

THE STATE OF ALABAMA }  
Baldwin County }

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

GENEVIEVE WRIGHT BRANTLEY COMPLAINANT

vs.

CHARLES MALCOLM BRANTLEY RESPONDENT

I, O'Byrne J. Whitley

as ~~Registered~~ Commissioner

have called and caused to come before me Genevieve Wright Brantley and Della Wright

witnesses named in the requirement for Oral Examination, on the 9th day of April

1941, at the office of Beebe & Hall

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

truth, the whole truth, and nothing but the truth, the said Genevieve Wright Brantley

doth depose and say as follows:

My name is Genevieve Wright Brantley. I am a resident of Baldwin County, Alabama, and overtwenty-one years of age, and living at Loxley. The Respondent, Charles Malcolm Brantley is over twenty-one years of age and a resident of Baldwin County, Alabama.

I have made and caused to be made a diligent search to find out the present whereabouts of Charles Malcolm Brantley, however, have not been able to locate him.

The Respondent and I were married at Loxley, in Baldwin County, Alabama, on November 4th, 1935, and lived together in Baldwin County, Alabama, until January 9th, 1937; that on to-wit, January 9th, 1937, the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. He has, since that time, contributed nothing toward my support. We have one child, a girl, who is now and has been all of her life living with me and I have necessarily had to care for and support her. The Respondent has contributed nothing toward the support of our child. I am able to take care of the child and ready and willing to provide for her. The Respondent is not a suitable or proper person to have the care and custody of said child.

Genevieve Wright Brantley

DELLA WRIGHT, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Della Wright. I live at Loxley, in Baldwin County, Alabama. I am personally acquainted with the Complainant and the Respondent in the above styled cause. They were married at Loxley, Alabama, on November 4th, 1935, and lived together at Loxley, until in January, 1937, when the Respondent went away. I know of my own personal

I, O' Byrne J. Whitley 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 es and read over to them and they signed the same in the presence of myself and Hubert M. Hall 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 9th day of April 194 1.

O' Byrne J. Whitley (L. S.)  
Commissioner

No. \_\_\_\_\_ Page \_\_\_\_\_  
**THE STATE OF ALABAMA,**  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

GENEVIEVE WRIGHT BRANTLEY

COMPLAINANT

CHARLES MALCOLM BRANTLEY  
vs.

RESPONDENT

**ORAL DEPOSITION**

Filed April 9th, 1941

H. S. Buck, Register.

RECORDED IN

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

knowledge that the Respondent has contributed nothing toward the support and maintenance of the Complainant or of their minor child. I know of no reason, and in fact have heard of no reason, why the Respondent abandoned the Complainant. I was around them often and know of my own personal knowledge that the Complainant gave him no reason for leaving her.

Hella Knight

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

**NOTICE TO NON-RESIDENT**  
GENEVIEVE WRIGHT BRANTLEY,  
Complainant, No. 699 vs. CHARLES  
MALCOLM BRANTLEY, Respondent,  
THE STATE OF ALABAMA, BALDWIN  
COUNTY, CIRCUIT COURT IN  
EQUITY This the 6th day of February  
1941.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Genevieve Wright Brantley that the Defendant, Charles Malcolm Brantley, is a resident of the State of Alabama; that he is concealing himself so that process cannot be served upon him; that she has made and caused to be made inquiries to ascertain the present whereabouts of the said Charles Malcolm Brantley, but has been unable to locate him; and further, that in the belief of said Affiant the Defendant is over the age of 21 years; it is therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Charles Malcolm Brantley to answer or demur to the Bill of Complaint in this cause by the 5th day of March 1941, or after thirty days therefrom a decree Pro Confesso may be taken against him.

