

(1745)

LAW OFFICE OF
FOREST A. CHRISTIAN
FOLEY, ALABAMA
December 4, 1946

Mrs. Alice J. Duck
Register of Court
Bay Minette, Ala.

Dear Mrs. Duck:

If it is necessary for you to ^{repare} repair a decree pro confesso, in this case, kindly do so. Also it would be appreciated if you would certify to the enclosed copy of the final decree when it has been signed by the Judge and return it to me with the cost bill, so that we can both get our money as soon as possible. Thanks for taking care of these matters for me.

Yours very truly,

Forest A. Christian

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

ERNEST H. WALL Complainant
VS.

ALIVA M. WALL Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con~~
~~esso on~~ Answer and Waiver and Testimony as noted by the Register, and upon con-
sideration thereof, the Court is of the opinion that the Complaint 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said ERNEST H. WALL
is forever divorced from the said ALIVA M. WALL

for and on account of ADULTERY

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 ERNEST H. WALL
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 30th day of November, 1946

J. W. Hare
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 November, 1946

Register of Circuit Court, in Equity

No. Page

The State of Alabama

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ERNEST H. WALL

Complainant

VS.

ALIVA M. WALL

Respondent

DIVORCE DECREE

Filed this day of

..... November, 194 6

Register

ERNEST H. WALL,
Complainant

vs

ALIVA M. WALL,
Respondent

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF ERNEST H. WALL AND MRS. ESTELL WALL,
WITNESSES FOR COMPLAINANT.

Said witnesses, being first duly sworn, upon examination by the counsel for Complainant, testified as follows:

ERNEST H. WALL

I am the Complainant in this cause. On June 13, 1940 I was married to Aliva M. Wall in Monroeville, and we lived together from time to time in Monroeville and later in Mobile up to about five months ago. We are both over the age of twenty-one years and life-long residents of Alabama. Our married life has not been happy. My wife was untrue to me with a number of men, and on one occasion I found her intoxicated in bed with one of them in Mobile. She has been and I think still is committing adultery with one Junior Anderson, formerly of Monroeville, but later of Mobile, although recently he may have gone back to Monroe County where my wife is now living. About two years ago, I took my wife back to my home on her promise of better behavior, but this did not last long, as she was soon criminally intimate with other men, and I left her this time for good. I do not know of my personal knowledge, but I am reliably informed, that she is still criminally intimate with Anderson at her home in Monroe County on a route running out from Pineapple.

Ernest H. Wall

I am well acquainted with both Ernest and Aliva Wall and have known them since they were married. Their married life has not been happy as she has been repeatedly untrue to him and intimate with other men. He left her several years ago on account of this, but about two years ago, took her back and tried to get along with her on her promise of good behavior, but she was soon carrying on with other men and he left her about five months ago for good, and they have lived apart ever since. I do not know of her adultery of my personal knowledge, but do know that she goes with other men and that her reputation in the community is bad.

Mrs Estell Wall
Mother

I, D. P. EDDINS, acting as commissioner by agreement of parties, hereby certify that in the case of ERNEST H. WALL vs ALIVA M. WALL, pending on the Equity side of the Circuit Court of Baldwin County, I caused ERNEST H. WALL and MRS. ESTELL WALL, witnesses for the Complainant, to appear before me at my residence in Mobile, Alabama, where, after being duly sworn, upon examination by the counsel for the Complainant, they testified as is above written, 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 4 day of November 1940.

D. P. Eddins

Commissioner.

Ernest H. Wall

Alvin M. Wall^{vs.}

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

real reposition of Will Collins
and Edelle Wall and Ernest
H. Wall

and in behalf of Defendant upon _____

Answer and answer

Disbury + Disbury

R. S. Luck

Register.

No. 1745-

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Wall

vs.

Wall

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of , 194

NOV 6 1946

R. S. DUCK, REGISTER

Register.

Printed By The Baldwin Times

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: EQUITY SIDE

TO

ALIVA M. WALL

You are hereby notified to appear and plead, answer or demur within thirty days of the receipt hereof to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by ERNEST HARDEE WALL as Complainant.

WITNESS my hand this the 11 day of October, 1946.

R. S. Dush

Register, Circuit Court

by Alice J. Dush
S.R.

