

4941

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LULA MAE CARNLEY, Complainant

vs.

JAMES EVERETT CARNLEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and 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 Lula Mae Carnley is forever divorced from the said James Everett Carnley for and on account of

~~Cruelty - It is further ordered, adjudged and decreed that the Complainant be and she is hereby awarded the permanent care, custody and control of the child born to the union of said parties, namely, Susan Elizabeth Carnley, a girl, now about five years old; with Respondent being hereby awarded reasonable rights of visitation. It is further ordered, adjudged and decreed that the Respondent pay to the Complainant the sum of \$20.00 each week for the support and maintenance of said minor child; said payments to commence immediately.~~

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 futher 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 Lula Mae Carnley the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8 day of December 1958

Robert M. Hume 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

DEC 8 1958

ALICE J. DUCK, CLERK  
REGISTER

STATE OF ALABAMA )

BALDWIN COUNTY )

LULA MAE CARNLEY )

Complainant, )

vs. )

JAMES EVERETT CARNLEY, )

Respondent. )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complianant, LULA MAE CARNLEY, humbly complaining of the Respondent, JAMES EVERETT CARNLEY, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, LULA MAE CARNLEY, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than one year next preceding the filing of this Bill of Complaint; that Respondent if over twenty-one years and is a non-resident of the State of Alabama.

SECOND: That your Complainant and Respondent were married on April 2, 1953, at Fairhope, Alabama.

THIRD: Complainant avers and charges that Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonable convinced that he will commit an actual violence upon her person, attended with danger to her life and health; the last of said threats occurred on July 1, 1958, and as a result of said threats Complainant and Respondent have not lived together or recognized each other as husband and wife since that date.

FOURTH: Your Complainant would further aver and show unto Your Honor that there was one child born to the union of the Complainant and Respondent, namely, Susan Elizabeth Carnley, now about five years old, who is now in the care, custody and control of the Complainant, her mother, and that Complainant is a fit and proper person to be awarded the permanent care, custody and control of the said minor child.

FIFTH: Your Complainant would further aver and show that the Respondent is an able bodied man, well able to help provide for and maintain the said minor child.

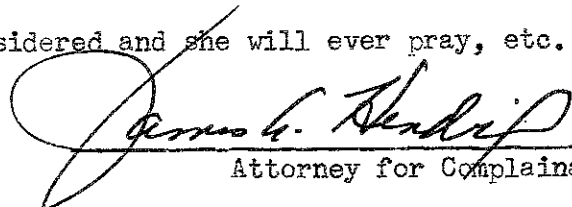
PRAYER FOR PROCESS

Wherefore the premises considered the Complianant prays that the said James Everett Carnley, be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demure to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of said decree the Complainant will be granted the right to again contract marriage; that by virtue of said decree, the Complainant will be awarded the permanent care, custody and control of the said minor child, Susan Elizabeth Carnley, and that your Honor will decree an amount to be paid each month by the Respondent to the Complainant for the support and maintenance of said minor child.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.



Attorney for Complainant

LULA MAE CARNLEY

THE STATE OF ALABAMA  
Baldwin County

vs.

JAMES EVERETT CARNLEY

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
answer and waiver and the testimonies of Lula Mae Carnley and Mrs. D. L.  
Godwin,

and in behalf of Defendant upon

*James G. Hendrix*

*Alice J. Luck*  
Register.

No. \_\_\_\_\_

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**THE STATE OF ALABAMA**  
**Baldwin County**

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**IN EQUITY**  
Circuit Court of Baldwin County

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LULA MAE CARNLEY

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VS.

JAMES EVERETT CARNLEY

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**Note of Testimony**

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Filed in Open Court this \_\_\_\_\_

**FILED**

day of \_\_\_\_\_, 19

NOV 25 1958

ALICE J. DUCK, Register

Register.

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|                        |   |                         |
|------------------------|---|-------------------------|
| LULA MAE CARNLEY,      | ) |                         |
| Complainant,           | ) | IN THE CIRCUIT COURT OF |
| vs.                    | ) | BALDWIN COUNTY, ALABAMA |
| JAMES EVERETT CARNLEY, | ) | IN EQUITY.              |
| Respondent.            | ) |                         |

ANSWER AND WAIVER

Comes now the Respondent, James Everett Carnley, 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 here consent that the same may be submitted and testimony taken without further notice to him.

