

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

GILMER B. BEECH

Complainant

VS.

PATRICIA L. BEECH,

Respondent

I, Bobby Jackson

as Register and Commissioner

have called and caused to come before me Gilmer B. Beech, & Gilbert B. Beech

witness SS named in the Requirement for Oral Examination, on the 31 day of May
19451, at the office of Bobby Jackson
in Foley, Alabama, and having first sworn said Witness SS to speak the
truth, the whole truth, and nothing but the truth, the said Gilmer B. Beech
doth depose and say as follows:

My name is Gilmer P. Beech, I am over the age of twenty-one years and a bona fide resident of Baldwin County, Ala. which has been my legal residence for the past fifteen years continuously. The respondent, Patricia L. Beech is over the age of twenty-one years. Patricia L. Beech and I were married on the 18th day of June, 1943, at Hollywood, California. We have one child, James Quinn Beech, born in March, 1944.

Shortly after getting out of the Air Force in May 1948, We came to Foley to live. Patricia immediately took a dislike to the town and everything about it. After a few weeks and June 1949, she said she would not stay here any longer and despite my protests she voluntarily and without fault on my part abandoned me taking our son with her to her parents home in Joplin, Mo. We have not lived together or recognized each other as husband or wife since that time.

Patricia L. Beech and I have executed an agreement dated 31 day of January, 1951, which is marked Exhibit A, and submitted herewith.

Gilmer Brady Beech.

My name is Gilbert P. Beech. Gilmer P. Beech is my son. Shortly after Gilmer got out of the Air Force, Patricia and he came to Foley to live. She apparently disliked Foley. After a few weeks here and sometimes during the month of June, 1949, She told my son she would not stay here any longer, so she left taking my grandson with her to her parents home in Joplin, Mo. Since that time, my son and his wife haven't lived together.

Gilbert B. Beech

ORAL EXAMINATION.

I, Robby Jackson, as Register and Commissioner hereby certify that the foregoing deposition son Oral Examination was taken down by me in writing in the words of the witness as and read over to them and they signed the same in the presence of myself Robby Jackson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proom made before me of the identity of said witness as; 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 31 day of May, 194 51

Robby Jackson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Gilmer B Beech

vs. Complainant

Patricia L. Beech

Respondent.

Oral Deposition

Filed _____, 194

FILED

Register.

JUN 12 1951
Recorded in

ALICE L. DUCK, Register Record

Vol. _____ Page _____, Register.

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Bobby Jackson, Foley, Alabama

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 Gilmer B. Beech & Gilbert P. Beech

as witnesses in behalf of Gilmer B. Beech in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Gilmer B. Beech, Complainant
and

Patricia L. Beech Respondent

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

Witness 31 day of May, 1951

Alfred W. Smith
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Gilmer B. Beech

Complainant—

vs.

Patricia L. Beech

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Bobby Jackson

WITNESSES:

Gilmer B. Beech

Gilbert B. Beech

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

Gilmer B. Beech

Complainant

VS.

Patricia L. Beech

Respondent

CIRCUIT COURT

BALDWIN, COUNTY, ALABAMA

IN EQUITY

No. _____

Personally appeared before me Alice J. Duck, Clerk of the Circuit Court, Baldwin County, Alabama, Arthur C. Epperson, Solicitor of record for Complainant in the above entitled cause, who being duly sworn, deposes and says that he is informed and verily believes that Patricia L. Beech, the respondent in the above styled cause is a non-resident of Alabama, and whose residence and Post Office address is 531 Empire Avenue, Joplin, Missouri, and that said respondent is in the belief of affiant over twenty-one years of age.

Arthur C. Epperson
AFFIANT

Sworn to and subscribed before me this the _____ day of
September 1950.

ALICE J. DUCK
Clerk of the Circuit Court
Baldwin County, Alabama

RECORDED

Case No. _____ Page _____

CIRCUIT COURT IN EQUITY
BALDWIN COUNTY, ALA.

Gilmer B. Beech
Complainant

vs.

