

2368

MARIE POWE SHADDIX  
COMPLAINANT

No. .... VS. ....

TROY F. SHADDIX  
RESPONDENT

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

IN EQUITY

NO. ....

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated, October 10th 1949.

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

FILED, 10-11-49  
Hickey, Clerk Register }

Bill of Complainant Answer  
and Waiver, and depositions  
of Marie Powe Shaddix and  
Mr Albert L. Moss.

*Shelton Street*  
Solicitor—for Complainant.

FOR RESPONDENT

Solicitor—for Respondent.

No. 2368

Marie Powe Shaddix  
Complainant

Vs.

Troy F. Shaddix  
Respondent

ORDER OF SUBMISSION  
NOTE OF EVIDENCE

Terms, 19

10-11, 1949

Ent. Min. No. \_\_\_\_\_, Page \_\_\_\_\_

C E R T I F I C A T E

I, ANN STREET, the Commissioner agreed upon by the parties hereto, hereby certify that in pursuance of the powers conferred upon me by said agreement, I caused to come before me the witnesses, requested by the Complainant, namely, MARIE POWE SHADDIX, the Complainant and Mr. ALBERT L. MOSS: that said witnesses appeared before me at 74 Main Street, Prichard, Alabama, on the 10th day of October, 1949; that I caused them and each of them to be duly sworn according to law; after which they were examined orally by SHELTON STREET, Solicitor for Complainant, that the Respondent, TROY F. SHADDIX, having signed an answer and waiver, was not present or represented; that said witnesses, in response to said oral interrogatories, testified as hereinafter set out in narrative form; that their said testimony was then read over to them by me, and they did assent to and subscribe the same in my presence.

I FURTHER CERTIFY THAT I am not of counsel or of kin to either of the parties to this cause, and have no interest whatsoever in the result thereof.

WITNESS my hand this the 10th day of October, 1949.

  
COMMISSIONER

DEPOSITION OF MARIE POWE SHADDIX

My name is Marie Powe Shaddix, I am the Complainant in this cause and am the wife of the Respondent, Troy F. Shaddix, I am and have been for more than one year next preceding the filing of this suit a bona fide resident citizen of the State of Alabama, County of Mobile more than 21 years of age. The Respondent is a resident citizen of the State of Alabama, Baldwin County, and was more than 21 years of age at the time this suit was started.

The Respondent and I were lawfully married to each other in Lucedale, Mississippi early in the year of 1949, and lived together as husband and wife in Baldwin and Mobile Counties, for some time thereafter. No child was born to us and none is expected.

After his marriage to me, the Respondent committed actual violence on my person attended with danger to life or health; from his conduct there was reasonable apprehension of further such violence so attended with like danger.

On the occasion when I left him, he came home drinking and immediately snatched something off my head which I was wearing and struck me several times, knocking me across the furniture and on to the floor. Mr Moss was in the adjoining apartment and heard him cursing and beating me, and he knowing both of us came to see what the trouble was, when he opened door I darted past him and escaped. The Respondent staggered after me and shouted threats to kill me. I did not return to him after this, I believe my life would have been in great danger had I done so.

Marie Powe Shaddix  
MARIE POWE SHADDIX

DEPOSITION OF ALBERT L. MOSS

My name is ALBERT L. MOSS, I am a resident citizen of Mobile County, Alabama more than 21 years of age. I have known both the Complainant and Respondent for some time before their marriage .

The Complainant, is and has been for more than one year next before the filing of this suit a bona fide resident citizen of the State of Alabama Mobile County, more than 21 years of age.

The Respondent is a resident citizen of the State of Alabama, Baldwin County, and was more than 21 years of age at the time this suit was started.

The Complainant and the Respondent were lawfully married to each other in Lucedale, Mississippi early in the year of 1949, and lived together as husband and wife in Mobile and Baldwin Counties for some time thereafter. No child was born to them and none is expected.

Soon after their marriage the Respondent began to evidence an attitude of cruelty toward the Complainant. All their friends noticed this and began to wonder how she put up with it, Finally on or about September 8th 1949 he came home drinking and started cursing and beating her I living in the adjoining apartment , heard him and went in to see what the trouble was. As I went in she ran out the door, one eye was black and her arm was bleeding from where he had hurt it. She never returned to him, I believe her life would have been in great danger had she tried to live with him longer.

*Albert L Moss*

ALBERT L. MOSS

MARIE POWE SHADDIX  
COMPLAINANT

VS

TROY SHADDIX  
RESPONDENT

( )

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

IN EQUITY

NO. \_\_\_\_\_

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Comes now your Complainant, MARIE POWE SHADDIX, and humbly complaining, presents this her Bill of Complaint against the Respondent, TROY SHADDIX, and shows:

O N E

Complainant is and has been for more than one year next immediately preceding the filing of this suit a bona fide resident citizen of the State of Alabama, Mobile County, and is more than 21 years of age. The Respondent is a resident citizen of Baldwin County, Alabama, more than 21 years of age.

