

1103
CARRIE LEE HOWELL ROBERTS.

Complainant.

-vs-

GARY ROBERTS.

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

TO THE HONORABLE THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND
THE HON. FRANCIS W. HARE, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant, Carrie Lee Howell Roberts, and
exhibits this her Bill of Complaint for Divorce against Gary
Roberts, and shows:-

FIRST:

That your Complainant and Respondent are both over the
age of twenty-one years, and are bona fide residents of Baldwin
County, Alabama, residing at Hurricane, Alabama, having been such
residents for the past twelve years.

SECOND:

That your Complainant and the Respondent were married on
heretofore, to-wit, the 17th day of November, 1921, and have lived
together as man and wife since said time, and until, on account of
the matters hereinafter complained of, your Complainant was com-
pelled to leave the Respondent and live separate and apart from
him. That in the month of December, 1932, shortly before the
Christmas Holidays, and while your Complainant and Respondent were
living together as man and wife in Baldwin County, Alabama, at
Hurricane, the Respondent committed actual violence on the person
of your Complainant, attended with danger to life or health;
that the Defendant struck your Complainant; that the conduct of
Defendant was such that your Complainant had reason to apprehend
the commission of actual violence on her person, attended with dan-
ger to her life or health, had she continued to reside with him.

PRAYER FOR PROCESS AND RELIEF.

THE PREMISES CONSIDERED, your Complainant prays that the
above named Respondent be made party Defendant to this cause by
the usual process of this Honorable Court, requiring him to appear
and plead, answer or demur, within the time and under the penal-
ties prescribed by the rules of this Court and the Statutes in suc

cases made and provided.

That upon a final hearing of this cause there be granted to your Complainant a divorce' and should your Complainant be mistaken in the relief prayed for that there should be granted to her such other' further and different relief to which she may be entitled. And as in duty bound she will ever pray.

Carrie Lee Howell

Roberts

FOOT NOTE:-

Respondent is required to answer each and every paragraph of the foregoing Bill of Complaint' from "First" to "Third" both inclusive' but answer under oath is hereby expressly waived.

Hyatt Hardtson
Solicitors for Complainant.

The State of Alabama,
Baldwin County.

No. _____

Circuit Court, in Equity.

CARRIE LEE HOWELL ROBERTS.

Complainant

vs.

GARY ROBERTS.

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

It further ordered, that the said Carrie Lee Howell Roberts be, and she is hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause. It is further ordered that the said Gary Roberts is here- by permitted to contract marriage.
It is further ordered, that the said Gary Roberts pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Carrie Lee Howell Roberts.

It is further ordered, adjudged and decreed that said Carrie Lee Howell Roberts shall not again marry except to said Gary Roberts until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Gary Roberts during the said pendency of appeal.

This 14th day of April 1935.

J. W. Hare
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA,
Baldwin County.

Circuit Court, in Equity.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 192____, in the cause of _____

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____

day of _____ 192____

Register

NO.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

---CARRIE LEE HOWELL ROBERTS---

vs.

---GARY ROBERTS---

DECREE OF DIVORCE.

Filed in office this 15th

day of APRIL, 1923

J. M. Richardson
Register.

E. O. M.

The State of Alabama,
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon GARY ROBERTS

of BALDWIN County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

CARRIE LEE HOWELL ROBERTS

against said GARY ROBERTS

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 10th day of

APRIL 1933

T. W. Richerson Register

N. B.--Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

SERVE ON _____
Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

CARRIE LEE HOWELL ROBERTS

vs.

GARY ROBERTS

HYBART, HEARD, & CHASON

Solicitor for Complainant

Recorded in Vol _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this

10th

day of

April

19*33*

W.R. Stuart

Sheriff

Executed this

10th

day of

April 1933

~~1933~~

by leaving a copy of the within Summons with

Gary Roberts

Defendant

W.R. Stuart

Sheriff

By _____

Deputy Sheriff

8581 NOTE OF TESTIMONY

CARRIE LEE HOWELL ROBERTS:

vs. Complainant

GARY ROBERTS:

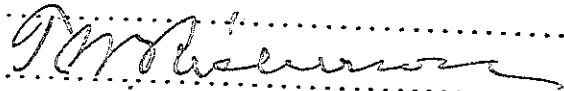
Respondent.