Patricia L. Beech
Respondent

AFFIDAVIT OF NONRESIDENCE

FILED
SEP 13 1950
ALICE L. DICK, Secretary

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

GILMER B. BEECH,)	
COMPLAINANT)	
VS.)	IN THE CIRCUIT COURT OF
PATRICIA L. BEECH,)	BALDWIN COUNTY, ALABAMA
RESPONDENT)	IN EQUITY NO. 2546

ANSWER OF RESPONDENT

TO THE HONORABLE TELEFAIR J. MASHBURN, JR.,
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN
EQUITY SITTING:

Comes the respondent, PATRICIA L. BEECH, and
files this, her answer to the bill of complaint and her
cross-bill as follows:

1. For answer to Paragraph 1 of the bill of complaint,
respondent admits the ages of the parties, the residence of
respondent at Joplin, Missouri, and the marriage of the
parties on, to-wit, June 18, 1943; respondent denies that
complainant is a bona fide resident of Baldwin County,
Alabama.

2. Respondent denies that complainant has been
a bona fide resident of the State of Alabama for more than
two years next preceding the filing of this bill of complaint
as the complainant alleges in paragraph 2 of the bill;
respondent avers that neither she nor her husband are
residents of the State of Alabama nor have they been since
their marriage.

3. For answer to paragraph 3 of the bill of
complaint, respondent emphatically denies that she abandoned
the bed and board of complainant at any time during their
marriage and respondent denies that she and complainant
have not lived together nor in any way recognized each other
as husband and wife for more than one year next preceding the
filing of the bill of complaint.

On the contrary, respondent avers that in April,
1950, the complainant abandoned her while they were living
in the City of Everett, State of Washington, and while she
was ill, and took with him their minor child, and has not

supported or contributed to her support since that time.

4. Respondent and cross-complainant further alleges that a child was born unto the marriage of respondent and complainant in March, 1944, named James Quinn Beech, and that the child is now with his paternal grandparents in Foley, Baldwin County, Alabama, where he was left by complainant.

5. Respondent further alleges that the complainant is an able bodied man of, to-wit, 32 years of age and is by profession a pilot and is engaged as a commercial pilot for Eastern Air Lines, LaGuardia Field, New York; that he is gainfully employed and earns sufficient salary to support respondent and their minor child as their station in life requires, but that complainant has failed or refused to so provide for respondent since, to-wit, the time he abandoned her in the State of Washington.

6. Respondent and cross-complainant further alleges that her said husband is not a fit and proper person to have the care, custody and control of their minor child and that he cannot provide a place for said child to live; that respondent is a fit and proper person to have the custody, care and control of the child, and that her said child, being of tender years ought to have the care and affection which only she, his mother, can give him.

PRAYER FOR PROCESS



The premises considered, respondent and cross-complainant prays that the complainant, GILMER B. BEECH, be made a party cross-respondent to this cross-bill and that he be required to plead, answer or demur to this cross-bill as is required by law and the rules of this honorable court.

PRAYER FOR RELIEF

Respondent and Cross-Complainant prays the Court that it will make and enter an order awarding her the custody, care and control of her minor child, JAMES QUINN

BEECH, while this suit is pending; that the court will enter an order directing the Register to hold a reference to ascertain the earnings or income and earning capacity of the complainant and cross-respondent and to ascertain a reasonable amount to be paid to her periodically by him as alimony pendente lite, and that the court will order him to pay the same; the the court will ascertain or cause to be ascertained a reasonable amount to be paid to her by the complainant and cross-respondent for the support and maintenance of their said minor child pending a final determination of this cause; that on a final hearing of this cause, the court will ascertain and allow a reasonable fee to her solicitors, George A. Tonsmeire and Robert E. Hodnette, Jr., for representing her in this cause; that the court will award her the permanent custody, care and control of her said minor son, with the usual right of visitation by the father; that the court will ascertain and allow her a reasonable amount for the support and maintenance of said child the same to be paid by the complainant and cross-respondent as the court may direct; that the court will make and enter an order granting unto respondent and cross-complainant a divorce a mensa et thoro and that the court will ascertain and order the complainant and cross-respondent to pay to her a reaonable amount periodically as separate maintenance.

Respondent and cross-complainant prays for such other, further and different relief to which she might be entitled, the premises considered.



