

(2780)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FRANCES EULENE SUBEL, Complainant
vs.

MAURICE SUBEL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ on ANSWER & 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 FRANCES EULENE SUBEL is forever divorced from the said MAURICE SUBEL for and on account of CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the agreement of the parties hereto concerning custody and control of the minor child Charles Randolph Subel, is hereby ratified and confirmed, with jurisdiction thereof being retained by the Court for any other or further orders that may from time to time seem just and proper.

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 Frances Eulene Subel the Complainant pay the cost herein to be taxed, for which execution may issue.

This 21st day of February, 1952.

Walter J. Marshall
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.

No. 2780 Page

The State of Alabama
Baldwin County

In Circuit Court, In Equity

FRANCES EULENE SUBEL

Complainant

vs.

MAURICE SUBEL

Respondent

DIVORCE DECREE

FILED

FEB 22 1952

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Frances Eulene Subel

Complainant

VS.

Maurice Subel

Respondent

I, Frances M. Underwood

as Register and Commissioner in Chancery

have called and caused to come before me

Frances Eulene Subel and Mary Hadley

witnesses named in the Requirement for Oral Examination, on the 15th day of February 1945, at the office of Cecil G. Chason

in Foley, Alabama, and having first sworn said Witness(es) to speak the truth, the whole truth, and nothing but the truth, the said Frances Eulene Subel & Mary Hadley doth depose and say as follows:

TESTIMONY OF FRANCES EULENE SUBEL:

My name is Frances Eulene Subel; I am over the age of twenty-one years and a resident of Foley, Baldwin County, Alabama, having been a resident of Baldwin County, Alabama all my life; Maurice Subel is over the age of twenty-one years and a lifetime resident of Baldwin County, Alabama; we were married on October 22, 1949; On many occasions since our marriage he has stroke me with his fists, beat me, and otherwise abused me; on one occasion he started a fight in the restaurant I work; he has also made many threats as to what he would do to me, so that I am afraid to live with him; we have one child of this marriage, Charles Randolph Subel, age one and a half who is not a normal child; we have agreed if a divorce is granted that at the present time my mother is the proper one to look after him, however, I am with him constantly.

Frances Eulene Subel

TESTIMONY OF MARY HADLEY:

My name is Mary Hadley; I am a resident of Baldwin County, Alabama and personally acquainted with Frances Eulene Subel and with her husband, Maurice Subel; I have seen him strike her and otherwise abuse her and I have heard him make threats of doing her other and further physical harm; both of them are over the age of twenty-one years and residents of Foley, Baldwin County, Alabama, and have been for their entire lives.

Mary Hadley

ORAL EXAMINATION.

I, Frances M. Underwood, 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 es and read over to them and they signed the same in the presence of myself _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 15th day of February, 1952.

Frances M. Underwood (L. S.)

NO. 2781 PAGE _____

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

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 1952

FILED
Recorded
FEB 20 1952
Register.
Record

Vol. ALICE J. DICK
Register.

CECIL G. CHASON

ATTORNEY AT LAW
FOLEY, ALABAMA

18 February, 1952

Mrs. Alice J. Duck, Register
Court House
Bay Minette, Alabama


Dear Mrs. Duck:

I find that I have no Commission to take
Deposition forms. Please complete a form in the name
of Frances M. Underwood.

I also have no blank divorce decrees. Please
add to the divorce the following: "It is further order,
adjudged and decreed that the agreement of the parties
hereto concerning custody and control of the minor child,
Charles Randolph Subel, is hereby ratified and confirmed
with jurisdiction thereof being retained by the Court for
any other or further orders that may from time to time seem
just and proper."

There is also enclosed my check for \$10.00 which
I believe to be the correct amount when there is no service.

Yours very truly,


C. G. Chason

CGC:FU

721 2780

Thomas Eugene Subel

vs.

Maurice Subel

Divorce

Filed 2-20-52

C. G. Chason -

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Frances M. Underwood

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 Frances Eugene Subel and
Mary Hadley

as witnesses in behalf of complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Frances Eugene Subel

Maurice Subel, Complainant
and

Theresa Respondent
on oath, to be by you administered, upon

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 12th day of Feb, 1952

Alice J. Wurst
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2780

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant—

vs.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

FRANCES EULENE SUBEL, ()
Complainant, () IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
-vs- ()
IN EQUITY
MAURICE SUBEL, ()
Respondent. ()

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, Sitting in Equity:

Comes the Complainant in the above styled cause and files
this her Bill of Complaint for divorce against the Respondent and
respectfully shows unto this Honorable Court the following:

1. Complainant is over the age of twenty-one years and
a resident of Foley, Baldwin County, Alabama, having been a life
time resident of this County and State, and Respondent is over the
age of twenty-one years and is a resident of Baldwin County, Alabama
having been a life time resident of this County and State.

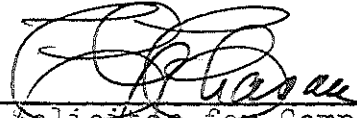
2. The Complainant and Respondent were lawfully married on,
to-wit, October 22, 1949.