R S DUCK,  
Register. 2-4tc

BAY MINETTE, ALA.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

*J. H. Faulkner* being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay

Minette, Baldwin County, Alabama; that the notice hereto attached of

*Brantley vs Brantley*

*Raid*

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	<i>February 6, 1941</i>	Vol. <i>52</i> No. <i>2</i>
Date of second publication	<i>" 13, 1941</i>	Vol. <i>"</i> No. <i>3</i>
Date of third publication	<i>" 20, 1941</i>	Vol. <i>"</i> No. <i>4</i>
Date of fourth publication	<i>" 27, 1941</i>	Vol. <i>"</i> No. <i>5</i>

Subscribed and sworn before the undersigned this 28th day of

*February* 1941  
*J. H. Faulkner*  
Publisher  
Baldwin County

*J. H. Faulkner*  
Publisher

699

PROOF OF PUBLICATION

Filed February 24, 1941,  
R.S. Duchs, Register

698

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon CHARLES MALCOLM BRANTLEY, 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 GENEVIEVE WRIGHT BRANTLEY against said CHARLES MALCOLM BRANTLEY, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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, R. S. DUCK, Register of said Circuit Court, this 6<sup>th</sup> day of February, 1941.

R. S. Duck  
Register.

GENEVIEVE WRIGHT BRANTLEY, )  
Complainant, )  
VS. )  
CHARLES MALCOLM BRANTLEY, )  
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

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - CARRYING:

WE COMMAND YOU, That you summon CHARLES MALCOLM BRANTLEY, 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 GENEVIEVE WRIGHT BRANTLEY against said CHARLES MALCOLM BRANTLEY, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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, R. S. DUCK, Register of said Circuit Court, this 6<sup>th</sup> day of February, 1941.

R. S. Duck  
Register.

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GENEVIEVE WRIGHT BRANTLEY,  
Complainant,  
VS.  
CHARLES MALCOLM BRANTLEY,  
Respondent.

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

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

And now comes your Complainant, GENEVIEVE WRIGHT BRANTLEY, and humbly complaining against the Respondent, CHARLES MALCOLM BRANTLEY, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That both your Complainant and Respondent are residents of Baldwin County, Alabama, and over twenty-one years of age; that the Respondent is concealing himself so that process cannot be served upon him; that his address is unknown, and although inquiries have been made, it cannot be ascertained.

SECOND:

That your Complainant and Respondent were married at Lexley, in Baldwin County, Alabama, on November 4th, 1936, and lived together as husband and wife until on to-wit, January 9th, 1937.

THIRD:

That on to-wit, January 9th, 1937, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and con-

tinuously since that time.

FOURTH:

That there was born to said marriage between your Complainant and the Respondent one child, a girl, Louise Brantley, who is now and has been all of her life with her mother, your Complainant; that the Respondent is not a suitable, or proper person to have the care, custody or control of said minor child; that your Complainant is able, capable and willing to care and provide for said child.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said CHARLES MALCOLM BRANTLEY party respondent to this Bill of Complaint, 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 upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, CHARLES MALCOLM BRANTLEY, and that a decree may be made and entered awarding to your Complainant the care, custody and control of said minor child, Louise Brantley; that your Honor will give and grant unto her 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.

BENSB & HALL,

By: J. Luns Luce  
Solicitors for Complainant.





STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 193\_\_\_\_\_

GENEVIEVE WRIGHT BRANTLEY \_\_\_\_\_, Complainant

Vs.

CHARLES MALCOLM BRANTLEY \_\_\_\_\_, Defendant

To Hon. R. S. Duck \_\_\_\_\_, 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 Beebe & Hall,

\_\_\_\_\_ 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.

Beebe & Hall,  
By: [Signature] \_\_\_\_\_  
Solicitor for Complainant.

**RECORDED**

No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

**GENEVIEVE WRIGHT BRANTLEY,**

Vs.

**CHARLES MALCOLM BRANTLEY**

**REQUEST FOR DECREE IN  
VACATION**

Filed **April 9th**, 19**41**

*R.S. Duch*

Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

GENEVIEVE WRIGHT BRANTLEY,  


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vs.