SOLICITORS FOR RESPONDENT AND
CROSS*COMPLAINANT

GILMER B. BEECH,)	
COMPLAINANT)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
PATRICIA L. BEECH,)	IN EQUITY NO. 2546
RESPONDENT)	

ANSWER OF RESPONDENT

TO THE HONORABLE TELEFAIR J. MASHBURN, JR.,
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN
EQUITY SITTING:

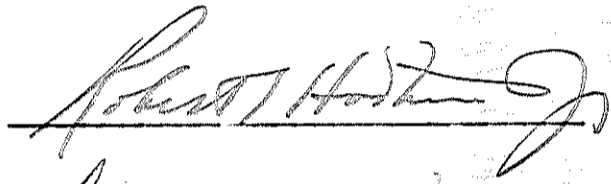
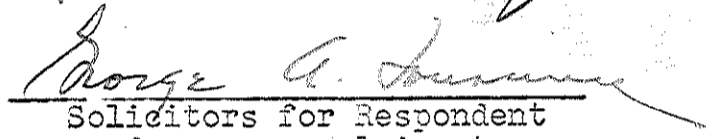
Comes the respondent, Patricia L. Beech, and amends her answer to the bill of complaint and her cross-bill so that the same shall read as follows:

1. For answer to Paragraph 1 of the complaint, respondent admits the allegations.
2. Respondent admits the allegations of Paragraph 2 of the bill of complaint.
3. For answer to Paragraph 3 of the complaint, respondent denies the allegations and demands strict proof thereof.
4. Respondent alleges that one child was born of the marriage of the respondent and the complainant in March, 1944, whose name is James Quinn Beech, and that the child is now in the custody of the complainant in Foley, Alabama.
5. Respondent and cross-complainant further shows unto the Court that she and the complainant have entered into an agreement regarding the custody, care and control and support of said minor child and regarding the amounts of support and alimony to be paid to her for the support of said minor child and for her alimony, which said agreement will be submitted to the Court for its approval and action thereon.
6. Respondent agrees that the testimony in the cause may be taken by deposition on oral examination and waives notice of the time and place of the taking of said testimony

and agrees that the cause may be submitted for final decree at any time.

PRAYER FOR RELIEF

Respondent and cross-complainant prays the Court ~~that in the event a decree of divorce is entered in this~~ cause that the Court will incorporate in such decree the provisions of said agreement as above alleged; respondent prays for such other and further relief to which she may be entitled, the premises considered.



Solicitors for Respondent
and corss-complainant

ROBERT E. HODNETTE, JR.
ATTORNEY AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
PHONE 2-2677

March 6, 1951

Miss Alice Duck
Register of the Circuit Court
Bay Minette, Alabama

Dear Miss Duck:

I enclose a copy of an amended answer and cross bill in the case of Beech vs. Beech, Case No. 2546.

I have sent Mr. Epperson, the complainant's attorney, a copy of this answer.

Very truly yours,


Robert E. Hodnette, Jr.

REH/a

Enclosure

Exhibit "A"

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY NO. 2546

Gilmer B. Beech,

Complainant,

vs.

Patricia L. Beech,

Respondent.

AGREEMENT OF PARTIES

WHEREAS, an action for divorce is pending between the parties, and
WHEREAS, the parties are desirous of settling the issue relative to the
custody and support of the minor child of the parties without litigation
in regards to the same;

IT IS MUTUALLY UNDERSTOOD AND AGREED by and between the parties as
follows:

1. That the care, custody and control of JAMES QUINN BEECH, minor
son of the parties, shall be in the Respondent, the mother, and the child may
be removed to her home in Missouri. The Complainant, the father, shall have
the right to see and visit said child in the city of Respondent's home, at
all reasonable times and places.
2. That the complainant pay to the respondent for the support and
maintenance of the said minor son, the sum of Sixty-four Dollars (\$64.00)
per month and that the complainant pay to the respondent for her alimony the
sum of One (\$1.00) Dollar per month, both due and payable on the fifth of each
month beginning with February, 1951. The payments for child support shall
continue until said child reaches the age of 18 years. The payments for
alimony shall continue until respondent dies or remarries. These payments for
support and maintenance and alimony shall not be reduced or discontinued at
any future date.
3. That the complainant is hereby released from any further obligation of
any kind or character by way of alimony except as to the One Dollar per month
alimony payment, or to contribute to the support or maintenance of said child,
except as to the above sixty-four dollars per month, and that he shall not in

any way be liable for any debts of the respondent and the respondent agrees that she will not in any way use the credit of the complainant or in any way attempt to make charges or credit accounts against him.

~~4. That in event of a final decree of divorce is rendered in this cause to the respondent on her cross bill, the terms of this agreement may be incorporated therein. However, upon the failure of the respondent to secure such final decree divorcing the respondent from the complainant, then this agreement is null and void and of no effect.~~

This agreement has been made and executed by the parties hereto on this the 31st day of January, 1951, in good faith, with full understanding of all of its provisions, and with the mutual promise on the part of each to comply therewith faithfully and completely.