*James Everett Carnley*  
James Everett Carnley

Sworn to and subscribed before me on this the 15<sup>th</sup> day of November, 1958.

*John F. Patterson*  
Notary Public, HINDS County,  
MISSISSIPPI.

My Commission Expires

RECORDED

FILED

NOV 25 1958

ALICE J. DUCK, Register



LULA MAY CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY No. 4441

DECREE

This cause coming on to be heard was submitted upon the petition of the complainant to show cause, and upon the proof which was taken orally before the Court; and it appearing therefrom that the respondent, James Everett Carnley is now in arrears for the support of their minor child, Susan Elizabeth Carnley, to the amount of One Hundred Seventy Five Dollars as determined by Decree of this Court heretofore entered, and the same being considered the Court is of the opinion that the complainant is entitled to the relief prayed for in said petition.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the said James Everett Carnley is now held in contempt of this Court for failure to support said minor child, and he is hereby given sentence of Ninety (90) days imprisonment, which sentence is hereby suspended upon the condition that he, James Everett Carnley, beginning with the first day of May, 1960, contribute the sum of Twenty (\$20.00) Dollars per week towards such support of said minor child, and will also simultaneously therewith pay the further and additional sum of Ten (\$10.00) Dollars per week on the said amount now in arrears until the said sum is paid.

It is further Ordered that the said James Everett Carnley pay the cost herein to be taxed, for which execution may issue.

This the 19th day of April, 1960.

Hubert W. Lacy  
Judge

Filed  
5-24-65  
Alice J. Duck  
Register

LULA MAE CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

) IN THE CIRCUIT COURT OF

) BALDWIN COUNTY, ALABAMA

) IN EQUITY

) No. 4441.

Comes your Petitioner, Lula Mae Davis, formerly Lula Mae Carnley, the complainant in the above entitled cause and respectfully shows unto your Honor as follows:

FIRST: That your Petitioner, as the complainant in the above cause did obtain a decree of divorce under date of December 8th, 1958. That under the provisions of the said decree this Honorable Court did direct that the said James Everett Carnley pay to this petitioner the sum of Twenty Dollars each week, for the support and maintenance of their minor child, Susan Elizabeth Carnley, which said decree directed that payments were to begin upon the date thereof.

SECOND: That the said James Everett Carnley has failed, neglected and refused to provide such support for said minor child, and that such failure, neglect and refusal has continued for a long period of time, in that since December 7th, 1959, the said Respondent has not contributed towards the support of the said minor child.

THIRD: That the said Respondent, James Everett Carnley is a resident of the City of Fairhope, Baldwin County, Alabama, and is employed in a gainful occupation and has sufficient income to fully comply with the order of the said Court under the said decree.

THE PREMISES CONSIDERED your Petitioner prays that a citation may be issued to the said James Everett Carnley requiring him to appear before this Honorable Court and to show cause, if any he may have, why he should not be held in contempt of this Court.

And your Petitioner prays for such other, further or different relief as she may in equity and good conscience may be entitled to receive.

Lula Mae Davis  
Petitioner

STATE OF ALABAMA

Covington COUNTY

Before me Clarence Byrd, a Notary Public in and for said County and State, personally appeared Lula Mae Davis, formerly Lula Mae Carnley, and who being known to me, and by me first duly sworn deposes and says, that she is the Petitioner in the above styled cause and that she has personal knowledge of the facts stated therein, and that the said facts contained are true.

Lula Mae Davis  
Petitioner

Sworn to and subscribed before me on this the 26 day of March, 1960.

FILED

APRIL 4, 1961

ALICE J. DUCK, CLERK  
REGISTER

Clarence Byrd  
Notary Public

LULA MAE CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 4441

This day came Lula Mae Davis, formerly Lula Mae Carnley, and files herein her cerified petition praying that James Everett Carnley be required to appear and show cause, if any he may have, why he should not be held in contempt of this Court in regards to the nature of matters as shown by said petition, and upon due consideration thereof,

IT IS ORDERED, ADJUDGED and DECREED by the Court that the said James Everett Carnley be and appear before before this Court at 10 A. M., on the 19 day of April, 1960, in the Court Room of the Circuit Court of Baldwin County, Alabama, in the City of Bay Minette, Alabama, and show cause, if any he may have, why he should not be held in contempt of this Court.

It is further ORDERED that a copy of said petition and of this rule to show cause be served forthwith by the Sheriff of this County personally upon the said James Everett Carnley.

