

3962

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LEE LINDSEY PRICE, Complainant

vs.

GILBERT EDWARD PRICE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 LEE LINDSEY PRICE is forever divorced from the said GILBERT EDWARD PRICE for and on account of Abandonment

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

This 26th day of April 19 57

Hubert 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 April, 19 57

Register of Circuit Court, In Equity.

No. _____ Page _____

**THE STATE OF ALABAMA
BALDWIN COUNTY**

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*7/16/00 H-105-1
Circuit Court
Birmingham*

LEE LINDSEY PRICE,		IN THE CIRCUIT COURT
Complainant		OF
-vs-		BALDWIN COUNTY, ALABAMA
GILBERT EDWARD PRICE,		IN EQUITY:
Respondent.		NO. <u>3962</u>

BOOK 022 PAGE 170

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they were married to each other on March 13, 1947 in Mobile, Alabama. Both the Complainant and the Respondent are each over the age of twenty-one years. Complainant is a bona-fide resident citizen of Mobile County, Alabama, and she has been such for more than two years next preceding the filing of the Bill of Complaint herein. Complainant has actually lived and resided in the State of Alabama for more than two years next preceding the filing of the Bill of Complaint herein. The Respondent is either a non-resident of the State of Alabama or else he conceals himself so that process cannot be served upon him. Complainant has made diligent efforts to ascertain his whereabouts without success. There are two minor children as issue of their marriage, Jaquellane Lorraine Price, age nine years and Gilbert Edward Price, Jr., age eight years. Said children live and reside with the Complainant and she is a fit and proper person to be granted their custody and control.

TWO

The Complainant has lived separate and apart from the bed and board of the Respondent for two years and without support from him for two years next preceding the filing of this bill of complaint; and she has been a bona-fide resident citizen of this State during said period.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said Gilbert Edward Price, Sr., party-respondent hereto and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and Complainant prays that she be awarded the custody and control of the two minor children born of their marriage, and Complainant further prays for such other, further, and different relief as in equity she may be due, and as in duty bound she will ever pray, etc.

William E. Gerson
SOLICITOR FOR COMPLAINANT.

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LEE LINDSEY PRICE
No.....VS
GILBERT EDWARD PRICE

Entered on.....
Min. Book No..... Entry.....
W. Elsworth Haugton, Register

ORDER OF SUBMISSION

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

Dated,

NOTE OF EVIDENCE

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

FOR COMPLAINANT

- 1. Bill of Complaint
- 2. Non-Military Affidavit
- 3. Decree Pro Confesso
- 4. Demand for Oral Examination
- 5. Testimonies of Lee Lindsey Price and of Bessie Lindsey, witness on behalf of the Complainant.

FILED, 4-25-57
Dee J. Duck Register

William Haugton
Solicitor—for Complainant

FOR RESPONDENT

.....
Solicitor—For Respondent

WILLIAM GRAYSON
LAWYER
65 ST. EMANUEL STREET
MOBILE, ALABAMA

9-5 WEEKDAYS - 9-1 SATS.

Miss Huck:

Please fill in the amount of
costs on the check & let me
have a pd. receipt.

Thanks -

JIMMY FAULKNER
AND
BILL STEWART
PUBLISHERS

THE BALDWIN TIMES
BALDWIN COUNTY
Alabama's Best County's Best Newspaper
BAY MINETTE, ALABAMA

E. R. MORRISSETTE, JR.
EDITOR-MANAGER

Legal Notice

Notice To Non-Resident

The State of Alabama, Baldwin County. In the Circuit Court, in Equity this the 2nd day of February, 1957.

Lee Lindsey Price No. 3962 vs. Gilbert Edward Price.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Mrs Lee Lindsey Price that the Defendant Gilbert Edward Price is a non-resident of the State of Alabama or he conceals himself so that process cannot be served upon him and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Gilbert Edward Price the said Respondent to answer or demur to the Bill of Complaint in this cause by the 1st day of March 1957, or after thirty days therefrom a decree Pro Confesso may be taken against him.

ALICE J. DUCK,
Register.

William Grayson,
Solicitor for Complainant.

