin to either Clara Pettus, (the complainant) nor Stephens Pettus. However I am friendly with both of these two young people.

Mrs. Grace Remould

CLARA F. PETTUS
Complainant

vs.

STEPHEN W. PETTUS
Respondant

EQUITY
IN THE CIRCUIT
COURT OF BALDWIN
COUNTY, ALABAMA

The deposition of CLARA F. PETTUS and Grace Renauld, witness for Complainant.

The said witnesses being duly sworn, on examination by counsel for Complainant, testified as follows:

CLARA F. PETTUS

My name is Clara Franklin Pettus and I have filed this bill for divorce against Stephen W. Pettus and am twenty-three years of age and my husband is twenty-eight years old. Ever since I was born I lived in Mobile, Alabama and until my husband and I moved over here in Fairhope, Alabama in April of this year. My husband also lived all of his life in Mobile until he moved over here with me.

We were married in Mobile, Alabama on October the twenty-second in 1926 by Rev. Eldred M. Stewart of Mobile. We lived together up until June the twenty-ninth of this year when we separated and have not lived together since that date.

About six months after we were married I realized that we were not getting along well but it was not until the ^{Spring} ~~summer~~ of 1931 that he ever laid hands on me. Since that time his conduct toward me grew very much worse. On one occasion, in the spring of 1931, he got very angry with me because I had gone to a dance that he had said I could go to and when I got home he flew into a rage, struck me and almost tore my clothes off me before I could escape from him, and threatened my life and had I not run from him would have done me serious harm. Since that time conditions grew worse until June thirtieth, last, when he again became very angry with me and again struck me and to get away from him to keep him from further mistreating me I left him and did not go home but went to some rooms that I had to rent to keep away from him. I have never lived with him since that time or in any other way condoned his actions towards me, and feel that did I live with him he would sooner or later do me serious harm.

We have three children, Helen age four, Gloria, age two and one half and Stephen Pettus Jr. one and one half years. These children are now living with my husband in Fairhope.

Clara Franklin Pettus

The State of Alabama, {
Baldwin County

CIRCUIT COURT

IN EQUITY

To Hon. Elliott G. Rickarby, Jr.,

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 Clara F. Pettus, and Mrs Grace Renauld,

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

Clara F. Pettus

Complainant

and

Stephen W. Pettus

Defendant,

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

Witness 23th day of July, 1932

COMMISSIONER'S FEE, \$

5-00
XX

WITNESS' FEES, \$

DM Peterson

REGISTER

NO. 1061

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Lara F. Pettus

vs. Complainant

Stephen W. Pettus,

Defendant

MISSION TO TAKE DEPOSITION

COMMISSIONER:

Clott G. Rickarby, Jr.,

WITNESSES:


Lara F. Pettus

S. Grace Renauld,

TO THE HON. FRANCIS W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA,
SITTING IN EQUITY.

Comes STEPHEN. PETTUS, respondent in the above styled
cause and for answer to the bill of complaint denies each
allegation thereof.

He further waives notice of demand for oral examination
of Complainant's witnesses, of the time and place of taking testi-
mony, and consents that this cause may be submitted for final
decree upon the pleadings and Complainant's evidence.


Respondent.

CLARA F. PETTUS,
Complainant.

vs

STEPHEN W. PETTUS,
Respondent.

ANSWER AND WAIVER OF RESPONDENT.

Filed July 9th/1932
D. W. Peterson
Alaska

CLARA F. PETTUS

Complainant.

VS

STEPHEN W. PETTUS

Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Complainant hereby requests the Register of this Court to submit the file in this cause for final decree in vacation to the Judge of the Circuit Court, the respondent having waived objection to such submission.

Elliott B. Rinkley
Solicitor for Complainant.

CLARA F. PETTUS

Complainant

AT

STEPHEN W. PETTUS

Respondent

REGISTER FOR BALDWIN COUNTY

Original filed 10/10/1910

CLARA F. PETTUS,
Complainant.

vs

STEPHEN W. PETTUS,
Respondent,

REQUEST FOR SUBMISSION.

Filed August 5th 1932
J. W. Dickinson
Clerk

CLARA F. PETTUS,
Complainant.

vs

STEPHEN W. PETTUS,
Respondent,

REQUEST FOR SUBMISSION.

Filed August 5th 1932
J. W. Richardson
Clerk

The State of Alabama, { CIRCUIT COURT OF BALDWIN COUNTY,
Baldwin County } IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon STEPHEN W. PETTUS
(Fairhope, Ala)

of Baldwin County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

CLARA FRANKLIN PETTUS

against said STEPHEN W. PETTUS,

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 6th day of

July 193 2

T. W. Richerson Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

(ORIGINAL)

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

CLARA FRANKLIN PETTUS

vs.

STEPHEN PETTUS

Trickerson

ELLIOTT G. RICKARBY

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

Docket Page 141

The State of Alabama,
BALDWIN COUNTY.

Received in office this *office book*

day of *July* 193*8*

W. B. Stuart

W. B. Stuart Sheriff.

Executed this *7th July* day of

July 193*8*

by leaving a copy of the within Summons with

Stephen Pettus

Defendant.

W. B. Stuart

Sheriff.

By *J. B. Wilson*

Deputy Sheriff.