Done, this the 4 day of April, 1960.

FILED  
APR 4 1961  
AINE J. DUCK, CLERK,  
REGISTER

Hubert M. Hill  
Judge

4441

Lula Mae Carnley

O.S.

James Everette Carnley.

Received 7 April 1960  
at 13 April 1960  
by James Everette Carnley  
on \_\_\_\_\_  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Edleigh Steadman

Fairhope, Ala

Petition & Decree

Sheriff claims 70 miles  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY EA  
DEPUTY SHERIFF

FILED  
APR 14 1960  
TAYLOR WILKINS, Sheriff

LULA MAE CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY No. 4441

Comes now your Petitioner, Lula Mae Davis, formerly Lula Mae Carnley, the complainant in the above entitled cause, and respectfully shows unto your Honor as follows:

FIRST: That your Petitioner as the complainant in the above cause did on the 8th day of December, 1958, obtain from this Honorable Court a decree of divorce, dissolving the bonds of matrimony between this petitioner and the said James Everett Carnley, which said decree did direct that the said James Everett Carnley pay to this petitioner the sum of Twenty (\$20.00) Dollars, each week for the support and maintenance of their said minor child, Susan Elizabeth Carnley, which said payments were to commence upon the date of the said decree.

SECOND: That the said James Everett Carnley, has failed, neglected and refused to provide such support for said minor child, and that such failure, neglect and refusal has continued for a long period of time, in that since the 6th day of August, 1959, the said respondent has not contributed towards the support of the said minor child.

THIRD: That the said respondent, James Everett Carnley is now a resident of the City of Fairhope, Baldwin County, Alabama, and is employed in the City of Mobile, Alabama, and has sufficient income to fully comply with the order of the said decree.

The premises considered your petitioner prays that a citation may be issued to the said James Everett Carnley requiring him to appear before this Honorable Court and to show cause, if any he may have, why he should not be held in contempt of this Court.

And your petitioner prays for such other, further or different relief as she may in equity and good conscience may be entitled to receive.

Lula Mae Davis  
Petitioner

STATE OF ALABAMA

COUNTY OF Baldwin

Before me John P. Beebe, a Notary Public in and for said County and State personally appeared Lula Mae Davis, formerly Lula Mae Carnley, and who being known to me, and by me first duly sworn, deposes and says: that she is the petitioner in the above styled cause, and that she has personal knowledge of the facts stated in the foregoing petition, and that the said facts contained therein are true.

Lula Mae Davis  
Petitioner

Sworn to and subscribed before me on this the 1st day of December, 1959.

John P. Beebe  
Notary Public



LULA MAE CARNLEY,  
Complainant,

VS

JAMES EVERETT CARNLEY,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

No. 4441

This day came Lula Mae Davis, formerly Lula Mae Carnley, and filed herein her verified petition praying that James Everett Carnley be required to appear and show cause, if any he may have, why he should not be held in contempt of this Court in regards to the nature of matters as shown by said petition, and upon consideration thereof.

IT IS ORDERED, ADJUDGED and DECREED by the Court that the said James Everett Carnley be and appear before this Court at 9 A. M., on the 17 day of Dec, 1957, in the Court Room of the Circuit Court of Baldwin County, Alabama, in the City of Bay Minette, Alabama, and show cause, if any he may have, why he should not be held in contempt of this Court.

Let a copy of said petition and of this rule to show cause be served forthwith by the Sheriff of this County, personally upon the said James Everett Carnley.

Done this the 2 day of December, 1959.

Robert M. Hill  
Judge

LULA MAE CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA  
) IN EQUITY  
) No. 4441

This day came Lula Mae Davis, formerly Lula Mae Carnley, and filed herein her verified petition praying that James Everett Carnley be required to appear and show cause, if any he may have, why he should not be held in contempt of this Court in regards to the nature of matters as shown by said petition, and upon consideration thereof,

IT IS ORDERED, ADJUDGED and DECREED by the Court that the said James Everett Carnley be and appear before this Court at 9 A. M., on the 17 day of Dec, 1959, in the Court Room of the Circuit Court of Baldwin County, Alabama, in the City of Bay Minette, Alabama, and show cause, if any he may have, why he should not be held in contempt of this Court.

Let a copy of said petition and of this rule to show cause be served forthwith by the Sheriff of this County, personally upon the said James Everett Carnley.

