

(4236)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Lois Smith Lee, Complainant

vs.

Ellis E. Lee, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confession~~ on Waiver and Answer 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 Lois Smith Lee is forever divorced from the said Ellis E. Lee for and on account of

Abandonment; it is further ordered that the care, custody and control of the minor child of the Complainant, Glenda Gail Nelson, and the minor child of said marriage, Cheryl Ann Lee, is awarded to Lois Smith Lee, subject to the right of Ellis E. Lee to visit said children at reasonable times; the agreement of parties attached hereto as exhibit "A" is approved and both parties are further ordered to abide by the terms of said agreement which is incorporated in this decree.

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 payment of the cost of this suit.

It is further ordered that Lois Smith Lee the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8 day of March 1958

Hubert M. Hall 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. 4-7-36 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Lois Smith Lee
Complainant

vs.

Ellis E. Lee
Respondent

DIVORCE DECREE

FILED
MAR 8 1958

ALICE J. BECK, Register

BILL OF COMPLAINT

LOIS SMITH LEE,

COMPLAINANT

VS.

ELLIS E. LEE,

RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE H.M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your Complainant, Lois Smith Lee, and respectfully
shows unto this Honorable Court as Follows:

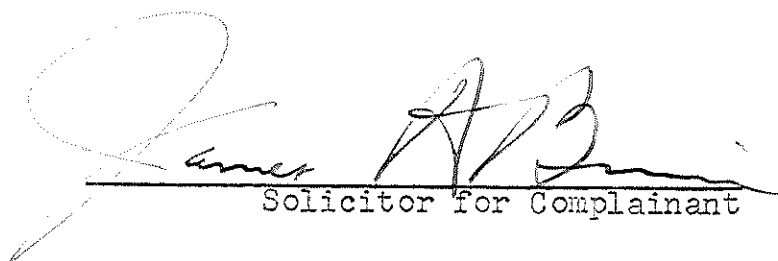
I. That she is over the age of twenty-one years and is a
bona fide resident citizen of Baldwin County, Alabama; that
Ellis E. Lee, the Respondent in this cause, is over the age
of twenty-one and is a resident citizen of Baldwin County,
Alabama:

2. That on, to-wit, December 23, 1955, your Complainant and
the Respondent were intermarried in George County, Mississippi,
and that your Complainant and Respondent are still husband
and wife; that the Complainant is the mother of a minor child,
Glenda Gail Nelson, whose age is three years, and who was born
of a prior marriage of the Complainant and a third party;
that one child, Cheryl Ann Lee, whose age is one year, has
been born of said marriage of said Complainant and Respondent.

3. That your Complainant and the Respondent have entered
into an agreement with reference to custody and property
settlements, a copy of which is attached hereto as exhibit
"A" and made a part hereof as though fully set forth herein.

4. Your Complainant avers and charges that the said Respondent
did on or about the 24th day of July, 1956, desert, separate
from, and abandon your Complainant, and has not lived with
your Complainant since that date; further, that said abandonment
occurred more than one year next preceding the following of
this bill of complaint; that your Complainant and the Respondent
are now living separate and apart.

THE PREMISES CONSIDERED, Complainant prays that Ellis E. Lee be made a party Respondent to this Bill of Complaint by the usual process of this Honorable Court, and the statutes in such case is made and provided, requiring him to plead, answer or demur within the time and in the manner provided by law; and that upon a final hearing of this cause, your Honor will enter a decree divorcing your Complainant from the said Respondent, granting the Complainant the right to remarry; Complainant avers that the agreement set forth in paragraph three of this Bill of Complaint, a copy of which is attached hereto as exhibit "A", is a reasonable, just and proper agreement, and prays this Honorable Court that in the event a decree of divorce is given in this cause, this court will decree that the parties keep and abide by the terms of said agreement; and Complainant further prays that your Honor will grant such other, further, different, and general relief to which the Complainant may be entitled, as in duty bound she will ever pray.


Solicitor for Complainant

4936

Lois Smith Lee

vs.

Ellis E. Lee

FILED

MAR 8 1958

ALICE J. BUCK, Register

Lois Smith Lee

Complainant

vs.

