

4855

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

DALE W. PARRISH, Complainant

vs.

CLAUDIA ELAINE KNOX PARRISH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Waiver~~ 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 DALE W. PARRISH is forever divorced from the said CLAUDIA ELAINE KNOX PARRISH 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 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 DALE W. PARRISH the Complainant pay the cost herein to be taxed, for which executed may issue.

This 13 day of April 19 60

[Handwritten 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.

M

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

Filed
at - 11-6-60
Accordance
Reed

DALE W. PARRISH,
Complainant

No. 4855 VS.

CLAUDIA ELAINE KNOX PARRISH,
Respondent

Entered on _____

Min. Book No. _____ Entry _____

~~W. KISWONK EDWARDS~~, Register

Honorable Alice J. Duck, 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. Original Bill of Complaint.
2. Answer and waiver.
3. Depositions of Dale W. Parrish, Complainant, and of Mrs. Pearl A. Parrish, witness for the complainant, witnesses in said cause.

Kenneth E. Henderson

Solicitor—For Complainant,
12 N. Jackson Str., Mobile,
Ala. Phone H.E.2-5016

FOR RESPONDENT

FILED, 4-12-60

Alice J. Duck
Register

Solicitor—For Respondent

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No. 4855-Equity

DALE W. PARRISH,
Complainant

Vs.

CLAUDIA ELAINE KNOX PARRISH,
Respondent.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Filed _____

Register

Ent. Min. No. _____ Entry _____

LAW OFFICE
K. E. HENDERSON
MOBILE, ALABAMA

April 11, 1960.

Honorable Alice J. Duck,
Register In Chancery,
Circuit Court of Baldwin County, Ala.,
Bay Minette, Ala.

Dear Madam:

Re: Dale W. Parrish,
Vs. (No. 4855 Equity)
Claudia Elaine Knox Parrish

I believe the Commissioner, taking the testimony by depositions in this case, has sent the depositions of the witnesses, together with her Commissioner's Certificate attached, to your office.

I am enclosing herewith the note of evidence or note of testimony signed by me as complainant's solicitor, on which we wish the case submitted to the Honorable Court.

Please advise me what the Court costs amount to, and I will pay same. (I think the complainant paid the Commissioner himself, so there will not be a Commissioner's fee to be included in the Court costs.)

Stamped return envelope is enclosed for your convenience.

Very truly yours,

Kenneth E. Henderson
Kenneth E. Henderson,
attorney.

DEPOSITION OF WITNESSES

DALE W. PARRISH,
Complainant

Vs.

CLAUDIA ELAINE KNOX PARRISH,
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY, NO. 4855

By virtue of an agreement between the parties in the above styled and numbered cause contained in the answer and waiver on file herein, I, the undersigned Gladys C. White, acting as commissioner (shown by my commissioner's certificate hereunto attached) have caused the complainant herein, Dale W. Parrish, and Mrs. Pearl A. Parrish, witnesses in said cause, to come before me, who being duly sworn by me, testified as follows on direct oral examination by me, Gladys C. White, acting as commissioner herein.



Gladys C. White, Commissioner

TESTIMONY OF DALE W. PARRISH, COMPLAINANT:

My name is Dale W.

Parrish. I am the complainant in this case, in which I seek a divorce from my marriage bonds to my wife, Claudia Elaine Knox Parrish, the respondent. The respondent and I are both over twenty-one years of age, and are both bona-fide resident citizens of the state of Alabama, and have continuously been such for more than one year next before the filing of my bill of complaint in this case. The respondent, Claudia Elaine Knox Parrish, resides at 1321 Center Street in the city of Mobile, Mobile County, Alabama. I, the complainant, was born in Alabama, and am a life long resident of Alabama. My present residence is Mobile County, Alabama, and Mobile County, Alabama, is the last place I, the complainant, and the respondent lived together as husband and wife and where our separation from one another occurred. In the answer and waiver on file in this case the respondent and I both agreed for the venue of this divorce suit to be in the Circuit Court of Baldwin County, Alabama, In Equity; and this was done at the desire of the respondent mainly. My solicitor in this case, Mr. Kenneth E. Henderson of 12 N. Jackson Street, Mobile, Alabama, advised me that specified venue in divorce suits in Alabama can be waived; and that the parties-respondent and myself-can agree for the venue to be in another County, Baldwin County in this case, which my said attorney advised me has jurisdiction to grant me a divorce from the respondent. Also, in the answer and waiver on file in this case the respondent

and I, the complainant, agreed that the testimony in this cause may be taken by Gladys C. White acting as commissioner herein in Bexar County, Texas. This is because I, the complainant, am stationed here in the U.S. ^{now} ~~Army~~ Air Force at Lackland Air Force Base, Texas, and can not come ^{home} ~~to~~ Alabama at present time to give my testimony in Alabama.

