

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

MYRTICE STACEY

Complainant

VS.

AUBREY STACEY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~

on Answer & Waiver of the Respondent 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 Myrtice Stacey

is forever divorced from the said Aubrey Stacey

for and on account of Cruelty.

It is further ordered, adjudged and decreed that Myrtice Stacey be, and she is hereby given the care custody and control of the minor children, Foye Stacey, and Patricia Stacey.

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 the payment of the cost of this suit.

It is further ordered that Myrtice Stacey the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of August, 1944 - J. W. Hare

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. 1384 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

filed this _____ day of

_____, 194_____

Register

STATE OF ALABAMA,
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU that you summon AUBREY STACEY to be and appear before the Judge of the Circuit of Baldwin County, Alabama, exercising Chancery Jurisdiction, within thirty days after the service of summons, and there to plead, answer or demur, without oath, to a bill of complaint lately exhibited by MYRTICE STACEY, against the said AUBREY STACEY, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit under penalty of the law. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Court, this the 6th day of August, 1945.


Register

MYRTICE STACEY,

COMPLAINANT,

VS.

AUBREY STACEY,

RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Now comes your Complainant, MYRTICE STACEY, and humbly complaining against the Respondent, AUBREY STACEY, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age;

2.

That your Complainant and the Respondent married in Monroe County, Alabama, on August 9, 1930, and lived together as husband and wife until July 31, 1945;

3.

That on July 31, 1945, and at various other times prior thereto, the Respondent threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life and

health; that the conduct of the Respondent was such as to give her every reasonable apprehension to believe, and she did actually believe that if she continued to live with him, he would carry out his threats and do actual violence to her person which would necessarily endanger her life and health;

4.

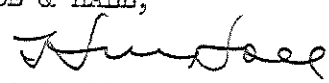
That there was born to said marriage between your Complainant and the Respondent, two children, Foye Stacey, and Patricia Stacey, ages 13 and 9 years, respectively; that said children are now living with the Complainant who is a suitable, fit and proper person to have their care, custody and control.

PRAYER FOR PROCESS.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Aubrey Stacey party Respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that your Honor will, upon the hearing hereof, enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the care, custody and control of the said minor children, Foye Stacey, and Patricia Stacey. Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: 
Solicitors for the Complainant.

1384

RECORDED

MYRTICE STACEY,
COMPLAINANT,
VS.
AUBREY STACEY,
RESPONDENT.

SUMMONS AND COMPLAINT.

Filed

8-6-45

*R.S. Luck
Register*

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Lillian Patterson

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call

before you and examine Myrtice Stacey

as witnesses in behalf of Complainant in a cause pending in our

Circuit Court in Baldwin County, of said State, wherein Myrtice Stacey

Complainant

and Aubrey Stacey

Respondent

on oath, to be by you administered, upon Myrtice Stacey

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 6th day of Aug, 1945

R.S. Dusk

Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 1386

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Myrtice Stacey

Complainant

vs.

Aubrey Stacey

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MYRTICE STACEY

Complainant

VS.

AUBREY STACEY

Respondent

I, Lillian Patterson
as ~~Register and~~ Commissioner _____
have called and caused to come before me Myrtice Stacey

witness _____ named in the Requirement for Oral Examination, on the 3rd day of August
1945, at the office of Beebe & Hall
in Bay Minette, Alabama, and having first sworn said Witness _____ to speak the
truth, the whole truth, and nothing but the truth, the said Myrtice Stacey
_____ doth depose and say as follows:

My name is Myrtice Stacey. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama.

The Respondent is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama.

The Respondent and I married in Monroe County, Alabama, on August 9, 1930, and we lived together as husband and wife until July 31, 1945. The Respondent is a man of high temper and often cursed, threatened and abused me, and often threatened to do actual violence to my person which would necessarily endanger my life and health. The conditions have grown worse from time to time, until on July 31, 1945, they became such that it was impossible for me to any longer live with the Respondent. The conduct of the Respondent toward me was such as to give me every reasonable apprehension to believe, and I did believe that if I continued to live with him he would carry out his threats and do violence to my person, which would necessarily endanger my life and health.

We have two children, Foye Stacey and Patricia Stacey, now 13 and 9 years of age, respectively. They are now and have been living with me all of their lives, and I am in position to care and provide for them.

The Respondent and I have reached an agreement whereby he is to pay toward the support of the children, not less than \$25.00 per month.

Myrtice Stacey

ORAL EXAMINATION.

I, Lillian Patterson, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to her and she signed the same in the presence of myself and H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 3rd day of August, 1945.

Lillian Patterson (L. S.)

NO. 1384 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Stacey

vs. Complainant

Stacey

Respondent.

Oral Deposition

Filed 8-6, 1945

P. S. Muecke, Register.

Recorded in

Record

Vol. _____ Page _____, Register.

MYRTICE STACEY,
COMPLAINANT,
VS.
AUBREY STACEY,
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

And now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent admits the allegations contained in the original bill of complaint as to ages, residents and marriage, and denies all other allegations contained therein and demands strict proof of the same; the Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses, and agrees that this cause be submitted for final decree without further notice.

Aubrey Stacey

1384

RECORDED

MYRTICE STACEY,
COMPLAINANT,

VS.

AUBREY STACEY,
RESPONDENT.

ANSWER & WAIVER

Filed

8-6-45

*R.S. Luck
Register*

MYRTICE STACEY
COMPLAINANT

vs.

AUBREY STACEY
RESPONDENT

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

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

and in behalf of Defendant upon _____

R. S. Luck

Register.

No.

1354

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Mystic Stacey

vs.

Andrew

NOTE OF TESTIMONY

Filed in Open Court this 4

day of August, 1945

Rowell

Register.

Printed by The Baldwin Times, Bay Minette.