

4875

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ARNIE MAE MOORE, Complainant

vs.

CARL "JIMMY" MOORE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 Arnie Mae Moore is forever divorced from the said Carl "Jimmy" Moore for and on account of VOLUNTARY 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 Arnie Mae Moore the Complainant pay the cost herein to be taxed, for which executed may issue.

This 10 day of May 1960

[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.

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No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
MAY 10 1960
ALICE J. DUCK, CLERK
REGISTER

CERTIFICATE

I, Carolyn Fairley, the Commissioner ~~appointed by the Court and named~~
~~in the attached commission~~ named by agreement of the parties, in that certain cause now pending in
 Baldwin County,
 the Honorable Circuit Court of ~~Mobile County~~ Alabama, Sitting in Equity, No. _____, wherein
Arnie Mae Moore is Complainant, and Carl "Jimmy" Moore

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as
 such commissioner, caused Arnie Mae Moore, and Helen Quinney

who ~~xxx~~ were made known to me, to come before me at 9:00 o'clock A. M., on April 6, 1960,
 19 60, at 206 Van Antwerp Building, Mobile, Alabama; that said witnesses were first duly sworn
 by me as stated; that they were then examined by Walter J. Lee, Solicitor for the
Complainant, ~~and was examined by~~

~~Solicitor for~~
~~Complainant and Respondent~~
~~and they testified in~~

x
 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; ~~xxx~~

~~asked to read and sign same, who refused to sign same, who was physically unable to sign same, or~~
 waived the reading and signing of same, in my presence and in the presence of said Solicitor for

Complainant, ~~Solicitor for~~
~~and Guardian Ad Litem~~
~~Attorney Ad Litem~~
 x

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 6th day of May, 19 60.

Carolyn Fairley
 Commissioner

ARNIE MAE MOORE, Complainant, A Witness in her own behalf, being first duly sworn, deposes as follows:

My name is Arnie Mae Moore. I am forty-four years of age, having been born at Dixie Mill, Marengo County, Alabama, on July 10, 1915. I am employed as a maid for Mr. Joe F. McCormick, at 24 Southerland Street, Chickasaw, Mobile County, Alabama, and have been employed there about five years. I have lived in the State of Alabama all of my life, and in Mobile County, for about seven years.

My husband, Carl "Jimmy" Moore, is forty-nine years of age. He has lived in Alabama all of his life, and in Mobile County for about the past seven years, of my own personal knowledge.

I married my husband, Carl "Jimmy" Moore, on December 22, 1952, at Meridian, Mississippi. We have no children, and I am not now pregnant.

More than one year before I filed for this Bill of Divorce, my husband abandoned me my bed and board. Such abandonment has been continuous and uninterrupted for more than one year immediately preceding the filing of this Bill of Complaint, since which time I have not lived with him, nor in anyway recognized him as my husband, nor he me, as his wife.

My husband abandoned me in this that he beat me and struck me about my face with his fist, so that I could not live with him in the same house, and I am afraid to live with him for fear of my life and health.

My husband has four teen-age sons by a prior marriage, ranging in age from 12 to 16 years. While we were living together, these children became unruly and my husband refused to correct them. They were ugly and mean to me, and they threatened to "get me".

It was for this reason, that I have had to get me a domicile elsewhere, and I could not live with my husband, and he has failed to provide an adequate place for me to live.

I am sorry to get a divorce, but I don't know what else to do.

HELEN QUINNEY, A Witness on behalf of the Complainant, being first duly sworn, deposes as follows:

My name is Helen Quinney, I am married to N. J. Quinney, and we live at 413 Arthur Street, Prichard, Alabama, and have lived there for approximately four years. My husband works as a longshoreman, and I am a housewife.

Arnie Mae Moore, who is suing her husband, Carl "Jimmy" Moore, is my older sister, and I have known her all of my life. I know of my own personal knowledge that Arnie and "Jimmy" are both over the age of twenty-one years, and have lived in the State of Alabama, all of their lives, and in Mobile County for about seven years.

I recall the occasion when they were married, back in December, 1952, and I also know that they have no children.