Ellis E. Lee

Respondent

THE STATE OF ALABAMA

Baldwin County

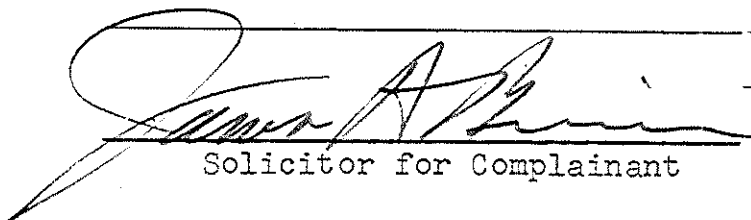
IN EQUITY

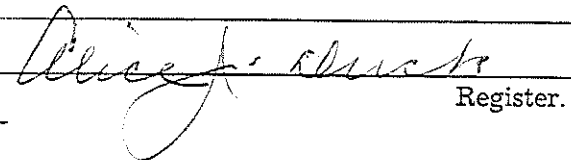
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Depositions of Witnesses

and in behalf of Defendant upon _____ Waiver and Answer


Solicitor for Complainant


Register.

No. 4736

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Lois Smith Lee

Complainant

vs.

Ellis E. Lee

Respondent

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of

MAR 8 1958

, 194

ALICE J. DUCK, Register Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama.
(In Equity)

Lois Smith Lee COMPLAINANT

vs.

Ellis E. Lee RESPONDENT

I, Florence Dean

as Register and Commissioner _____

have called and caused to come before me _____

witness _____ named in the requirement for Oral Examination, on the _____ day of _____

194____, at the office of _____

in _____, Alabama, and having first sworn said witness _____ to speak the

truth, the whole truth, and nothing but the truth, the said _____

doth depose and say as follows:

Lois Smith Lee, being first duly sworn according to law, deposes and says: That her name is Lois Smith Lee, that she is a bona fide resident citizen of Baldwin County, Alabama, and has been such for more than one year next preceding the filing of this Bill of Complaint in this cause; that she is over twenty-one years of age, and that the Respondent, Ellis E. Lee, is a bona fide resident citizen of Baldwin County, Alabama, and is over the age of twenty-one years; that she and Ellis E. Lee were married in Lucedale, George County, Mississippi, on December 23, 1955; that she is the mother of one child, Glenda Gail Nelson, whose father is not the Respondent, Ellis E. Lee; that she and Ellis E. Lee have had one child, to-wit, Cheryl Ann Lee, whose age is one year; that prior to the filing of this Bill of Complaint, and on the 24th day of July, 1956, Ellis E. Lee, without cause or justification, separated from, deserted, and abandoned her and her children; that he has not contributed to her support, and they have not lived together as man and wife.

Further deponent saith not.

Lois Smith Lee

(OVER) (INSIDE)

Christine Callaway, being first duly sworn according to law, deposes and says:

My name is Christine Callaway, I am over the age of twenty-one years and a resident citizen of Baldwin County, Alabama. I have known Lois Smith Lee and Ellis E. Lee since December, 1955. Both Lois Smith Lee and Ellis E. Lee are over the age of twenty-one years and have been residents of Baldwin County, Alabama, at least three years; the said Lois Smith Lee and Ellis E. Lee were married in Lucedale, George County, Mississippi, on December 23, 1955; I know that Lois is the mother of one child, Glenda Gail Nelson, whose father is not the Respondent, Ellis E. Lee; that she and Ellis E. Lee have had one child, Cheryl Ann Lee; that Cheryl Ann Lee is about one year old. I know that Ellis abandoned Lois about July, 1956, without cause or justification, and since that time they have not been living together as man and wife.

Christine Callaway

CHRISTINE CALLAWAY

I, Florence Dean as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness~~s~~ and read over to me and I signed the same in the presence of myself and James A. Brice at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness~~s~~ or had proof made before me of the identity of said witness~~s~~; 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 4th day of March 1948.

Florence Dean (L. S.)

No. 4436 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Lois Smith Lee

COMPLAINANT

vs.

Ellis E. Lee

RESPONDENT

ORAL DEPOSITION

Filed FILED, 1948

MAR 8 1958

Register.