Done this the 2 day of December, 1959.

Robert M. Hill  
Judge

LULA MAE CARNLEY,  
Complainant,

vs

JAMES EVERETT CARNLEY,  
Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY No. 4441

Comes now your Petitioner, Lula Mae Davis, formerly Lula Mae Carnley, the complainant in the above entitled cause, and respectfully shows unto your Honor as follows:

FIRST: That your Petitioner as the complainant in the above cause did on the 8th day of December, 1958, obtain from this Honorable Court a decree of divorce, dissolving the bonds of matrimony between this petitioner and the said James Everett Carnley, which said decree did direct that the said James Everett Carnley pay to this petitioner the sum of Twenty (\$20.00) Dollars, each week for the support and maintenance of their said minor child, Susan Elizabeth Carnley, which said payments were to commence upon the date of the said decree.

SECOND: That the said James Everett Carnley, has failed, neglected and refused to provide such support for said minor child, and that such failure, neglect and refusal has continued for a long period of time, in that since the 6th day of August, 1959, the said respondent has not contributed towards the support of the said minor child.

THIRD: That the said respondent, James Everett Carnley is now a resident of the City of Fairhope, Baldwin County, Alabama, and is employed in the City of Mobile, Alabama, and has sufficient income to fully comply with the order of the said decree.

The premises considered your petitioner prays that a citation may be issued to the said James Everett Carnley requiring him to appear before this Honorable Court and to show cause, if any he may have, why he should not be held in contempt of this Court.

And your petitioner prays for such other, further or different relief as she may in equity and good conscience may be entitled to receive.

Lula Mae Davis  
Petitioner

STATE OF ALABAMA

COUNTY OF

Baldwin

Before me John P. Beebe, a Notary Public in and for said County and State personally appeared Lula Mae Davis, formerly Lula Mae Carnley, and who being known to me, and by me first duly sworn, deposes and says: that she is the petitioner in the above styled cause, and that she has personal knowledge of the facts stated in the foregoing petition, and that the said facts contained therein are true.

Lula Mae Davis  
Petitioner

Sworn to and subscribed before me on this the 1<sup>st</sup> day of December, 1959.

**FILED**

DEC 2 1959

ALICE J. DUCK, Register

John P. Beebe  
Notary Public

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that whereas, the undersigned LULA MAE DAVIS, formerly Lula Mae Carnley, and JAMES EVERETT CARNLEY, were divorced by decree entered in the Circuit Court of Baldwin County, Alabama, on the 8th day of December, 1958, and

Whereas, under and by the decree the said James Everett Carnley was ordered to pay to the said Lula Mae Carnley, now Davis, the sum of Twenty (\$20.00) Dollars per week for the support of maintenance of their minor child, Susan Elizabeth Carnley, who is and was in the care and custody of Lula Mae Carnley, now Davis, and

Whereas, the said James Everett Carnley the Respondent in the said divorce proceeding did default in the payments to be made to the said Lula Mae Carnley, now Davis, for the support and maintenance of the said minor, in that the said James Everett Carnley became in arrears to the extent of a sum in excess of Two Hundred (200.00) Dollars, and

Whereas, it was necessary and proper that a petition be filed in the Circuit Court of Baldwin County, Alabama, against the said James Everett Carnley to require him to support and maintain the minor child, Susan Elizabeth Carnley, which said petition is now pending in the said Court, and

Whereas, the said parties hereto have come to a settlement of the matter and the said James Everett Carnley has paid to the said Lula Mae Carnley, now Davis the sum of Seventy (\$70.00) Dollars, and has agreed to comply with the order of the Court and has further agreed to increase the weekly payments for the support and maintenance of the said minor to Twenty-five (\$25.00) Dollars, each week.

NOW THEREFORE, in consideration of the premises and for the further consideration of the weekly payments to the said Lula Mae Carnley, now Davis, in the sum of Twenty five (\$25.00) Dollars, each week to be made by the said James Everett Carnley beginning with the 14th day of December, 1959, and on the same day (Monday) of each week until the minor child reaches eighteen (18) years of age a like

amount will be paid by the said James Everett Carnley to the said Lula Mae Carnley now Lula Mae Davis, for the support and maintenance of their minor child, Susan Elizabeth Carnley, who is in the care and custody of the said Lula Mae Davis.