4-414

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

E. R. Morrisette, Jr. being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Price vs. Price

COST STATEMENT

177 WORDS @ 6 1/2 cents \$ 11.50
I hereby certify this is correct, due and unpaid (paid).

E. R. Morrisette Jr.

Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Feb. 7, 1957 Vol. 68 No. 4
Date of 2nd publication Feb. 14, 1957 Vol. 68 No. 5
Date of 3rd publication Feb. 21, 1957 Vol. 68 No. 6
Date of 4th publication Feb. 28, 1957 Vol. 68 No. 7

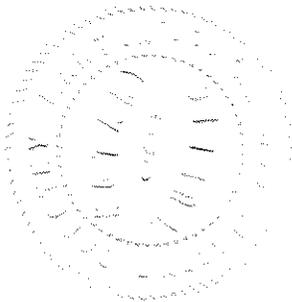
Subscribed and sworn before the undersigned this 8 day of mar, 1957

Dorothy Martin

Notary Public, Baldwin County.

E. R. Morrisette Jr.

Editor.



LEE LINDSEY PRICE

Complainant

No. _____ Vs.

GILBERT EDWARD PRICE

Defendant

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

DEMAND FOR ORAL EXAMINATION

The State of Alabama, }
Mobile County }

The Complainant requests the oral examination of the following named witnesses
on her behalf, viz.: Lee Lindsey Price
and
Bessie Lindsey

said witnesses reside in the County of Mobile, State of Alabama

Peggy Preston who reside at 860 Donald Street, Mobile, Alabama
is suggested as a suitable person to be appointed Commissioner to take deposition of said witness
on such oral examination.

Filed _____

W. ELSWORTH HAUGTON, Register.

William Haugton
Solicitor for
Complainant

DEMAND FOR ORAL EXAMINATION

VS.

CIRCUIT COURT OF MOBILE COUNTY
Mobile, Alabama

No. _____

FILED

APR 24 1957

ALICE J. BOCK, *Register*

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

LEE LINDSEY PRICE

No. 3962

vs.

GILBERT EDWARD PRICE

The State of Alabama.

Baldwin County.

Circuit Court, in Equity

This the 2nd day of

February 1957

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Mrs. Lee Lindsey Price

that the Defendant Gilbert Edward Price

is a non-resident of the State of Alabama or he conceals himself so that process cannot be served upon him

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring GILBERT EDWARD PRICE the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 1st day of March 1957 or after thirty days therefrom a decree Pro Confesso may be taken against him

W. Grayson Register.

William Grayson Solicitor For Complainant

LEE LINDSEY PRICE : IN THE CIRCUIT COURT
 Complainant : BALDWIN OF
 -vs- : MOBILE COUNTY, ALABAMA
 GILBERT EDWARD PRICE : IN EQUITY:
 Respondent. : NO. _____

NON-MILITARY AFFIDAVIT

STATE OF ALABAMA:
 COUNTY OF MOBILE:

Comes the Complainant in the above styled cause and shows unto this Honorable Court under oath as follows:

That I am the Complainant in the above styled cause and I am the wife of the Respondent. The Respondent is over the age of twenty-one years and the Respondent is not a member of the Armed Forces of the United States of America.

Mar Lee Lindsey Price
 AFFIANT.

SWORN and subscribed to before me on this the 23rd day of April, 1957.

William S. Gausson
 NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

LEE LINDSEY PRICE

Complainant,

-vs-

GILBERT EDWARD PRICE

Respondent.

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

IN EQUITY.

NO. _____

NON-RESIDENCY AFFIDAVIT

STATE OF ALABAMA,

COUNTY OF MOBILE,

Before me, the undersigned authority, in and for said State and County, personally appeared Lee Lindsey Price, who was made known to me, and who by me first being duly sworn, on oath deposes and says as follows:

That I am the Complainant in the above styled cause and the Respondent named therein is either a non-resident of the State of Alabama, or he conceals himself so that process cannot be served upon him; that the whereabouts and residence of said Respondent is unknown and cannot be ascertained after diligent effort, such effort has been made by the Complainant without success; and that the said Respondent, is over the age of twenty-one years.

Lee Lindsey Price
AFFIANT

Sworn and subscribed to before me on
this the 31st day of January 1957.

William J. [Signature]
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said Gilbert Edward Price, Sr., party-respondent hereto and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and Complainant prays that she be awarded the custody and control of the two minor children born of their marriage, and Complainant further prays for such other, further, and different relief as in equity she may be due, and as in duty bound she will ever pray, etc.

William Hanson
SOLICITOR FOR COMPLAINTANT.

FILED
FEB 1 1921

WPH

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Peggy Preston

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 Lee Lindsey Price and Bessie Lindsey

a witness in behalf of Complainant
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our
Lee Lindsey Price

, Complainant

and Gilbert Edward Price

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 24th day of April

, 195 7 .

Alvin J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 3962

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

LEE LINDSEY PRICE

Complainant

VS.

