

2379

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,  
Baldwin County.

} NO. \_\_\_\_\_ TERM, 194\_\_\_\_.

MARY ELIZABETH QUINLEY  
Complainant.

VS.

JESSE LEE QUINLEY  
Respondent.

TO R. S. DUCK, REGISTER:

In the above stated cause a ANSWER AND WAIVER  
having been Filed by the Respondent,  
and evidence having been taken, and the cause being ready for submission for final decree, and  
no defense having been interposed, the complainant, by W. C. Beebe  
Solicitor— of record, now files with the Register of this Court this written request to deliver the  
papers in this cause to the Judge for final decree in vacation.

W. C. Beebe  
Solicitor— for Complainant—.

NO. 2379

Mary Elizabeth Funder  
Complainant—

VS.

Jesse Lee Quinby

Respondent—

**Request For Decree In Vacation**

Filed October 26, 1949

Register.

## THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

Mary Elizabeth Quinley

Complainant

VS.

Jesse Lee Quinley

Respondent

I, Madeline S. Biggs

as Register and Commissioner

have called and caused to come before me

Mary Elizabeth Quinley  
and J. W. Biggswitness as named in the Requirement for Oral Examination, on the 2 day of October1949, at the office of W. C. Beebein Bay Minette, Alabama, and having first sworn said Witness as to speak thetruth, the whole truth, and nothing but the truth, the said Mary Elizabeth Quinleyand J. W. Biggs doth depose and say as follows:

My name is Mary Elizabeth Quinley. I am 27 years of age. I am the complainant in the cause of Mary Elizabeth Quinley against Jesse Lee Quinley, in the Circuit Court of Baldwin County, Alabama, in equity, for divorce. Jesse Lee Quinley is 38 years of age. We are both residents of Bay Minette in Baldwin County where we have lived continuously since our marriage. We were married in Pensacola Florida, September 6, 1938, and lived together as husband and wife until October 23, 1949, when we separated in Bay Minette. When we married he was a sober, industrious man but during the last few years he has become an habitual drunkard, and frequently is drunk, and because of his excessive drinking I was forced to separate from him October 23rd, and we have not lived together since. We have three children, Jesse Leon Quinley, age 10; Buford Burns Quinley, age 6 and Cercy Glean Quinley, age 3; He is the suitable and proper person to have the care and custody of the two older children and can well provide for them in his parents home in Bay Minette. I am not able to take care of all three children. The young one is of tender age and should be in my care, and I can provide for him. Neither he nor I have any property, but are dependent upon our daily earnings.

Mary Elizabeth Quinley

My name is J. W. Biggs. I am seventy-one years of age. I know and have known for ten years Jesse Lee Quinley and his wife. Mary Elizabeth Quinley. They both live in Bay Minette in Baldwin County, where they have lived since I have known them. When I first knew Jesse Lee Quinley, he was a sober and industrious man, but during the last few years he has become an habitual drunkard, and is frequently drunk.

J. W. Biggs

ORAL EXAMINATION.

I, Madelene S. Byars, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness them and read over to them and they signed the same in the presence of myself and H. C. Beebe at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness or; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 26 day of October, 194 9.

Madelene S. Byars (L. S.)

NO. 2379 PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Mary Elizabeth Spivey

vs. Complainant

Grace Lee Spivey

Respondent.

Oral Deposition

Filed October 26, 194 9

Charles H. Beebe, Register.

Recorded in

Vol. \_\_\_\_\_ Page \_\_\_\_\_ Record

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Madeline S. Bryars

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 Mary Elizabeth Quinley and J. W. Biggs

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

and Jesse Lee Quinley, Complainant

Respondent

on oath, to be by you administered, upon \_\_\_\_\_  
to take and certify the depositionS of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 25 day of October, 1949

Deise J. [Signature]  
Register.

Commissioner's Fee, \$ 5.00 pd.

Witness' Fees, \$ \_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Paul Elgin D. Brinkley  
Complainant

VS.

