

(3429)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

SHIRLEY BETH LEE, Complainant

vs.

CHARLES PARNELL LEE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ by 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 SHIRLEY BETH LEE is forever divorced from the said CHARLES PARNELL LEE for and on account of Cruelty;

Complainant is given the right to resume her maiden name should she so desire.

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 SHIRLEY BETH LEE the Complainant pay the cost herein to be taxed, for which executed may issue.

This 23 day of December, 1954

Harbert M. Hall Judge Circuit Court, In Equity.

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 ___, 19___

Register of Circuit Court, In Equity.

No. 3429 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

DEC 23 1954

ALICE J. RUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Martha W. McReary

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 Shirley Beth Lee and

Queen Davis

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

Shirley Beth Lee

Complainant

and Charles Farnell Lee

Respondent

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

Witness 18 day of Dec, 1954

Asie J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER: _____

WITNESSES: _____

any testimony and proceedings are not to be taken until the time set forth in this order. The court hereby orders that any deposition be taken on the date and at the place specified in this order.

and the court hereby orders that the deposition be taken on the date and at the place specified in this order.

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SHIRLEY BETH LEE,
Complainant

-vs-

CHARLES PARNELL LEE,
Respondent

EQUITY NO. _____
CIRCUIT COURT OF
BALDWIN COUNTY,

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

For Complainant:

Bill of Complaint

Testimony of: Shirley Beth Lee, witness in
her own behalf, and Owen Davis, witness for
Complainant

For Respondent:

Answer and Waiver.

W. J. News
Register Circuit Court.

E. G. Rickarby,
Solicitor For Complainant

My name is OWEN DAVIS and my address is R. F. D.,
Box 99A, Fairhope, Alabama. I have known SHIRLEY BETH LEE and
CHARLES PARNELL LEE for about two years. I have know them since
just about the time they got married and have had occasion to see
them quite often, because my wife and I have visited them on
several occasions and they visited with us. I know that since
they have been married, they have not gotten along well at all;
and in about September, 1954, I cannot recall the specific date,
I knew that they had a quarrel and at that time Charles Parnell
Lee became very angry and made threats to strike his wife. He
has never struck her in my presence, but he has made threats.
The occasion when I particularly remember the threats was in
September, 1954, was when both Mr. and Mrs. Lee were at our
house.

I feel that from his conduct and attitude Shirley Beth
Lee has reason to fear that if ~~she~~ continues to live with him, he
would very probably commit actual violence upon her person attended
with danger to her life or health. I say this because I know that
conditions have gotten worse. I don't remember exactly when they
separated, but I do know that they are now living separate and
apart. Both of them are bona fide residents of Baldwin County,
Alabama. There have been no children born to this marriage.

Owen Davis
Owen Davis

Subscribed and sworn to before me this the 18th day of
December, 1954.

Martha W. McReary
Commissioner.

My name is SHIRLEY BETH LEE and I am filing this suit for divorce against my husband, CHARLES PARNELL LEE. We are both bona fide residents of Baldwin County, Alabama, and live in Foley.

We were married January 10, 1953, and I saw that we cannot make a go of this marriage. He became abusive and the condition grew definitely worse as time went on. He has repeatedly threatened to strike me and beat me, more particularly on the 5th of last November in our home in Foley. He became enraged and threatened to strike me. I tried to make a go of the marriage but this condition kept on getting worse until we separated on 2 December, 1954, because we saw that conditions were not getting any better.

I have given a great deal of thought to this and I firmly believe that if I continue to live with him that we will constantly have more trouble and that he will strike me and beat me up which will be dangerous to my life and health.

My husband is in the Armed Services and is stationed at Barin Field and has seemed to have lost all interest in our marriage. There have been no children born to this marriage and I am suing for a divorce and want the right to resume my maiden name. We were at the time of our marriage bona fide residents of Baldwin County, Alabama, and have been and still are bona fide residents of Baldwin County, Alabama.

Shirley Beth Lee
Shirley Beth Lee

Subscribed and sworn to before me this the 18th day of December, 1954.