ALICE J. HICKS
REGISTER

Record

Vol. _____ Page _____

Register

STATE OF ALABAMA
BALDWIN COUNTY

AGREEMENT OF PARTIES CONTEMPLATING A DIVORCE WITH
REFERENCE TO CUSTODY OF CHILDREN AND PROPERTY RIGHTS

This agreement, made and entered into this 14th day of August, 1957, by and between Ellis E. Lee, hereinafter called husband, and Lois Smith Lee, hereinafter called wife, WITNESSETH:

THAT whereas, various and divers disputes and unhappy differences have arisen between husband and wife, and they are separated and not now living together as husband and wife, and whereas it is the desire of the parties hereto to make a complete and final settlement of all their property, and to settle and adjust all marital interests, now therefore, this agreement is made as follows:

1. The wife shall have the care, custody and control of the minor children, Glenda Gail Nelson and Cheryl Ann Lee. The husband shall have the right of visitation at all reasonable times.
2. The husband shall not pay to the wife any monies for the support and maintenance of the minor children.
3. It is further agreed that any and all property acquired by either party subsequent to the date of this agreement shall be the separate property of the party acquiring same; and each party agrees to execute for the other any and all papers necessary to complete the transfer of property herewith divided and apportioned. It is further agreed that the terms of this agreement may be incorporated in any decree of divorce which may be hereafter obtained by either party, and enforced by contempt proceedings if necessary.
4. It is agreed and understood by the parties that in consideration of this settlement, no further alimony shall be due or shall grow due between these parties.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 14th day of August, 1957.

Ellis E. Lee (L.S.)
Ellis E. Lee

Lois Smith Lee (L.S.)
Lois Smith Lee

The State of Alabama)
Baldwin County)

I, James A. Smith, a Notary Public in and for said County and State, hereby certify that Ellis E. Lee and Lois Smith Lee, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument they executed the same voluntarily on the day the same bears date. Witness my hand and seal this 14th day of August, 1957.

James A. Smith
Notary Public



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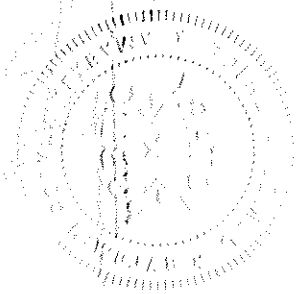
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FILED
MAR 8 1958
ALICE J. DUCK, Register



WAIVER AND ANSWER

Lois Smith Lee
Complainant
vs.
Ellis E. Lee
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the respondent in the above styled cause and accepts service of a bill of complaint filed heretofore in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.
2. He admits the allegations contained in paragraph 2 of said bill of complaint.
3. He admits the allegations contained in paragraph 3 of said bill of complaint.
4. He denies each and every allegation contained in paragraph 4 of said bill of complaint and demands strict proof thereof.

Ellis E. Lee
Respondent

STATE OF ALABAMA
BALDWIN COUNTY

I, James A. Lee, a Notary Public in and for said County and State, do hereby certify that Ellis E. Lee, whose name is signed to the foregoing waiver, and who is known to me, acknowledged before me on this day that, being informed of the contents of the waiver, he executed the same voluntarily on the day the same bears date.

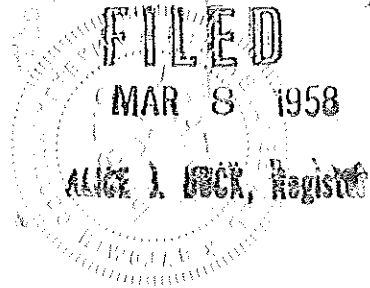
IN WITNESS WHEREOF, I hereunto set my hand and official seal, on this the 5 day of February, 1958.

James A. Lee
Notary Public



4236

Warwick
&
Ans.



THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Florence Dean

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Lois Smith Lee and Christine Callaway

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

Lois Smith Lee, Complainant

and

Ellis E. Lee Respondent

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

Witness 4 day of March, 1958

Register. (Signature)

Commissioner's Fee, \$

Witness' Fees, \$

No. 4-236

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

Commissioner and witnesses have been sworn and have taken the following deposition of the defendant:

That the defendant is a resident of Baldwin County, Alabama, and is a single person.

That the defendant is a resident of Baldwin County, Alabama, and is a single person.

That the defendant is a resident of Baldwin County, Alabama, and is a single person.

That the defendant is a resident of Baldwin County, Alabama, and is a single person.

That the defendant is a resident of Baldwin County, Alabama, and is a single person.