After my sister married "Jimmy", it became obvious that things were not going too well, and they had trouble off and on. On several occasions, Arnie has separated from "Jimmy", and has stayed separated from him for several days at a time.

Finally, Arnie told me that "Jimmy" had hit her about the head and face with his fists, and that she was going to have to separate from him. She also told me that the children were threatening to do something to her. They are teen-age boys, who are coming on, and old enough to do it.

I know of my own personal knowledge, that Carl "Jimmy" Moore abandoned the bed and board of my sister, Arnie Mae Moore, in June, of 1958, and that such abandonment has been continuous and uninterrupted, and that they have separated and lived apart from each other ever since; certainly more than one year, and not recognized each other as husband and wife.

I am sorry to see anybody get a divorce, but I don't see anything else my sister can do.

ARNIE MAE MOORE, Complainant }
No.....VS }
CARL "JIMMY" MOORE, Respondent }

Entered on _____

Min. Book No. _____ Entry _____

~~WXXEYXXIXPDingKXOX, 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) Answer and Waiver Agreement
- 3) Depositions of Arnie Mae Moore, and Helen Quinney, Witnesses for Complainant.

FILED, 5-10-67

Walter P. ...
Register

Walter P. ...
Solicitor—for Complainant

FOR RESPONDENT

.....
Solicitor—For Respondent

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No.....

Vs.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Filed 5-10-60

Henry J. Newell
Register

Ent. Min. No..... Entry.....

ARNIE MAE MOORE,)
Complainant,)
-vs- :
CARL "JIMMY" MOORE,)
Respondent.)

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

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

Comes now, Arnie Mae Moore, Complainant, and respectfully represents:

1) THAT she and Respondent are each over the age of twenty-one years; and that she and Respondent are bona-fide resident citizens of the State of Alabama, and have been such for a period of time in excess of one year next immediately preceding the filing of this Bill of Complaint.

2) THAT Complainant is the lawful wife of the Respondent, having been lawfully married to him on, December 22, 1952, at, to-wit: Meridian, Mississippi, of which marriage no children have been born.

3) THAT the Respondent voluntarily abandoned her bed and board more than one year next immediately preceding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together, nor in any way recognized each other as Husband and Wife.

PRAYER FOR PROCESS:

Complainant prays that upon the filing of this Bill of Complaint that proper process issue to Carl "Jimmy" Moore, making him a party respondent and requiring him to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF:

Complainant prays that upon the final hearing hereof that Your Honors will grant to her an absolute divorce from the Respondent and the right to remarry in the event she should so care, and grant to her the right to resume the use of her maiden name; and will grant such other and further relief as she may be entitled in the premises and as to Your Honors seems meet and proper.

Walter J. Lee
Walter J. Lee, Solicitor For Complainant

Van Antwerp Bldg,
Mobile, Alabama

SUBSCRIBED and sworn to before me
this _____ day of April, 1960;

Notary Public, State of Alabama, At Large.

C. C. Equity 39-3 M 12-58
ARNIE MAE MOORE,
No. Vs.
CARL 'JIMMY' MOORE

Complainant }
Defendant }

IN THE CIRCUIT COURT OF
Baldwin
~~MOBILE~~ COUNTY, ALABAMA
IN EQUITY

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.

I further agree that Carolyn Fairley, may take the testimony in this cause without the issuance of a commission.

Carolyn Fairley
Defendant

Complainant agrees that Carolyn Fairley, may take the testimony in this cause as commissioner, without issuance of a commission.

Arnie Mae Moore
Complainant

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

WITNESSED SIGNING OF COMPLAINANT,
ARNIE MAE MOORE, IN ONE PLACE
HEREON:

Arnie Mae Moore
George N. Rose

STATE OF ALABAMA
COUNTY OF MOBILE

I, Marie Rikard, a NOTARY PUBLIC in and for said State and County, do

hereby certify that Carl "Jimmy" Moore, 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 13 day of April, 1960

Marie Rikard
NOTARY PUBLIC

Filed _____
Register _____

STATE OF ALABAMA
COUNTY OF MOBILE
MY COMMISSION EXPIRES JAN. 21, 1964