The respondent, Claudia Elaine Knox Parrish, is my lawful wife. I married her by licensed marriage ceremony on or about May 20, 1948, in Mobile, Mobile County, Alabama. Thereafter, we lived together as husband and wife in Alabama, and elsewhere in the United States. During some of this time I, the complainant, was in the Armed Forces of the United States; and along about February 27, 1958, while in the U.S. ~~Army~~ ^{now} Air Forces, ^{now} I was transferred to duty in Turkey. I had a fairly good rank then and was entitled to certain favourable privileges and accommodations for myself and family, and I asked my wife to join me and live with me as my wife in Turkey during my tour of duty there. My brother officers had their wives with them there, comfortably settled. Our nation was at peace then, as now; and the respondent is a young able-bodied woman and had no attachments or reasons for not living with me and accompanying me. Yet, ^{in February or March 1958,} she refused. After my tour of duty in Turkey ended and I returned to Mobile, Alabama, along about August 11, 1959, I went to see my wife, the respondent, at the home of her parents at 1321 Center Street, Mobile, Alabama, and I did the best I could to reason with her and reconcile her to living with me. As I was then and still am in the U.S. Armed Forces (now with the rank of Captain, U.S.A.F.), I asked the respondent to join me and live with me as my wife at my new and present station of duty at Lackland Air Force Base, Texas, where suitable accommodations were available to us, and where I could then and now best provide a living for us. Still, the respondent failed to join me here in Texas as my wife; and has failed and refused to do so until the present time. The respondent is closely attached to her mother, and this is, I believe, the reason she will not live with me and join me at my military stations. The separation between respondent and myself occurred in Mobile County, Alabama, when I went overseas to my military post in Turkey on or about February 27, 1958, and when she failed to join me, as stated. At that time the respondent voluntarily abandoned my bed and board without any cause; and the respondent has continued that abandonment of my bed and board from that time for more than one year next

preceding the filing of my bill of complaint for divorce in this case; and ever since she so abandoned my bed and board I have continuously been a bona-fide resident citizen of Alabama for more than twelve(12) months next preceding the filing of my bill of complaint in this case.

There were not any children born of my marriage to the respondent.

I, the complainant, Dale W. Parrish, want the Court on the final hearing of this case to grant me an absolute divorce from my bonds of matrimony to the respondent and both of us the right to marry again, should either of us so desire.

Dale W. Parrish

Dale W. Parrish, Complainant.

TESTIMONY OF MRS. PEARL A. PARRISH, WITNESS FOR THE COMPLAINANT:

My name is Mrs. Pearl A. Parrish. I know the complainant in this case, Dale W. Parrish. He is my son, with whom I am presently living, near his military station at Lackland Air Force Base, Texas. I know my son, the complainant, Dale W. Parrish, married Mrs. Claudia Elaine Knox Parrish, the respondent, on about May 20, 1948, in Mobile County, Alabama. After my son's marriage to the respondent, they lived together as husband and wife in Alabama and elsewhere in the United States until the 27th day of February, 1958. At this time my son, the complainant, being then in the military service of our country, the United States of America, was ordered to Turkey to serve a tour of duty in the United States Air Force, Medical Service Corps. During the month of March, 1958, he, my son, the complainant, obtained excellent living quarters for himself and his wife, the respondent, and notified the respondent of his doing so. At this time preliminary plans were made to have the Air Force process the necessary papers to provide the respondent with transportation to join the complainant in Izmir, Turkey. She, the respondent, notified my son, the complainant, that she would not join him. The complainant was a 1st Lieutenant then, and he kept me apprised of these facts, and I know the respondent would not join him. My son, the complainant, returned from Turkey to the United States on or about the 15th of August, 1959, and was ^{by} then promoted to the rank of Captain, and was then assigned to duty at Lackland Air Force Base, San Antonio, Texas. The complainant first went to Mobile, Alabama, and talked with the respond-