Gilmer B. Beech
Complainant

Patricia E. Beech
Respondent

Gilmer B. Beech |
Complainant |
VS. |
Patricia L. Beech |
Respondent |
 |

CIRCUIT COURT
BALDWIN, COUNTY, ALABAMA
IN EQUITY
No. _____

TO THE HONORABLE TELEFAIR J. MASBURN, Jr., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, Gilmer B. Beech, and respectfully
represents and shows unto your Honor:

1. That he is over the age of twenty-one and is a bona-
fide resident of Baldwin County, Alabama; that the respondent Patricia
L. Beech, is over the age of twenty-one and resides at 531 Empire
Avenue, Joplin, Missouri. That your complainant and respondent
were lawfully married on or about to-wit, the eighteenth day of
June, 1943 at Hollywood, California.

2. That your complainant has been a bona fide resident
of the State of Alabama for more than two years next preceding the
filing of this bill of complainant.

3. That the said respondent voluntarily and without
fault on the part of the complainant, abandoned the bed and board
of the complainant for more than one year next preceding the filing
of this bill of complainant, since which time the complainant and
respondent have not lived together nor in any way recongized each
other as husband and wife.

The premises considered, your complainant makes the said
Patricia L. Beech a party respondant to this bill of complainant,
and in order that the complainant may have the relief herein prayed
for, may it please your Honor to cause the State's writ of subpoena
to be issued, directed to the said Patricia L. Beech, commanding her
to answer, plead or demur to this bill of complainant, within the
time required by law; and that on a final hearing of this cause, that
your Honor will enter a decree divorcing your complainant from the
said respondent, granting the complainant the right to remarry, and
granting the complainant the right to resume her maiden name; and

that your Honor will grant such other, further and different relief
as unto your Honor may seem just and proper, and your complainant
will ever pray.

Arthur C. Epperson
SOLICITOR FOR COMPLAINANT

RECORDED

Case No. 2546

Page

CIRCUIT COURT IN EQUITY
BALDWIN COUNTY, ALA.

Gilmer B. Beech
Complainant
vs.

Patricia L. Beech
Respondent

BILL OF COMPLAINT

FILED

SEP 13 1950

ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

Case No. 2546

Page _____

CIRCUIT COURT IN EQUITY
BALDWIN COUNTY, ALA.

Gilmer B. Beech
Complainant

vs.

Patricia L. Beech
Respondent

AFFIDAVIT OF NONRESIDENCE

ARTHUR C. EPPERSON

ATTORNEY AT LAW
POLEY, ALABAMA

Gilmer E. Beech

Complainant

VS.

Patricia L. Beech

Respondent

CIRCUIT COURT

BALDWIN, COUNTY, ALABAMA

IN EQUITY

No. _____

TO THE HONORABLE TALLEFAR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, Gilmer E. Beech, and respectfully represents and shows unto your Honor:

1. That he is over the age of twenty-one and is a bona-fide resident of Baldwin County, Alabama; that the respondent Patricia L. Beech, is over the age of twenty-one and resides at 531 Empire Avenue, Joplin, Missouri. That your complainant and respondent were lawfully married on or about to-wit, the eighteenth day of June, 1943 at Hollywood, California.

2. That your complainant has been a bona fide resident of the State of Alabama for more than two years next preceding the filing of this bill of complainant.

3. That the said respondent voluntarily and without fault on the part of the complainant, abandoned the bed and board of the complainant for more than one year next preceding the filing of this bill of complainant, since which time the complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Patricia L. Beech a party respondent to this bill of complainant, and in order that the complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Patricia L. Beech, commanding her to answer, plead or demur to this bill of complainant, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the said respondent, granting the complainant the right to remarry, and granting the complainant the right to resume her maiden name; and

that your Honor will grant such other, further and different relief
as unto your Honor may seem just and proper, and your complainant
will ever pray.

SOLICITOR FOR COMPLAINANT

ARTHUR T. JOHNSON
ATTORNEY AT LAW
MOBILE, ALABAMA

MOBILE & DUCK REGISTER

SEP 18 1920

FILED

BILL OF COMPLAINT

Respondent
Patrick L. Beach

vs.

Complainant
Gilmer B. Beach

BALDWIN COUNTY, ALA.
CIRCUIT COURT IN EQUITY

Case No. 3247 Page

Case No. 2546 Page _____

CIRCUIT COURT IN EQUITY
BALDWIN COUNTY, ALA.

