

(3402)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHARLIE JENKINS

Complainant

vs.

ERMA LEE JORDAN JENKINS

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Becket Pro. Cause~~ on 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 Charlie Jenkins is forever divorced from the said Erma Lee Jordan Jenkins for and on account of Cruelty

It is further ordered that the Respondent be, and hereby is, allowed to resume the use of her former name of Erma Lee Jordan.

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 Charlie Jenkins the Complainant pay the cost herein to be taxed, for which execution may issue.

This 16 day of November, 1957

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. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

NOV 17 1954

ALICE J. DUCK, Register

CHARLIE JENKINS

Complainant

No.

Vs.

ERMA LEE JORDAN JENKINS Defendant

IN THE CIRCUIT COURT OF BALDWIN
~~MOBILE~~ COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by disposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

WITNESSES

Coyt C. Guine
Jack Canall

X Erma Lee Jordan Jenkins
Defendant

Note: The space below is intended for "Agreements Between the Parties."

It is agreed that Ann Street, of Prichard, Alabama is a suitable person to take the testimony in this cause, and may do so without a Commission from the Court.

It is further agreed that the Respondent be permitted to resume the use of her former name of Erma Lee Jordan.

WITNESSES:

Coyt C. Guine
Jack Canall

Charlie Jenkins
COMPLAINANT

X Erma Lee Jordan Jenkins
RESPONDENT

Ann Street
Witness to both signatures

STATE OF _____

COUNTY OF _____

I, _____, a NOTARY PUBLIC in and for said State and County, do hereby certify that _____, whose name is signed to the foregoing instrument, and who is known to me, acknowledge before me this day, that being informed of the contents of the instrument, _____ executed the same voluntarily on the day same bears date.

Witness my hand and seal this _____ day of _____, 19____.

Filed, _____
W. ELSWORTH HAUGHTON, REGISTER NOTARY PUBLIC

STATE OF _____
COUNTY OF _____

No. 3402

CHARLIE JENKINS
COMPLAINANT

Vs.

ERMA LEE JORDAN JENKINS
RESPONDENT

ANSWER AND WAIVER

Filed _____, 19____

FILED
NOV 15 1954 Register

Alice J. Duck, Register

[Faint, illegible text from the reverse side of the document, possibly bleed-through or a second page.]

CHARLIE JENKINS COMPLAINANT		IN THE CIRCUIT COURT OF BALDWIN
		COUNTY, ALABAMA
VS		IN EQUITY
ERMA LEE JORDAN JENKINS RESPONDENT		NO. _____

TO THE HONORABLE JUDGE OF SAID COURT, Sitting in Equity:

Comes now your Complainant, CHARLIE JENKINS, and, humbly complaining, presents this his Bill of Complaint against the Respondent, ERMA LEE JORDAN JENKINS, and shows:

O N E

The Complainant is and has been for more than one year next before the filing of this suit a bona fide resident citizen of the State of Alabama, Baldwin County, more than 21 years of age. The Respondent is a non-resident of the State of Alabama, who now resides in Bogalusa, Louisiana, and more than 21 years of age.

T W O

The Complainant and the Respondent were lawfully married to each other early in the year 1954, at Tylortown, Mississippi and lived together as husband and wife for a short time thereafter. No child was born of this marriage and none is expected.

T H R E E

After her marriage to him, the Respondent committed actual violence on the person of the Complainant attended with danger to his life or health; or from her conduct toward him there was reasonable apprehension of such cruelty and violence so attended with like danger.

P R A Y E R

THE PREMISES CONSIDERED, Complainant prays that Respondent be made the party defendant hereto in a manner provided by law; that upon a final hearing herein a decree be rendered forever dissolving and annulling the bonds of matrimony heretofore existing between the parties hereto; Complainant has no objection to Respondent resuming her former name of Erma Lee Jordan.

AND COMPLAINANT PRAYS FOR GENERAL RELIEF.

Shelton Street
SOLICITOR FOR COMPLAINANT

Charlie Jenkins
COMPLAINANT

CHARLIE JENKINS
COMPLAINANT
No. _____ VS.
ERMA LEE JORDAN JENKINS
RESPONDENT

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA
IN EQUITY

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated, November 13, 1954.

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

Bill of Complaint, Answer and Waiver, Depositions of Charlie Jenkins and W A Jenkins.

FILED, 11-16-54

W. J. Hester Register

Walter Street
Solicitor-for Complainant

FOR RESPONDENT

Solicitor-for Respondent

No.

CHARLIE JENKINS
COMPLAINANT

Vs.