ent and made a sincere effort to have her join him here at Lackland Air Force Base, Texas, where suitable quarters existed. Again the respondent refused to do so, preferring to remain in Mobile, Alabama, with her mother and father. After that I came here to San Antonio, Texas, to live with my son, the complainant, and keep house for him. The complainant is honest and truthful, and I would believe him on oath. I have heard his testimony in this case, and know it is true. It's true, as stated in complainant's testimony, that he, the complainant, and also the respondent are each over twenty one years of age, and that they are both bona-fide resident citizens of Alabama, and have continuously been such for more than one year next preceding the filing of the bill of complaint for divorce in this case. The complainant and the respondent last lived together as husband and wife in Mobile County, Alabama, where they separated from one another in February or March, 1958, as I have stated. Mobile County, Alabama, was the residence of the respondent, Claudia Elaine Knox Parrish, and also of the complainant at the time this suit was filed and still is. Of course, the complainant is on duty with the ^{new} Air Force ~~Army~~ in Texas at present, but Alabama is his home residence. My son, ^{P.A.P.} the complainant, is not mean, nor does he have any bad habits; and I am sure that the respondent's refusal to live with him, as I have stated, is a voluntary abandonment of his bed and board without any just cause, and is final; and it has continued for more than one year next preceding the filing of the bill of complaint in this case. Also, since this abandonment occurred the complainant has continuously been a bona-fide resident citizen of Alabama for more than twelve months next preceding the filing of the bill of complaint for divorce in this case. The complainant and the respondent did not have any children born of their marriage. I hope the Court gives my son, the complainant, a divorce from the respondent. Then they will both be free of this marriage, which has ended anyway.

Mrs. Pearl A. Parrish

Mrs. Pearl A. Parrish, Witness for complainant.

CERTIFICATE

I, GLADYS C. WHITE, the Commissioner ~~appointed by the Court and named~~
~~in the attached commission, or~~ named by agreement of the parties, in that certain cause now pending in

the Honorable Circuit Court of Baldwin ~~Mobile~~ County, Alabama, Sitting in Equity, No. 4855, wherein

DALE W. PARRISH is Complainant, and CLAUDIA ELAINE KNOX PARRISH

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as
such commissioner, caused Dale W. Parrish, and Mrs. Pearl A. Parrish

who were made known to me, to come before me at 9 o'clock A.M., on April 8th,
19 60, at Lackland AFB, Texas ~~Mobile, Alabama~~; that said witnesses were first duly sworn

by me as stated; that they were then examined by me, Gladys C. White, ~~Scriber~~ ~~the~~
as such commissioner, ~~and cross-examined by~~

Solicitor for
Guardian Ad Litem & _____, and they testified in
Attorney Ad Litem for

response thereto as is hereinabove written; and the testimony was by me reduced to writing as given
by said witnesses in narrative form, and as near might be the identical language of said witnesses, and
that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who
assented to and signed same, ~~with the attached commission, who was physically unable to sign same, or who~~
~~was physically unable to sign same, in my presence, and in the presence of said Scriber~~

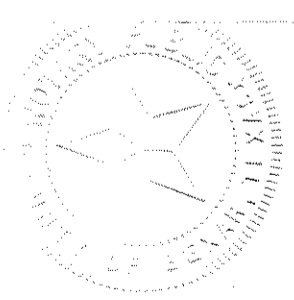
Solicitor for
and Guardian Ad Litem &
Attorney Ad Litem for

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not
in anywise interested in the result thereof, and that the depositions are true and correct as given by
the witnesses.

Witness my hand this 8th day of April, 1960.

Gladys C. White
Gladys C. White, Commissioner

GLADYS C. WHITE
Notary Public, Bexar County, Texas



LAW OFFICE
K. E. HENDERSON
MOBILE, ALABAMA

February 17, 1960.

Alice J. Duck,
Register In Chancery,
Circuit Court of Baldwin County, Ala.,
Bay Minette, Ala.

Dear Madam:

Please file the attached bill of complaint for divorce in the case of Dale W. Parrish vs. Claudia Elaine Knox Parrish. I will send you the answer and waiver in a few days. The parties have agreed to the cause to proceed in your Court, which has jurisdiction.

Very truly yours,

Kenneth E. Henderson
Kenneth E. Henderson.

DALE W. PARRISH,
Complainant

Vs.

