

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

JOYCE HOWARD CARMACK

, Complainant

vs.

ROGER CARMACK

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ 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 Joyce Howard Carmack is forever divorced from the said Roger Carmack for and on account of Physical cruelty committed on the person of the said Joyce Howard Carmack by the said Roger Carmack attended with danger to her life and health.

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 Joyce Howard Carmack the Complainant pay the cost herein to be taxed, for which execution may issue.

This 17th day of March, 1952.

J. J. Massey  
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. 2786 Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

JOYCE HOWARD CARMACK

Complainant

vs.

ROGER CARMACK

Respondent

**DIVORCE DECREE**

*Filed 3-11-52  
Alice J. Tucker  
Registrar*

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

JOYCE HOWARD CARMACK

Complainant

VS.

ROGER CARMACK

Respondent

I, Alice L. Miller

as Register and Commissioner

have called and caused to come before me Joyce Howard Carmack

witness named in the Requirement for Oral Examination, on the 10th day of March

1952, at the office of Chason & Stone

in Bay Minette

, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Joyce Howard Carmack

doth depose and say as follows:

My name is Joyce Howard Carmack and I am 20 years of age and am a resident of the State of Alabama and I have resided in Alabama all of my life with the exception of the period of time that I was with my husband, Roger Carmack, in Boise, Idaho, where he was stationed with the Airforce. I was married to Roger Carmack on March 3, 1951, and we lived together as man and wife until around October, 1951, when we returned to Bay Minette and were separated because of the manner in which he treated me. While we were living in Boise, Idaho, Roger Carmack slapped me and knocked me down on at least two occasions and I was afraid for my own safety and health to continue to live with him after that.

Roger is now in the United States Air Force and is stationed at Mountain Home Air Force Base, 1300th Maintenance Squadron, P. O. Box 438, Mountain Home, Idaho. We have no children nor are we expecting any.

Marlene P. Stone

Joyce Howard Carmack  
Joyce Howard Carmack

ORAL EXAMINATION.

I, Alice L. Miller, 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 \_\_\_\_\_ and read over to her and she signed the same in the presence of myself Norborne C. Stone

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 \_\_\_\_\_; 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 10th day of March, 194 52

Alice L. Miller (L. S.)

Joyce Carnack

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

JOYCE HOWARD CARMACK

vs. Complainant

ROGER CARMACK

Respondent.

Oral Deposition

Filed 3-11, 1945

Alice L. Miller, Register.  
Recorded in \_\_\_\_\_

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

Register.

JOYCE HOWARD CARMACK

Complainant

vs.

ROGER CARMACK

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: ....  
Joyce Howard Carmack and Mrs. Reed Howard, both of Bay Minette,  
Alabama.

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

CHASON & STONE

By: Marlene P. Stone

Solicitor for Complainant

### NOTE:

Complainant suggests the name of Alice L. Miller  
.....  
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

CHASON & STONE

By: Marlene P. Stone

Solicitor for Complainant.

no 2786

DEMAND FOR ORAL EXAMINATION

JOYCE HOWARD CARMACK

Complainant

vs.

ROGER CARMACK

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Filed this 17th day of March

1942

W. J. Moore Register  
Moore Printing Co.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

## Circuit Court

To Alice L. Miller

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 Joyce Howard Carmack and Mrs. Reed Howard

as witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Joyce Howard Carmack

is

Complainant

and Roger Carmack

is

Respondent

on oath, to be by you administered, upon the said witnesses,

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

Witness 11th day of March, 1952

*Alice L. Miller*

Register

Commissioner's Fee, \$ \_\_\_\_\_

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

No. 2786

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

JOYCE HOWARD CARMACK

Complainant

Complainant—

VS.

ROGER CARMACK

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:



THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

JOYCE HOWARD CARMACK

Complainant

VS.

ROGER CARMACK

Respondent

I, Alice L. Miller

Xas Register and Commissioner

have called and caused to come before me Mrs. Reed Howard

witness named in the Requirement for Oral Examination, on the 10th day of March  
194 52, at the office of Chason & Stone  
in Bay Minette, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said Mrs. Reed Howard  
doth depose and say as follows:

My name is Mrs. Reed Howard and I am the mother of Joyce Howard Carmack, who has filed suit for divorce against her husband Roger Carmack. My daughter, Joyce, is 20 years of age and her husband, Roger Carmack is over the age of twenty-one years and both of them are residents of the State of Alabama, but Roger is now living in Idaho due to the fact that he is a member of the Armed Forces of the United States. Joyce and Roger were married on March 3, 1951, and lived together in Mobile, Alabama, and in Boise, Idaho, until around October of 1951, when Joyce left Roger and came to live with me in Bay Minette. They have no children and are now living separate and apart from one another.

Marlene P. Stone

Mrs. Reed Howard  
Mrs. Reed Howard.