James Lee Gentry  
Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Thomas S. Bryan

WITNESSES:

Paul Elgin D. Brinkley  
J. W. Briggs

NOT before me on the within and foregoing petition for a writ of habeas corpus and return thereon, I have examined the

affidavit of the complainant and the return of the sheriff and find that the same are true and correct.

It is the order of the court that the writ of habeas corpus be granted to the defendant and that he be discharged from custody.

Witness my hand and seal of office this 1st day of May, 1908.

James Lee Gentry  
Defendant

Paul Elgin D. Brinkley  
Complainant

Witness

Paul Elgin D. Brinkley  
Complainant

MARY ELIZABETH QUINLEY  
Complainant  
vs.  
JESSE LEE QUINLEY  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

## DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from  
Bay Minette, in the County of Baldwin  
Alabama, the place of trial of said cause, to-wit: Bay Minette

Mary Elizabeth Quinley and J. W. Biggs

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

W. C. Beebe  
Solicitor for Complainant

### NOTE:

Complainant suggests the name of Madeline S. Bryars  
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

W. C. Beebe  
Solicitor for Complainant.

2379

DEMAND FOR ORAL EXAMINATION

*Mary Elizabeth Purnley*  
Complainant

vs.

*Jesse Lee Purnley*  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 26 day of October

1947

*Marie J. French* Register  
Moore Printing Co.



MARY ELIZABETH QUINLEY  
COMPLAINANT

VS

JESSE LEE QUINLEY  
DEFENDANT

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

WHEREAS Mary Elizabeth Quinley has filed suit for divorce against Jesse Lee Quinley and they have three minor children, Jesse Leon Quinley, age 10; Buford Burns Quinley, age 6; Cercy Glean Quinley, age 3; and the defendant Jesse Lee Quinley is the suitable person to have care, custody and control of the two older children and is in position to properly take care of them at his mother's and father's home; and

WHEREAS, the complainant is the suitable and proper person to have the care, custody and control of the youngest of the said children and has a suitable home in which to care for it;

NOW THEREFORE, it is agreed by the parties, in the event that the divorce is granted, that the care and custody of the two older children, namely Jesse Leon Quinley and Buford Burns Quinley, be given to Jesse Lee Quinley, and the care and custody of the youngest child, namely Cercy Glean Quinley, to Mary Elizabeth Quinley, each party to have the right to visit the children at reasonable times and proper places. It is further agreed that the cost of the divorce proceedings be taxed against the defendant.

WITNESS our hands on this the 26 day of October, 1949.

Mary Elizabeth Quinley  
Jesse Lee Quinley



MARY ELIZABETH QUINLEY  
COMPLAINANT

VS

JESSE LEE QUINLEY  
DEFENDANT

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

And now comes the Defendant in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same..

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

Jesse Lee Quinley

STATE OF ALABAMA  
BALDWIN COUNTY

I, Madelin S. Brewer a Notary Public in and for said County in said State, hereby certify that Jesse Lee Quinley, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 26 day of October, 1949.

Madelin S. Brewer  
Notary Public, Baldwin County, Ala.



2379

Mary Elizabeth Quinley  
To  
Jesse Lee Quinley  
For Divorce

RECORDED

Answer by Warner

Filed Oct 26, 1949  
Jessie L. Quinley  
Register

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU that you summon JESSE LEE QUINLEY to be and appear before the judge of the Circuit Court of Baldwin County, in equity, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by MARY ELIZABETH QUINLEY against the said JESSE LEE QUINLEY and further to do and perform what said judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said Court immediately upon the execution thereof.

WITNESS, ALICE J. DUCK, Register of said Circuit Court, this 24<sup>th</sup> day of October, 1949.