CLAUDIA ELAINE KNOX PARRISH,
Respondent

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

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

Now comes Dale W. Parrish, the complainant in the above styled cause, and respectfully exhibits this his bill of complaint against Claudia Elaine Knox Parrish, the respondent herein, and shows unto Your Honor as follows:

ONE

The complainant and the respondent are both over twenty-one years of age, and are both bona-fide resident citizens of the state of Alabama, and have continuously been such for more than one(1)year next before the filing of this bill of complaint. The respondent resides in Mobile County, Alabama. The complainant was born and reared in Alabama, and is a resident of Mobile County, Alabama; but now is for the time being-temporarily-in the United States military service, and stationed at Lackland Air Force Base in Texas. The separation of the complainant and the respondent, hereinafter stated, occurred in Mobile County, Alabama. The parties hereto have agreed in the answer and waiver to be filed herein for the venue of this cause to be in The Circuit Court of Baldwin County, Alabama.

TWO

The complainant is the lawful husband of the respondent and married her by licensed ceremonial marriage on, to-wit, the 20th day of May, 1948, in Mobile, Mobile County, Alabama.

After their marriage the complainant and the respondent lived together as husband and wife in Alabama and elsewhere in the United States until on or about the 27th day of February, 1958, when they were separated from one another in Mobile County, Alabama, where they were living together as husband and wife at that time. This separation was caused by the respondent voluntarily abandoning the complainant's bed and board at said time and place without just cause; and the complainant further avers that said abandonment has continued from the date it occurred for more than One(1)year next preceding the filing of the bill of complaint in this case, and that since said abandonment occurred the complainant has continuously been a bona-fide resident citizen of the state of Alabama for more than twelve(12)months

next preceding the filing of the bill of complaint in this cause.

THREE

No children were born of the marriage of the complainant and the respondent.

PRAYER FOR PROCESS

WHEREFORE, THE PREMISES CONSIDERED, the complainant prays that the said Claudia Elaine Knox Parrish be made a party respondent to this bill of complaint, and that appropriate process, by subpoena, summons, publication, or registered mail be issued and served on or directed to the said respondent requiring her to plead, answer or demur to the allegations herein made against her within the time required by law and the rules of this Honorable Court, or that the same shall be taken as confessed against her.

PRAYER FOR RELIEF

WHEREFORE, THE PREMISES CONSIDERED, the complainant prays that upon a final hearing of this cause Your Honor will render a decree ordering, adjudging and decreeing that the bonds of matrimony heretofore existing between your complainant and the said Claudia Elaine Knox Parrish, the respondent, be and henceforth are forever dissolved; and that the parties hereto be permitted to marry again. And the complainant prays for such other, further and different relief as may in equity and good conscience be due your complainant in the premises. And your complainant will forever pray, etc.

FILED

FEB 18 1960

ALICE J. DUCK, Register

Kenneth E. Henderson

Kenneth E. Henderson, Solicitor for the Complainant, 12 N. Jackson Street, Mobile, Ala. Phone H.E. 2-5016.

DALE W. PARRISH,	Complainant	} IN THE CIRCUIT COURT OF BALDWIN MOBILE COUNTY, ALABAMA IN EQUITY
No. Vs.		
CLAUDIA ELAINE KNOX PARRISH,	Defendant	

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 allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition 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, including any amendments to the bill of complaint herein.

I further agree that Gladys C. White, may take the testimony in this cause without the issuance of a commission. in Bexar County, Texas; and I agree for the venue of this cause to be in the Circuit Court of Baldwin County, Alabama.

Claudia Elaine Knox Parrish Defendant

Complainant agrees that Gladys C. White, may take the testimony in this cause as commissioner, without issuance of a commission. in Bexar County, Texas; and for the venue of this cause to be in the Circuit Court of Baldwin County, Alabama

Dale W. Parrish Complainant
Dale W. Parrish

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

STATE OF ALABAMA,
COUNTY OF MOBILE.)

I, Kenneth E. Henderson, a Notary Public in and for said State and County, do hereby certify that Claudia Elaine Knox Parrish, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Witness my hand and seal this 4th day of March, 1960.

(My commission expires
May 6, 1961.)

Kenneth E. Henderson
Notary Public, Mobile County, Alabama.

STATE OF TEXAS
COUNTY OF Bexar

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

Witness my hand and seal this 7th day of March, 1960.

Gladys C. White
GLADYS C. WHITE NOTARY PUBLIC
Notary Public, Bexar County, Texas

Filed _____ STATE OF TEXAS
COUNTY OF Bexar
Register _____ My commission expires: 1 June 1961

No. _____

DALE W. PARRISH,
Complainant

Vs.

CLAUDIA ELAINE KNOX PARRISH,
Respondent

ANSWER AND WAIVER

Filed, **FILED**, 19____

MAR 11 1960

ALICE J. DUCK, CLERK
REGISTER

4855