Martha Wm Reary
Commissioner.

I, Martha W. McReavy, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County, Alabama, do hereby certify that in a case pending in the Equity side of said Court, wherein Shirley Beth Lee is Complainant and Charles Parnell Lee is Defendant, under and by virtue of the power conferred upon me by said commission, I caused the witnesses names in the commission, namely Owen Davis and Shirley Beth Lee, who were made known to me and known by me to be the identical witnesses named in the commission, to come to my office in the Bank Building in the City of Fairhope, Alabama, where the said witnesses after being first duly sworn by me, upon examination by Elliott G. Rickarby, Jr., Esquire, of Counsel for Complainant, testified as is hereinable written. That their testimony was reduce to writing as given by them, as near as might be in their identical language, and after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of counsel or of kin to either of the parties to the cause, or anywise interested in the results thereof.

In Witness Whereof, I hereunto set my hand and seal as Commissioner, this the 18th day of December, 1954.

Martha W. McReavy

Commissioner

SHIRLEY BETH LEE,
Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

-vs-

IN EQUITY

CHARLES PARNELL LEE,
Respondent.

No.

ANSWER AND WAIVER

Comes CHARLES PARNELL LEE, Respondent in the above styled cause, and for answer to the bill of complaint says he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf.

Respondent further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Charles P. Lee
Respondent.

STATE OF ALABAMA:
COUNTY OF BALDWIN:

Before me, the undersigned Notary, personally appeared Charles Parnell Lee, who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

WITNESS my hand and seal this the 18 day of December, 1954.

Frank Wood
Notary Public, Baldwin County, Alabama.

Notary Public, State of Alabama at Large
My commission expires Oct. 2, 1957.
Backed by The Employers Liability Assurance

FILED

12-23-54

W. J. DUCK, Register

ELLIOTT G. RICKARBY
(DECEASED)

LAW OFFICES

RICKARBY & RICKARBY

FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

18 December 1954


Mrs. Alice J. Duck
Register of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

RE: Shirley Beth Lee -vs-
Charles Parnell Lee

With this we are handing you Bill of Complaint,
Answer and Waiver, Testimony and Decree in sub-
ject matter, and our check for \$12.50 as deposit
for costs. Please process these and oblige.

Yours very truly,


E. G. Rickarby

R/McR

THE PREMISES CONSIDERED, Complainant prays that Charles Parnell Lee be made a defendant to this cause by proper process and required to answer this bill within the time prescribed by law.

Complainant further prays that upon a hearing of this cause a decree be rendered forever divorcing her from the said Charles Parnell Lee granting her the right to remarry should she so desire and to have such other further or different relief as to equity may seem meet.


FILED

12-23-54

ALICE J. DUCK, Register

RICKARBY & RICKARBY

By:


E. G. RICKARBY, JR.,
Solicitor for Complainant

SHIRLEY BETH LEE,
Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

-vs-

CHARLES PARNELL LEE,
Defendant.

IN EQUITY

No.

To the

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

Comes SHIRLEY BETH LEE, and by this her bill of complaint presented against CHARLES PARNELL LEE, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years and that both are now and have been for more than two years next preceding the filing of this bill, bona fide residents of Baldwin County, Alabama, living in Foley, Alabama.

SECOND: That Complainant and Defendant were married in Lucedale, Mississippi, on January 10, 1953, and have lived together as husband and wife until about 2 December, 1954.

THIRD: That within the last five or six months it has become evident that this marriage could not go on and that there has been definite evidence of irreconcilable incompatibility and that during this period the Defendant has been abusive toward this Complainant and has made threats of physical violence to her person attended with danger to her life or health from time to time; more particularly about a month ago on to-wit, about the sixth of seventh of November, 1954, at their home in Foley, Alabama, the Defendant became abusive and threatened to beat up this Complainant and his conduct has grown worse and Complainant has reason to believe and does believe that if she continued to live with this Defendant he would strike her and beat her which would be dangerous to her life or health.

FOURTH: Complainant alleges that there are no children to this marriage.