And it is understood and agreed that so long as these payments are regularly made by the said James Everett Carnley to the said Lula Mae Carnley, now Davis, in the sum of Twenty five (\$25.00) Dollars per week that the said now pending action on file in the Circuit Court of Baldwin County, Alabama, will be continued and no action will be taken thereon by the said Lula Mae Carnley now Lula Mae Davis, unless she is forced to by the neglect and refusal to meet the payments herein shown.

Dated this the 7<sup>th</sup> day of December, 1959, in duplicate,

James Everett Carnley  
James Everett Carnley

Lula Mae Davis  
Lula Mae Davis, formerly  
Lula Mae Carnley.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County



Circuit Court

TO: GRADY P. GILBERT, JR.

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 Lula Mae Carnley and Mrs. D. L. Godwin

Witness in behalf of Lula Mae Carnley in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein Lula Mae Carnley is

, Complainant

and James Everett Carnley is

Respondent

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

Witness 25 day of November

, 1958

*Alice J. Duck*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

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THE STATE OF ALABAMA  
Baldwin County

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CIRCUIT COURT

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VS. Complainant

Defendant

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COMMISSION TO TAKE DEPOSITION

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COMMISSIONER:

WITNESSES:

**FILED**

NOV 25 1958

ALICE J. DUCK, Register



THE STATE OF ALABAMA }  
Baldwin County }

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

LULA MAE CARNLEY COMPLAINANT

VS.

JAMES EVERETT CARNLEY RESPONDENT

I, Grady P. Gilbert, Jr.

as ~~Register and~~ Commissioner

have called and caused to come before me Lula Mae Carnley and Mrs. D. L. Godwin

witnesses named in the requirement for Oral Examination, on the 24 day of November  
1958, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Lula Mae Carnley and

Mrs. D. L. Godwin doth depose and say as follows:

My name is Lula Mae Carnley. I am over the age of twenty-one years and am a resident of Baldwin County, Alabama, and have been for more than one year. James Everett Carnley is over twenty-one years old and is a non-resident of Alabama. James Everett Carnley and I were married on April 2, 1953, at Fairhope, Alabama. James Everett Carnley has made numerous threats of doing me physical harm. The last of said threats occurred on May 1, 1958, and from his manner and conduct toward me, I am reasonable convinced that he will commit an actual violence upon my person, attended with danger to my life and health, and as a result of said threats we have not lived together as husband and wife, since May 1, 1958. We had one child, Susan Elizabeth Carnley, now about five years old, who is in my custody and control, and I feel that I am a fit and proper person to be awarded the permanent care, custody and control of the child. James Everett Carnley is an able bodied man, well able to help provide for and maintain the said minor child.

Lula Mae Carnley

I am the mother of Lula Mae Carnley. She is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been for more than one year. James Everett Carnley is over twenty-one years old and is a non-resident of Alabama. On May 1, my daughter called me to come and get her, that her husband has made threats of doing her bodily harm and that she was afraid to live with him; at the time I picked her up he made threats against her in my presence and as a result thereof they have not lived together since that time as husband and wife. They had one child, Susan Elizabeth Carnley, now about five years old, who is in Lula Mae Carnley's custody and control, and I feel that she is a fit and proper person to be awarded the permanent care, custody and control of the child. James Everett Carnley is an able bodied man, well able to help provide for and maintain the said minor child.

Mrs D L Godwin

I, Grady P. Gillet vs., as Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and James A. Hendrix, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 24 day of November, 1958.

Grady P. Gillet (L.S.)

FILED

NOV 25 1958

ALICE J. DUCK, Register

|                       |   |                         |
|-----------------------|---|-------------------------|
| LULA MAE CARNLEY      | ) | IN THE CIRCUIT COURT OF |
|                       | ) |                         |
| COMPLAINANT           | ) | BALDWIN COUNTY, ALABAMA |
|                       | ) |                         |
| VS                    | ) | IN EQUITY               |
|                       | ) |                         |
| JAMES EVERETT CARNLEY | ) | NUMBER: 4441            |
|                       | ) |                         |
| RESPONDENT            | ) |                         |

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


Comes now Your Petitioner, Lula Mae Carnley, who is over the age of 21 years and respectfully shows unto the Court as follows:

1. That on the 8th day of December, 1958 in the above entitled cause a final decree was rendered divorcing your Petitioner from Respondent and that the said decree awarded the care, custody and control of the minor child of the parties, Susan Elizabeth Carnley, to the Petitioner and further provided that the said Respondent, James Everett Carnley, pay to Complainant, Lula Mae Carnley, the sum of \$20.00 each week for the support and maintenance of the said minor child beginning December 8, 1958.