GILBERT EDWARD PRICE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

C E R T I F I C A T E

I, Peggy Preston, the commissioner
named in ~~an agreement entered into~~
the attached commission
in that certain cause
now pending in the Honorable Circuit Court of Mobile
County, Alabama, Sitting in Equity, wherein LEE LINDSEY
PRICE is Complainant, and GILBERT EDWARD BRICE
is Respondent, under and by virtue
of the power conferred upon me by said agreement as
such commissioner, caused the said Lee Lindsey Price
and the said Bessie Lindsey, who were made
known to me, to come before me at 3:00 o'clock, P.M.,
on April 24th, 1957, at ~~Room 103, 111~~
65 St. Emanuel Street, Mobile, Alabama; that said wit-
nesses were first duly sworn by me as stated; that they
were then examined by Mr. William Grayson, Solicitor
for Complainant, and they testified in response thereto
as is hereinabove written; and the testimony was by me
reduced to writing as given by said witnesses in narra-
tive form, and as near as might be identical language
of the said witnesses, and that, after said testimony
had been so reduced to writing, it was by me read over
to the said witnesses, who assented to and signed the
same in my presence and in the presence of said Solicitor
for Complainant.

I further certify that I am not of counsel of or
kin to any of the parties to the said cause, and am not
in anywise interested in the result thereof.

Witness my hand this 24th day of April 1957.

Peggy Preston
COMMISSIONER

TESTIMONY OF LEE LINDSEY PRICE, WITNESS ON HER OWN BEHALF:

I am the Complainant in the above styled cause and I am the wife of the Respondent. We were married to each other on March 12, 1947 in Mobile, Alabama. Both myself and the Respondent are each over the age of twentyOne years and were such at the time of the filing of the Bill of Complaint herein. I am a bona-fide resident citizen of Mobile County, Alabama and have been such for more than two years next preceding the filing of the Bill of Complaint herein. I am and have been a bona-fide resident citizen of the State of Alabama for over five years next preceding the filing of the Bill of Complaint herein and I have actually lived and resided in this said state for said period of time. The Respondent is either a non-resident of the State of Alabama, or else he conceals himso that process of Court cannot be had upon him. I have made diligent efforts to locate him and his whereabouts without success. There are two minor children as issue of our marriage, Jaquellane Lorraine Price, age nine years and Gilbert Edward Price, Jr., age eight years. Said children live and reside with me and I think that I am a fit and proper person to be granted their custody and control. I have lived separate and apart from the bed and board of the Respondent for over two years next preceding the filing of the Bill of Complaint herein and without support from him for said period of time.. I am an have been a bona-fide resident citizen of the State of Ala. during this period of time and I have actaally lived within the State of Alabama for said period of time. Respondent withdrew from my bed and board in October of 1949. We were living in Alabama Village in Mobile County, Alabama at the time. He told me that he was going out to the West Coast and that he was going to get a job and did not expect to ever see me again. He has failed and refused to provide me and our children with any support of any kind since he abananded us as stated. He never let me know where he was living and ~~he~~ I have no idea of his whereabouts or place of residence. I have not seen him since he abandoned

me and my children in October of 1949, which has been
for more than two years next preceding the filing of
the Bill of Complaint herein.

Miss Lee Lindsey Price

TESTIMONY OF BESSIE LINDSEY, WITNESS ON BEHALF OF THE COMPL.

I have known both the Complainant and the Respondent for over seven years. The Complainant is the wife of the Respondent and they were married to each other in March of 1947 in Mobile, Alabama. Both the Complainant and the Respondent were each over the age of twenty-one years of age at the time of the filing of the Bill of Complaint herein. The Complainant is a bona-fide resident citizen of the State of Alabama and has been such for the past five years. She has actually lived and resided within the State of Alabama for more than two years next preceding the filing of the Bill of Complaint herein. The Respondent voluntarily abandoned the bed and board of the Complainant in October of 1949 and ~~there lived~~ he has lived separate and apart from the bed and board of the Complainant and without supporting her or their two minor children for more than two years next preceding the filing of the Bill of Complaint herein. There are two minor children as issue of their marriage Jaquellane Lorraine Price, age nine years and Gilbert Edward Price, Jr., age eight years said children live and reside with the Complainant and she is a fit and proper person to be granted their custody and control. When the Respondent deserted the Complainant and their two minor children he moved out to the West coast but failed to ever let her know where he was living or working. She has known of his whereabouts since she was abandoned by him in October of 1949.

Bessie Lindsey