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CHARLES MALCOLM BRANTLEY  


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**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, \_\_\_\_\_  
Affidavit of Complainant, Proof of Publication; Motion for Decree Pro Confesso  
on Publication; Commission to Take Deposition; Testimony of Genevieve Wright  
Brantley and Della Wright; Request for Decree in Vacation;

and in behalf of Defendant upon Decree Pro Confesso on Publication

*R.S. Pugh*

Register.

RECORDED

No. \_\_\_\_\_

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
Circuit Court of Baldwin County

GENEVIEVE WRIGHT BRANTLEY,

vs.

CHARLES MALCOLM BRANTLEY

**NOTE OF TESTIMONY**

Filed in Open Court this 9th

day of April 1934

*R. S. Smith*

REGISTER

THE STATE OF ALABAMA, }  
Baldwin County. }

CIRCUIT COURT, IN EQUITY.

No. ...., Term, 193..

GENEVIEVE WRIGHT BRANTLEY ..... , Complainant..

Vs.

CHARLES MALCOLM BRANTLEY ..... Defendant..

Motion is hereby made for a Decree Pro Confesso against Charles Malcolm Brantley.....

..... Defendant..

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 8th day of April 1934.

BEEBE & HALL,

By: *Wm. Hall*

Solicitor.

tinuously since that time.

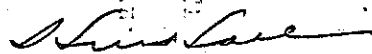
FOURTH:

That there was born to said marriage between your Complainant and the Respondent one child, a girl, Louise Brantley, who is now and has been all of her life with her mother, your Complainant; that the Respondent is not a suitable, or proper person to have the care, custody or control of said minor child; that your Complainant is able, capable and willing to care and provide for said child.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said CHARLES MALCOLM BRANTLEY party respondent to this Bill of Complaint, 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 upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, CHARLES MALCOLM BRANTLEY, and that a decree may be made and entered awarding to your Complainant the care, custody and control of said minor child, Louise Brantley; that your Honor will give and grant unto her 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 Complainant.

**RECORDED**

BILL OF COMPLAINT

GENEVIEVE WRIGHT BRANTLEY,  
Complainant,  
VS.  
CHARLES MALCOLM BRANTLEY,  
Respondent.

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

Returned 2-7-41  
Charles Malcolm Brantley  
Not found in  
Baldwin County  
W.R. Stewart  
Sheriff

Filed February 6, 1941  
R.S.D. Cook, Register

Brantley is in  
Louisville Ky.  
WRS

Louisville Ky  
Eugene L. Lapsley





RECORDED

app'd mit

Filed February 6, 1941

R. S. Douch, Register



RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

GENEVIEVE WRIGHT BRANTLEY

Vs.

CHARLES MALCOLM BRANTLEY

Decree Pro Confesso of Publication

Issued April 9th 19 41

*R. S. Deuch*

Register.

Recorded in \_\_\_\_\_ Record

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Register.

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO MRS. O'BYRNE J. WHITLEY

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 Genevieve Wright Brantley and Della Wright

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Genevieve Wright Brantley

is Complainant and Charles Malcolm Brantley

is Defendant, on oath to be by you administered, upon them

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

Witness' 8th day of April, 19 41.

*R. O. Duch*

REGISTER

Commissioner's Fee \$5.00

Witness' Fees, \$ \_\_\_\_\_

NO. \_\_\_\_\_

**THE STATE OF ALABAMA**

**Baldwin County**

**CIRCUIT COURT**

**GENEVIEVE WRIGHT BRANTLEY**

**Complainant**

**VS.**

**CHARLES MALCOLM BRANTLEY**

**Defendant**

**Commission To Take Deposition**

**COMMISSIONER:**

**O'Byrne J. Whitley**

**Witnesses:**

**Genevieve Wright Brantley**

**Della Wright**



RECORDED

FINAL DECREE OF DIVORCE:

GENEVIEVE WRIGHT BRANTLEY,

Complainant,

VS.

CHARLES MALCOLM BRANTLEY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed April 10, 1941  
R. S. Ditch, Register