2. That the said James Everett Carnley has failed for the past five years to pay the said support and maintenance of \$20.00 per week for the support and maintenance of the said Susan Elizabeth Carnley although he was able and had sufficient means wherewith to comply with the said decree and that he has wilfully and contemptuously refused to obey said decree.

The premises considered, your Petitioner prays that a rule be issued to the said James Everett Carnley requiring him at a time and place to be therein stated to appear before the Court and show cause, if any he has, why he should not be punished for a contempt.

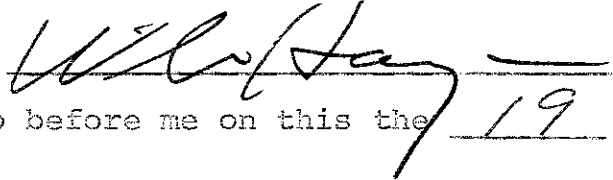
And Petitioner further prays that Your Honor will upon a final hearing on such rule and on this petition, make and enter a decree finding and establishing the amount of delinquent payments unpaid by Respondent, James Everett Carnley, and giving the same the force and effect of a judgement at law and require him to pay the same. And Petitioner further prays for such other, different or general relief as she may be entitled in equity and good conscience.

  
 Solicitor for Complainant

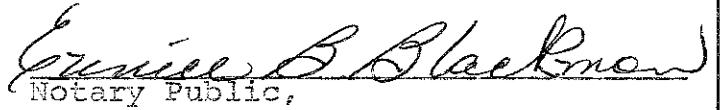
STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Wilson Hayes, Solicitor for Complainant, who is known to me, and who, being by me first duly sworn, deposes and says that he has read the foregoing petition, and the facts therein stated are true and correct according to information and belief.



Subscribed and sworn to before me on this the 19  
day of September, 1969.

  
Notary Public,

**FILED**

SEP 19 1969

**ALICE J. DUCK** CLERK  
REGISTER

|                       |   |                         |
|-----------------------|---|-------------------------|
| LULA MAE CARNLEY      | ) | IN THE CIRCUIT COURT OF |
|                       | ) |                         |
| COMPLAINANT           | ) | BALDWIN COUNTY, ALABAMA |
|                       | ) |                         |
| VS                    | ) | IN EQUITY               |
|                       | ) |                         |
| JAMES EVERETT CARNLEY | ) | NUMBER: 4441            |
|                       | ) |                         |
| RESPONDENT            | ) |                         |

This day came Lula Mae Carnley, Petitioner herein and files herein her verified petition praying that James Everett Carnley Respondent, be required to appear and show cause if any he have why he should not be punished for contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition, it is;

ORDERED, ADJUDGED and DECREED by the Court that the said James Everett Carnley, Respondent herein, appear before this Court at 10:00 o'clock, A. M. on the 29<sup>th</sup> day of September, 1969 in the Circuit Court Room of Baldwin County, Bay Minette, Alabama and show cause, if any he has why he should not be punished for contempt.

It is further ORDERED, ADJUDGED and DECREED that a copy of said petition and of this rule to show cause to be served forthwith upon the said James Everett Carnley by the Sheriff of Baldwin County, Alabama.

Done this 19<sup>th</sup> day of September, 1969.

Jefair A. Maddalena  
 Judge of the Circuit Court

**FILED**

SEP 19 1969

**ALICE J. BERRY** CLERK  
 REGISTER

Wrote for a v. v. repair shop  
Fairhope, Alabama

(44441)

Lula Mae Carnley

vs.

James Everett Carnley

Petition  
Under

FILED

SEP 10 1969

ALICE J. DUCK  
CLERK  
REGISTER

W. Hays

Received 19 day of Sept 1969  
and on 27 day of Sept 1969  
I served a copy of the within Pet + Order  
on James Everett Carnley

By service on \_\_\_\_\_

Sheriff claims 70 miles at  
Ten Cents per mile Total \$ 7.00  
TAYLOR WILKINS, Sheriff  
BY Randall  
DEPUTY SHERIFF

TAYLOR WILKINS, Sheriff  
By Randall D. S.

J. Hoff