Gilmer B. Beech
Complainant

vs.

Patricia L. Beech
Respondent

BILL OF COMPLAINT

FILED

SEP 13 1950

ALICE J. DUCK, Register

ARTHUR C. LIPPINSON
ATTORNEY AT LAW
FOLEY, ALABAMA

ROBERT E. HODNETTE, JR.
ATTORNEY AT LAW
ANNEX FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA
PHONE 2-2677

October 3, 1950

Mrs. Alice Duck
Register in Chancery
Bay Minette, Alabama

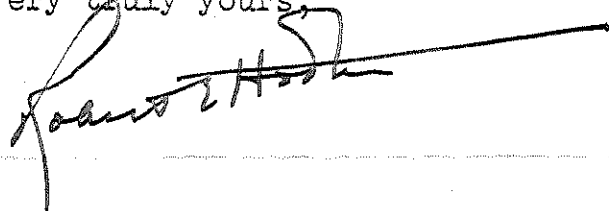
Dear Mrs. Duck: In Re: Beech vs. Beech, Equity #2546

Attorney George Tonsmeire and I represent Mrs. Beech, the respondent in the above divorce suit.

I enclose answer and cross-bill on behalf of Mrs. Beech and will appreciate your kindness in filing the same in the case. I expect to forward you a motion in connection with the suit within the next few days.

Enclosed also is a copy of the answer and cross-bill for the complainant's attorney, Mr. Epperson, Foley.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Robert E. Hodnette, Jr.", with a long horizontal flourish extending to the right.

GILMER B. BEECH

Complainant

VS

PATRICIA L. BEECH,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause being submitted for final decree in behalf of
the complainant, the complainant offers the following testi-
mony, to-wit:

1. Original Bill of Complaint
2. Order for service by Registered Mail
3. Affidavit of Service upon respondent
4. Respondent's Answer
5. Respondent's Amended Answer and Waiver
6. Commission to take testimony
7. Oral depositions of Complainants Witnessess
with Exhibit A (Agreement of Parties)

Arthur C. Eperson
SOLICITOR FOR COMPLAINANT

W. J. Duck
Register

NO. 2546

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

GILMER B. BEECH

Complainant

VS

PATRICIA L. BEECH.

Respondent

NOTE OF SUBMISSION

FILED

JUN 12 1951

ARTHUR T. ELLISON
ATTORNEY AT LAW

FOLEY, ALABAMA

ALICE J. DUCK, Register

GILMER B. BEECH,

Complainant

VS

PATRICIA L. BEECH,

Respondent

NO. 2546

E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

DIVORCE DECREE

This cause coming on to be heard was submitted upon Bill of Complaint, Answer and Waiver of Respondent 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 Complainant and Defendant be and the same are hereby dissolved and the said Gilmer B. Beech is forever divorced from Patricia L. Beech for and on account of abandonment. It is, therefore,

ORDERED, ADJUDGED AND DECREED that the terms of the agreement signed by the parties January 31, 1951, be incorporated and made apart of the decree as follows: That the care, custody and control of JAMES QUINN BEECH, minor son of the parties, shall be in the Respondent, the mother, and the child may be removed to her home in Missouri. The Complainant, the father, shall have the right to see and visit said child at all reasonable times and places. That the complainant pay to the respondent for the support and maintenance of the said minor son, the sum of Sixty-four Dollars (\$64.00) per month and that the complainant pay to the respondent for her alimony the sum of One (\$1.00) Dollar per month, both due and payable on the fifth of each month beginning with February, 1951. The payments for child support shall continue until said child reaches the age of 18 years. The payments for alimony shall continue until respondent dies or remarries. These payments for support and maintenance and alimony shall not be reduced or discontinued at any future date. That the complainant is hereby released from any further obligation of any kind or character by way of alimony except as to the One Dollar per month alimony payment, or

to contribute to the support or maintenance of said child, except as to the above sixty-four dollars per month, and that he shall not in any way be liable for any debts of the respondent and respondent agrees that she will not in any way use the credit of the complainant or in any way attempt to make charges or credit accounts against him.

This Court reserves control of this cause for such further orders as may from time to time seem to the best interest of all parties concerned.. 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~~^{an} 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 costs of this suit.

Done at Bay Minette, Alabama, this 12th day of June, Nineteen Hundred Fifty-one.

Jeffrey J. Mashburn, Jr.
JUDGE

I, Alice J. 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 June, 1951.

Register of the Circuit Court, In Equity