3. The Complainant alleges that the Respondent has committed
actual violence on her person attended with danger to her health
and she further alleges that respondent has made numerous threats of
doing her other and further harm and from his manner and conduct
toward her, she is reasonably convinced that he will commit actual
violence upon her person, attended with danger to her life and health

4. The Complainant and Respondent have a child of this
marriage, namely, Charles Randolph Subel, age one and a half years,
who is afflicted and they have entered into an agreement regarding
the maintenance of said child which agreement is attached hereto.

THE PREMISES CONSIDERED, Complainant prays that the Respondent
by made a party defendant to this cause by the usual process of this
Honorable Court requiring him to plead, answer or demur within the
time and under the penalties prescribed by the rules of this Court
and the statutes in such cases made and provided; that upon a final
hearing of this cause, that Complainant be granted a divorce from
said Respondent; and Complainant further prays that this Honorable
Court ratify and confirm the agreement as to care and control of
said child of this marriage as executed by the Complainant and
Respondent. Should Complainant be mistaken in the relief prayed for,

that there be granted to her such, other, different and general relief to which she may be entitled and as in duty bound, she will ever pray.



Solicitor for Complainant

W2780

Thomas Eugene Subel
vs.
Maurice Subel

RECORDED

Bill of Complaint

FILED

FEB 20 1952

ALICE J. DECK, Register

STATE OF ALABAMA ()
()
BALDWIN COUNTY ()

THIS CONTRACT AND AGREEMENT entered into in duplicate on this the 15th day of February, 1952, by and between Frances Eulene Subel hereinafter referred to as the party of the first part, and Maurice Subel, hereinafter referred to as the party of the second part, WITNESSETH:

THAT WHEREAS, the parties hereto are contemplating a divorce, a Bill of Complaint for which has been drafted and a copy directed to the party of the second part; and

WHEREAS, the parties hereto anticipate a divorce being granted:

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and the Decree of Divorce anticipated, the parties MUTUALLY AGREE as follows:

1. That the child of this marriage, Charles Randolph Subel, age one and a half years who is now residing with his grandmother, Saddle Rigsby, shall continue to live with his grandmother until such time as it appears to be to the best interest of said child to live either with his mother or father.

2. To both the party of the first part and party of the second part agree to contribute to the support and maintenance of the child.

3. This instrument is not intended nor shall it be construed to establish custody and control of said child in either the party of the first part or the party of the second part and both shall have rights of visitations, etc.

WITNESS the hands and seals of the parties hereto on this the day and year first above written.

Frances Eulene Subel SEAL

Maurice R. Subel SEAL

Witnesses:

Mary Hadley
[Signature]

2780

RECORDED

Contract & Agreement

FILED

FEB 20 1952

ALICE J. DUCK, Register

FRANCES EULENE SUBEL,) (
Complainant,) (
-vs-) (
MAURICE SUBEL,) (
Respondent.) (
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the Respondent in above styled cause and accepts service of summons and complaint filed in said cause and for answers thereto says as follows:

1. He admits the allegations of Paragraph 1 of the Bill of Complaint.

2. He admits the allegations of Paragraph 2 of the Bill of Complaint.

3. He denies the allegations of Paragraph 3 of the Bill of Complaint and demands strict proof thereof.

4. He admits the allegations of Paragraph 4 of the Bill of Complaint.

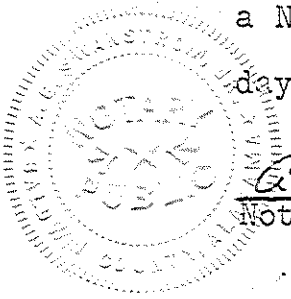
Respondent further waives as to this cause notice of taking of testimony, notice of submissions and all other notices to which he is entitled by law.

Maurice Subel.

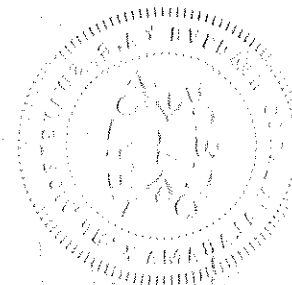
Respondent

Sworn to and subscribed before me,
a Notary Public, on this the 15th
day of February, 1952.

G. C. Swannstrom Jr.
Notary Public, Baldwin County
State of Alabama



2780 RECORDED



Answer & waiver

FILED

FEB 20 1952

ALICE J. DUCK, Register

Frances Eulene Subel

vs.

Maurice Subel

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, _____
and testimony of Eulene Subel and Mary Hadley

and in behalf of Defendant upon ^{and} answering ~~waiver~~ waiver

E. Subel
att'y for Complainant

George H. Hinch

Register.

No. 2980.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Frances Eulene Subel

vs.

Maurice Subel

NOTE OF TESTIMONY

Filed in Open Court this 20th.....

day of Feb....., 1942

Archie J. Henderson
Register.

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