T W O

The Complainant and the Respondent were lawfully married to each other in Lucedale, Mississippi early in 1949, and lived together as husband and wife in Mobile and Baldwin County, for some time thereafter. No child was born of this marriage and none is expected.

T H R E E

After his marriage to the Complainant, the Respondent committed actual violence on the person of the Complainant attended with danger to her life or health; from his conduct there was reasonable apprehension of further such violence so attended with like danger.

P R A Y E R

THE PREMISES CONSIDERED, Complainant prays that Respondent be made the party defendant hereto in a manner provided by law; that upon a final hearing herein a decree be rendered forever dissolving and annulling the bonds of matrimony heretofore existing between the parties hereto; that in said decree and as a part thereof the Complainant be granted the right to again use her former name of Marie Powe.

AND COMPLAINANT Prays for general relief.

Shelton Street  
SOLICITOR FOR COMPLAINANT

Marie Powe Shaddix  
COMPLAINANT

no 7368

Marie Poux  
Shaddix  
Complainant

vs  
Troy F. Shaddix  
Respondent

Original Bill of  
Complaint

RECORDED

FILED

OCT 10 1949

ALICE J. DUCK, Register

Sheldon Street  
Solicitor for  
Complainant

COMPLAINT FOR DIVORCE

12

STATE OF ALABAMA  
COUNTY OF MOBILE

TO THE HONORABLE JUDGE OF SAID COURT, SITTING IN MOBILE:

COMING, I respectfully submit to you this Bill of Complaint against

the Respondent, and pray that you will grant me relief as follows:

TO THE HONORABLE JUDGE OF SAID COURT, SITTING IN MOBILE:

COMPLAINT FOR DIVORCE

IN MOBILE

NO.

COMPLAINT FOR DIVORCE

FILED FOR RECORD

ALICE J. DUCK, Register

MARIE POWE SHADDIX

Complainant

IN THE CIRCUIT COURT OF BALDWIN  
~~XXMOBILEXX~~ ALABAMA  
COUNTY IN EQUITY

No.

Vs.

TROY SHADDIX

Defendant

## ANSWER AND WAIVER

Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause. I agree that Ann Street, of Prichard, Alabama is a suitable person to take the testimony in this cause and may do so without a Commission from the Court.

Witnesses

X. Troy & Shaddix  
Defendant

STATE OF

COUNTY OF

Alabama  
Mobile

I, Ann Street, a NOTARY PUBLIC in and for said State and County, do hereby certify that Troy & Shaddix, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me Oct. 5, 1949, that being informed of the contents of the instrument, he, Troy & Shaddix executed the same voluntarily on the day same bears date.

Witness my hand and seal this 21 day of October, 1949

Filed:

JAMES A. CRANE, REGISTER

Ann Street

NOTARY PUBLIC

STATE OF

Alabama at Large

COUNTY OF

I agree that Ann Street, of Prichard, Alabama is a suitable person to take the testimony in this cause and may do so without a Commission from the Court.

Marie Powe Shaddix  
COMPLAINANT



No.

2368

MARIE POWE SHADDIX  
COMPLAINANT

VS.

TROY F. SHADDIX  
RESPONDENT

RECORDED

ANSWER AND WAIVER

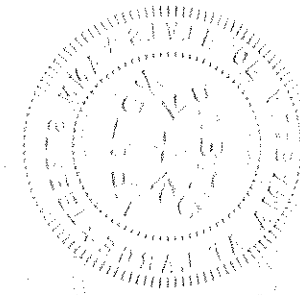
Filed \_\_\_\_\_, 19

FILED

OCT 20 1949

ALICE J. DUCK, Register

Register



# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

MARIE POWE SHADDIX

, Complainant

vs.

TROY F. SHADDIX

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con~~  
~~XXXXXX~~ 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 MARIE POWE SHADDIX is forever divorced from the said TROY F. SHADDIX for and on account of Cruelty

It is further ordered, adjudged and decreed by the Court that the Complainant be, and hereby is, allowed to resume the use of her former name of Marie Powe.

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 Complainant, Marie Powe Shaddix  
~~the~~ pay the cost herein to be taxed, for which execution may issue.

This 22<sup>nd</sup> day of October, 1947

Jefair J. Madiberry Jr.  
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.

2368

No. 2368 Page \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

In Circuit Court, In Equity

Mamie Faye Shaddix

Complainant.

vs.

Iroy A. Shaddix

Respondent.

**DIVORCE DECREE**

**FILED**

**OCT 22 1949**

**ALICE J. DUCK, Register**