ORAL EXAMINATION.

I, Alice L. Miller, 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 \_\_\_\_\_ and read over to her and she signed the same in the presence of myself and Norborne C. Stone

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 \_\_\_\_\_; 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 10th day of March, 1945

Alice L. Miller (L. S.)

Mrs. Howard

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

JOYCE HOWARD GARMACK

vs. Complainant

ROGER GARMACK

Respondent.

Oral Deposition

Filed 3-11, 1945

Alice L. Miller, Register.  
Recorded in \_\_\_\_\_

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

Register.

JOYCE HOWARD CARMACK,	1	
Complainant,	0	IN THE CIRCUIT COURT OF
vs.	1	BALDWIN COUNTY, ALABAMA
ROGER CARMACK,	0	IN EQUITY.
Respondent.	1	

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND  
TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE THEREOF:

Comes your Complainant Joyce Howard Carmack and files this her Bill of Complaint for divorce against Roger Carmack and respectfully represents and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant is twenty years of age and the Respondent is over the age of twenty-one years and that they are both residents of the State of Alabama, and that they have been such residents for more than two years immediately preceding the filing of this Bill of Complaint. That your Complainant's address is Bay Minette, Alabama, and that the Respondent's home address is Fairfax, Alabama, but that he is at the present time a member of the Armed Forces of the United States of America and is now stationed at Mountain Home Air Force Base, Idaho, his more particular address being 1300th Maintenance Squadron, P. O. Box 438, Mountain Home, Idaho.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit, March 3, 1951, and they lived together as man and wife until and on account of the matters hereinafter complained of, your Complainant was compelled to leave the Respondent and live separate and apart from him and that said separation occurred in Baldwin County, Alabama; that during the months of July and October of the year 1951, the said Respondent committed actual violence on the person of your Complainant attended with danger to the life or health of your Complainant.

THIRD:

That no children have been born to your Complainant and the Respondent.

PRAYER FOR PROCESS

The premises considered your Complainant respectfully prays that the Respondent, Roger Carmack, be made a party Respondent to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the statute in such cases made and provided.

PRAYER FOR RELIEF

And your Complainant further prays that upon a final hearing of this cause that your Honor will enter an order and decree granting unto your Complainant an absolute divorce from said Respondent and that in and by the terms of said decree that your Honor will also provide that your Complainant be allowed to remarry if she should see fit to do so and your Complainant prays for such other, further and different relief to which she may be entitled in the premises and as in equity will be meet and proper.

Joyce Howard Carmack  
Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me Norborne C. Stone, Jr., a Notary Public, in and for said State and County, personally appeared Joyce Howard Carmack, who is known to me, and who, after being by me first duly and legally sworn did depose and say under oath as follows:

That the allegations contained in the foregoing Bill of Complaint are true.

Joyce Howard Carmack  
Norborne C. Stone, Jr.

Sworn to and subscribed before  
me, this 10th day of March,  
1952.

Norborne C. Stone, Jr.  
Notary Public, Baldwin County, Ala.

JOYCE HOWARD CARMACK,

Complainant,

vs.

ROGER CARMACK,

Respondent.

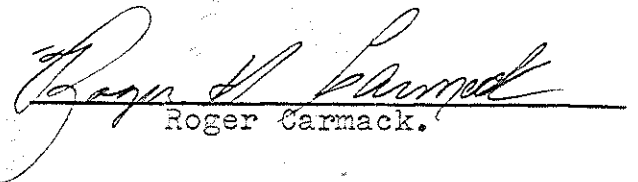
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.

ANSWER AND WAIVER

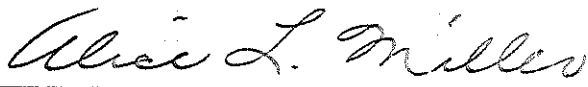
Comes now the Respondent, Roger Carmack, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does hereby consent that the same may be submitted and testimony taken without further notice to him.

  
Roger Carmack.

Sworn to and subscribed before  
me this 25th day of February, 1952.

  
Baldwin County, Alabama,

m 2786

RECORDED

ANSWER AND WAIVER

JOYCE HOWARD CARMACK,

Complainant,

vs.

ROGER CARMACK,

Respondent.

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

Filed: 11<sup>th</sup> March, 1952.

W. J. Newkirk  
Register.

JOYCE HOWARD CARMACKComplainantROGER CARMACK,vs.Respondent

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, —  
Demand for Oral Examination, Commission to Take Deposition, Oral  
Depositions of Joyce H. Carmack and Mrs. Reed Howard.

and in behalf of Defendant upon Answer and Waiver

CHASON & STONEBy: Marlene S. StoneEric J. Duck  
Register.

No. 2786

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

JOYCE HOWARD CARMACK

Complainant,

vs.

ROGER CARMACK

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 11th

day of March, 1947

Richard H. Smith

Register.

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