ERMA LEE JORDAN JENKINS
RESPONDENT

ORDER OF SUBMISSION
NOTE OF EVIDENCE

FILED

Terms, 19

NOV 16 1954

, 19

Ent. Min. No.

Page

ALICE J. DUCK, Register

CHARLIE JENKINS
COMPLAINANT

VS

ERMA LEE JORDAN JENKINS
RESPONDENT


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

C E R T I F I C A T E

I, ANN STREET, THE Commissioner agreed upon by the parties in the above styled cause, hereby certify that, pursuant to the powers conferred upon me by said agreement, called before me the witnesses requested, that is to say, CHARLIE JENKINS the Complainant, and W A Jenkins; that said witnesses appeared before me at 74 Main Street, in the city of Prichard, Mobile County, Alabama on the 13th day of November, 1954; that there were present the Complainant, his Solicitor, Shelton Street, and said corroboration witness, W A Jenkins; that Respondent ERMA LEE JORDAN JENKINS, having signed an Answer and Waiver was not present nor represented; that I caused said witnesses to be duly sworn according to law, after which they were orally examined by Shelton Street, Solicitor for Complainant, and did answer and testify as hereinafter set out in narrative form; that their said testimony was reduced to writing as near as might be in the identical language of said witnesses in narrative form; that their said testimony was then by me read over to said witnesses who did assent to and subscribe said testimony in my presence and in the presence of said Shelton Street, Solicitor for Complainant.

I FURTHER CERTIFY THAT I am not of counsel or of kin to either of the parties to this suit, and have no interest whatsoever in the result thereof.

IN WITNESS WHEREOF I have hereunto set my hand this the 13th day of November, 1954.


COMMISSIONER

CHARLIE JENKINS	¶	IN THE CIRCUIT COURT OF BALDWIN
COMPLAINANT		
	¶	COUNTY, ALABAMA
VS		
	¶	IN EQUITY
ERMA LEE JORDAN JENKINS	¶	
RESPONDENT		NO. _____

DEPOSITION OF CHARLIE JENKINS

My name is CHARLIE JENKINS. I am the Complainant in the above styled cause, and am the husband of the Respondent, ERMA LEE JORDAN JENKINS. I am and have been for more than one year next before the filing of the Bill of Complaint a bona fide resident citizen of the State of Alabama, Baldwin County, and more than 21 years of age. The Respondent is a non-resident of the State of Alabama, who now resides in Bogalusa, Louisiana with her brother, she was more than 21 years of age at the time this suit was started. The Respondent and I were lawfully married to each other early in the year 1954, at Tylortown, Mississippi, and lived together as husband and wife for a short time thereafter. No child was born to us and none is expected. Soon after her marriage to me, the Respondent began to treat me with great cruelty. This grew worse and worse as time went by, she would fly into a rage with no provocation whatever, and try to scratch my eyes out. I kept her from hurting me the best I could, for quite some time; but she finally said if she couldnt get rid of me one way she could another; and got a shot gun and tried to get a shot at me. A cousin who was present, W A Jenkins, got hold of the gun and managed to take it away from her. She said she would get me yet; that I was not always awake. I could not afford to try to live on with her under such threats and conduct; and left. I verily believe my life would have been in imminent danger had I tried to live with her longer.

Charlie Jenkins
CHARLIE JENKINS

CHARLIE JENKINS	§	IN THE CIRCUIT COURT OF BALDWIN
COMPLAINANT	§	
	§	COUNTY, ALABAMA
VS	§	
	§	IN EQUITY
ERMA LEE JORDAN JENKINS	§	
RESPONDENT	§	NO. _____

DEPOSITION OF W A JENKINS

My name is W A JENKINS. I know the parties to this cause, and have known them for several years. The Complainant is and has been for more than one year next before the filing of the Bill of Complaint a bona fide resident citizen of the State of Alabama, Baldwin County, more than 21 years of age. The Respondent is a non-resident of the State of Alabama who now lives in Bogalusa, Louisiana, with her brother, she was more than 21 years of age at the time this suit was started. The Complainant and the Respondent were lawfully married to each other early in the year 1954, at Tylortown, Mississippi, and lived together as husband and wife for a short time thereafter. No child was born to them and none is expected. Soon after the marriage of these parties, the Respondent began to treat the Complainant with great cruelty, often attacking him unprovoked and trying in every way she could to injure him physically as much as possible. I saw some of the escapades and learned of others. Finally, when I was present, she got hold of a shot gun and attempted to shoot him. While her attention was on him, I managed to get hold of the gun and wrested it out of her hands. She said just wait; that he was not always awake or in the presence of someone. I verily believe that if he had stayed on, she would have killed him as soon as a favorable opportunity occurred.

W. A. Jenkins

 W A JENKINS