Register

MARY ELIZABETH QUINLEY  
COMPLAINANT  
VS  
JESSE LEE QUINLEY  
DEFENDANT

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

TO THE HONORABLE JESSE LEE QUINLEY, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:  
And now comes your complainant Mary Elizabeth Quinley, and humbly complaining against Jesse Lee Quinley, defendant, respect- shows unto your Honor:

FIRST:

That your complainant and the said Jesse Lee Quinley, are each over the age of twenty-one years, and are residents of Baldwin County, where they have resided continuously since their marriage;

SECOND:

That complainant and defendant were married September 6, 1938, and lived together as husband and wife until October 23, 1949, when they separated at Bay Minette, in Baldwin County, Alabama.

THIRD:

That the said defendant at the time of their marriage was a sober and industrious man, but in the last few years he has become an habitual drunkard, and because of such habitual drunkenness this complainant was compelled to separate from him as aforesaid on October 23, 1949, in Bay Minette, in Baldwin County, Alabama.

FOURTH:

That there was born to the defendant and complainant three

children, Jesse Leon Quinley, age 10, Buford Burns Quinley, age

6 and Cercey Glean Quinley, age 3; that Jesse Lee Quinley is the

suitable and proper person to have care and custody of Jesse Lee

Quinley, age 10 and Buford Burns Quinley, age 6, and can properly

care for them at his parents home; that the complainant is the

suitable and proper person to have the care and custody of Cercey

Glean Quinley, age 3, and has a proper home in which to care for

such child.

WHEREFORE your complainant prays that this Honorable Court

will take the jurisdiction of the cause made by this bill of com-

plaint and make the said Jesse Lee Quinley, party defendant here-

to and by appropriate process require him to plead, answer or

demur to the same within the time and under the pains and penalties

prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of

this cause this Honorable Court will make and enter a decree for-

ever dissolving the bonds of matrimony existing between the com-

plainant and the said defendant; and that the court further order,

judge and decree that the complainant, Mary Elizabeth Quinley, shall

have the care and custody of the said Cercey Glean Quinley and that

the defendant, Jesse Lee Quinley, shall have the care and custody

of Jesse Leon Quinley and Buford Burns Quinley and that each of

the said parties shall have the right to visit the children awarded

to the custody of the other at suitable and proper times, and com-

prays for such other, further or different relief as in equity and

good conscience she shall be entitled to receive in the premises.

Solicitor for Complainant.

MARY ELIZABETH QUINLEYCOMPLAINANTvs.JESSE LEE QUINLEYDEFENDANT

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, \_\_\_\_\_  
Defendants Answer & waiver, Oral deposition of complainant's witnesses,  
Mary Elizabeth Quinley and J. W. Biggs, and Agreement of parties as  
to custody of children.

and in behalf of Defendant upon Answer and waiver.

*W. C. Beebe*  
*Defendant's Complainant*  
*W. J. Beach*  
Register.

No. 2379.....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

*Mary Elizabeth Quincy*

vs.

*Jessie Lee Quincy*

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of *October 26*, 194*9*.....

*W. J. French*  
Register.

Printed By The Baldwin Times



DIVORCE DECREE

PRINTED BY MOORE PTG. CO.

The State of Alabama, Baldwin County

Circuit Court, In Equity

MARY ELIZABETH QUINLEY, Complainant

vs.

JESSE LEE QUINLEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DECKED BY MOORE~~ on Answer & Waiver, agreement of custody 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 MARY ELIZABETH QUINLEY is forever divorced from the said JESSE LEE QUINLEY for and on account of Habitual Drunkedness

And it is further Ordered, Adjudged and Decreed that the complainant, Mary Elizabeth Quinley, shall have the custody and control of Cercy Glean Quinley, and the defendant, Jesse Lee Quinley shall have the custody and control of Jesse Leon Quinley and Buford Burns Quinley, and each shall have the right to visit such children at reasonable times and places.

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 JESSE LEE QUINLEY the DEFENDANT pay the cost herein to be taxed, for which execution may issue.

This day of October, 1949

Jessie J. Massey, 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 day of 19

Register of Circuit Court, In Equity.

No. 2379 Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Complainant  
vs.

Respondent

**DIVORCE DECREE**

**FILED**  
OCT 26 1949  
ALICE J. DUCK, Register