TO THE

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

Comes ERNEST HARDEE WALL, and by this his Bill of Complaint, presented against ALIVA M. WALL, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that both are now and have been for more than five years bona fide residents of the State of Alabama.

SECOND: That Complainant and Defendant were married at Monroeville, Alabama, on June 13, 1940, but have not lived together since May, 1946.

THIRD: That at various times since said marriage, Defendant has been guilty of acts of adultery while the parties were living in the City of Mobile with various men, among them one Junior Anderson, now residing near Defendant in Monroe County.

FOURTH: That about two years ago, Complainant, who had left Defendant because of her misbehavior, at her request, took her back to live with him upon her promise of reform, which promise was not kept and since then Complainant and Defendant have lived apart since May last with no resumption of marital relations.

THE PREMISES CONSIDERED, Complainant prays that ALIVA M. WALL be made party defendant to this cause, and by proper process required 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 him from said ALIVA M. WALL, granting him the right to marry again should he so desire, and to have such other, further or different relief as to equity may seem meet.

Ris. Early & Ris. Early.
Solicitors for Complainant.

1745

RECORDED

ERNEST HARDEE WALL,
Complainant

VS

ALIVA M. WALL,
Defendant

BILL OF COMPLAINT

FILED

OCT 17 1946

R. S. DUCK, REGISTER

By Alice J. Duck

ERNEST HARDEE WALL
Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

ALIVA M. WALL
Respondent

Comes ALIVA M WALL, Respondent in the above styled cause,
and for answer to the Bill of Complaint says she denies each
and every allegation of same.

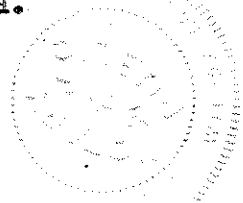
Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in her own behalf. She further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register; but that any decree rendered in this case shall give her the custody of the three children of the marriage and provide for payment by Complainant for their support.

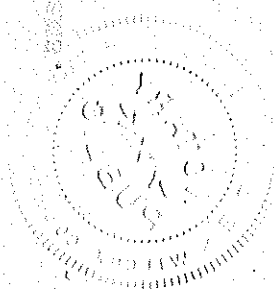
Aliva M. Wall
Respondent

Before me, the undersigned Notary, personally appeared :
ALIVA M. WALL who is known to me to be the Respondent above
named and who acknowledged that she executed the foregoing
answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 10 day of
October, 1946.

E. Williamson
Notary Public, Baldwin County, Alabama.
Filed





RECORDED 174

ERNEST HARDEE WALL
Complainant

VS

ALIVA M. WALL
Respondent

ANSWER AND WAIVER

FILED

OCT 17 1946

R. S. DUCK, REGISTER

*My Waiver with
D.R.*

ERNEST H. WALL,
Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

ALIVA M. WALL,
Respondent

~~DEPOSITION OF WILL COLLINS,~~
WITNESS FOR COMPLAINANT.

Said witness, being first duly sworn, upon examination by the counsel for Complainant, testified as follows:

I am over the age of twenty-one years and a resident of Pineapple, Alabama. I am well acquainted with both parties to this cause. They formerly lived in this community, but later lived in Mobile. Some months ago, she came back here to live with her two children, but Ernest was not with her. She lives alone with her children, not far from my home, and one Junior Anderson comes and spends about two nights a week with her at Aliva Wall's house almost each week. Their behavior is well known in the community and has aroused much unfavorable talk.

Will Collins

I, Lester Malone, acting as commissioner by agreement of parties, hereby certify that in the case of ERNEST H. WALL vs ALIVA M. WALL, pending on the Equity side of the Circuit Court of Baldwin County, I caused Will Collins, , witness for the Complainant, to appear before me at my home in Pineapple, Alabama, where, after being duly sworn, upon examination, he testified as is above written, and his testimony, after being reduced to writing, was read over and signed by him.

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 25th day of November, 1946.

Lester Malone
Commissioner

ERNEST H. WALL,
Complainant,

vs

ALIVA WALL,
Respondent,

DEPOSITION OF
WILL COLLINS, WITNESS FOR
COMPLAINANT.

Filed
11-24-46
Alice J. Bush
Reg.

1945