

(4382)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

C. B. JOINER, Complainant

vs.

MYRTLE JOINER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Waiver~~ 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 C. B. Joiner is forever divorced from the said Myrtle Joiner for and on account of

~~cruelty. It is further Ordered, Adjudged and Decreed by the court that the said complainant, C. B. Joiner, have the permanent care, custody and control of the said minor children born of this marriage, Henry Rufus Joiner and William Elzy Joiner, and that the said respondent shall have the right to visit the said minor children at all reasonable times and at such places as may be reasonable and proper.~~

It is futher 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 futher ordered that C. B. Joiner, the complainant, pay the cost herein to be taxed, for which executed may issue.

This 17th day of September 19 58

[Signature] 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. 4382 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
SEP 17 1933
ALICE J. DUCK, CLERK
REGISTER

C.E. Joiner, Complainant

vs.

Myrtle Joiner, Respondent

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
Answer and waiver of Respondent and testimony of _____

Complainant, C. E. Joiner

and in behalf of Defendant upon Answer and waiver.

James R. Owen
Solicitor for Complainant

W. J. ...
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 17

day of Sept, 1948

W. J. Luck
Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

C. B. JOINER, COMPLAINANT

vs.

MYRTLE JOINER, RESPONDENT

I, Alice L. Miller
as Register and Commissioner

have called and caused to come before me C. B. Joiner

witness named in the requirement for Oral Examination, on the 17th day of September, 1958, at the office of James R. Owen in

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

truth, the whole truth, and nothing but the truth, the said C. B. Joiner

doth depose and say as follows:

I am over the age of twenty-one years and I am the complainant in the above styled cause.

On or about July 26, 1958, the respondent, Myrtle Joiner, committed an actual violence on my person, attended with danger to my life or health; on the said date the said Myrtle Joiner threatened me with a knife and a shotgun and made numerous threats of doing me physical harm and from her manner and conduct toward me, I am reasonably convinced that she will commit an actual violence on my person, attended with danger to my life or health.

During our marriage the respondent and I had two children, Henry Rufus Joiner and William Elzy Joiner, both of whom are now in my care, custody and control. I am a fit and proper person to have the care, custody and control of the said minor children.

C. B. Joiner

ORAL EXAMINATION

I, Alice L. Miller 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 and read over to him and he signed the same in the presence of myself and at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness ; 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 17th day of September, 1958 .

Alice L. Miller (L. S.)

No.

Page:

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed

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Register.

RECORDED IN

Record

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Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County



Circuit Court

TO: Alice L. Miller

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 C. B. Joiner

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

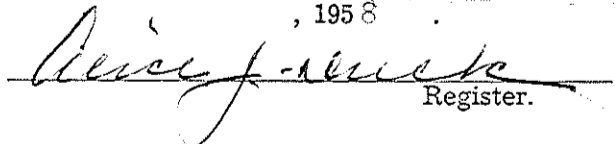
and C. B. Joiner is , Complainant

Myrtle Joiner is Respondent

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

Witness 17th day of September

, 1958


Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4382

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

vs. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

SEP 17 1958

WITNESSES:

ALICE J. DUCK, REGISTER

C. B. JOINER,)	
)	IN THE CIRCUIT COURT OF
VS. Complainant,)	BALDWIN COUNTY, ALABAMA
)	
MYRTLE JOINER,)	IN EQUITY
)	
Respondent.)	

ANSWER AND WAIVER

Now comes the respondent in the above styled cause and accepts service of the Bill of Complaint heretofore filed in this cause; waives notice of the taking of testimony and the date for taking same, and consents and agrees that the same may be taken and this cause submitted for a final decree, all without further notice to her.

For answer to the Bill of Complaint heretofore filed in this cause respondent says:

1. She admits the allegations contained in paragraphs 1, 2 and 4 of said Bill of Complaint.
2. She denies each and every allegation contained in paragraph 3 of said Bill of Complaint and demands strict proof thereof.

Myrtle Joiner
 Respondent

C. B. JOINER,)	
)	IN THE CIRCUIT COURT OF
VS. Complainant,)	BALDWIN COUNTY, ALABAMA
)	IN EQUITY
MYRTLE JOINER,)	
)	
Respondent.)	

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

Your complainant, C. B. Joiner, respectfully represents
and shows unto the court and your Honor as follows:

1. The complainant and the respondent are each over the
age of twenty-one years and are both residents of Baldwin County,
Alabama, and have been bona fide residents of said State and County
for more than one year next preceding the filing of this Bill of
Complaint.

2. The complainant and the respondent were lawfully mar-
ried on or about, to-wit, September 6, 1941, at Rabun, Alabama.

3. Your complainant avers and charges that the said re-
spondent did on or about the 26th day of July, 1958, commit an actual
violence on his person attended with danger to his life or health;
that on the said date the said respondent threatened your complain-
ant with a knife and a shotgun and made numerous threats of doing
him physical harm, and from her manner and conduct toward him he is
reasonably convinced that she will commit an actual violence upon
his person, attended with danger to his life or health.

4. There was born to this marriage two children, Henry
Rufus Joiner, a son, ten years of age, and William Elzy Joiner, a
son, nine years of age. The said children are now in the care,
custody and control of your complainant, who is a fit and proper
person to have the permanent care, custody and control of the said
minor children. Your complainant avers that the respondent is not a
fit and proper person to have the care, custody and control of the
said minor children.

THE PREMISES CONSIDERED, your complainant makes the said
Myrtle Joiner a party respondent to this Bill of Complaint, and in

order that complainant may have the relief herein prayed for, may it please the court to cause the State's writ of subpoena to be issued, directed to the said Myrtle Joiner, commanding her to plead, answer or demur to this Bill of Complaint within the time allowed by law; that on a final hearing of this cause, that the court will make and enter a decree divorcing your complainant from the said respondent, granting the complainant and the respondent the right to remarry, and awarding to your complainant the permanent care, custody and control of the said minor children; your complainant prays for such other, further and different relief as may be just and proper.


Solicitor for complainant