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,
Waiver of Service by Defendant, and Testimony of Carrie Lee Howell
Roberts and Mrs. R. T. Holliday

and in behalf of Defendant upon



Register.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 192 _____

CARRIE LEE HOWELL ROBERTS', Complainant.

vs.

GARY ROBERTS', Defendant.

To T. W. RICHMONSON, Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hybart* Heard & Chason'

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Hybart Heard & Chason
Solicitor for Complainant.

CARRIE LEE HOWELL ROBERTS'

Complainant'

-vs-

GARY ROBERTS'

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

ANSWER OF GARY ROBERTS.

Comes Gary Roberts in the above entitled cause, and accepts service of process and waives any and all further notices which may be directed to him in this cause, and waives any notice of the taking of testimony in this cause, or any other proceedings to be had in the premises.

Gary Roberts

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

CARRIE LEE HOWELL ROBERTS.

COMPLAINANT

VS.

GARY ROBERTS.

RESPONDENT

I, T. W. Richerson.

as Register and Commissioner of the Circuit Court, Baldwin County, Alabama,
~~Equity Side,~~

have called and caused to come before me Carrie Lee Howell Roberts and Mrs.

R. T. Holliday.

witnesses named in the Requirement for Oral Examination, on the 12th day of April

1955, at the office of the Register in Chancery.

in Bay Minette., Alabama, and having first sworn said witness^{es} to speak the

truth, the whole truth, and nothing but the truth, the said Carrie Lee Howell Roberts

and Mrs. R. T. Holliday doth depose and say as follows:

ORAL EXAMINATION

I, T. W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself as Register and Commissioner at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 12th day of April 1933.

T. W. Richerson (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Garrie Lee Howell Roberts

COMPLAINANT

vs.

Gary Roberts.

RESPONDENT

ORAL DEPOSITION

Filed April 11, 1933

RECORDED IN

T. W. Richerson, Register

Record

Vol. _____ Page _____

Register

CARRIE LEE HOWELL ROBERTS'

Complainant'

-vs-

GARY ROBERTS'

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TESTIMONY OF CARRIE LEE HOWELL ROBERTS.

My name is Carrie Lee Howell Roberts. I am the Complainant in that certain Divorce Proceedings now pending in the Circuit Court of Baldwin County' Alabama' wherein Gary Roberts is Defendant. I was married to Gary Roberts on the 17th day of November' 1921' and lived with him as his wife until I was compelled to leave him on account of his treatment toward me. In December' 1932' about a week before Christmas' he came into the house in a violent rage and struck me with his fist. His conduct at that time was such that I believed my life was in danger. He is a man possessed of a strong' ungovernable temper' and on occasions when he is seized with these fits of temper he is likely to strike or hit me and it is impossible to live with him under these conditions.

Sworn to and subscribed before
me' this 12th day of April'
1935.

D. M. Rice
Clerk Circuit Court' Baldwin
County' Alabama.

Carrie Lee Howell
Roberts

CARRIE LEE HOWELL ROBERTS'

Complainant'

-vs-

GARY ROBERTS'

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA

BALDWIN COUNTY.

TESTIMONY OF MRS. R. T. HOLLIDAY.

My name is Mrs. R. T. Holliday. I am a resident of Baldwin County' Alabama' residing at Hurricane' and am over the age of twenty-one years. I am well acquainted with both Carrie Lee Howell Roberts and Gary Roberts' having known them for something like four years' and having been in their home from time to time. I was present in their home about a week before Christmas' 1932' when Gary Roberts struck Carrie Lee Howell Roberts with his fist' and his conduct at that time was such as to lead me to believe that his wife's health and possibly her life would be in danger should she continue to reside with him. I think she is justified in quitting him under these circumstances' as he is a man of violent temper' easily aroused' and might possibly do her serious injury in one of these fits of temper.

R. T. Holliday

Sworn to and subscribed before me
this 12 day of April' 1933.

J. W. P. P. P.

Clerk Circuit Court' Baldwin
County' Alabama.