

ZULINE CHAFIN, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION CHAFIN, RESPONDENT.

IN EQUITY.

And now comes the Respondent and for answer to the Complainant's Bill of Complaint, and for each count thereof, separately and severally, says:

1.

He admits the allegations contained in Paragraphs 1 and 2;

2.

That he denies the allegations contained in Paragraph 3, and demands strict proof of the same; the Respondent further shows unto your Honor that he has two minor children who are now and have been since he and his wife separated, living with him; that he is a suitable, capable and fit person to have the custody, care and control of the said minor children, Clarice Chafin and Roylan Chafin.

Wherefore the premises considered the Respondent prays that your Honor will take this as his cross-bill and upon a final hearing hereof, award to him the care, custody and control of said minor children.

Marion Chafin

ZULINE CHAFIN, COMPLAINANT,
VS.
MARION CHAFIN, RESPONDENT.

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

This cause coming on to be heard was submitted upon Bill of Complaint, Answer and Cross Bill of the Respondent, Agreement as to Alimony, and Custody of Minor Children, entered into between the parties, and the 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 her said Bill of Complaint, and that the Respondent is entitled to the relief prayed for in his Cross Bill.

IT IS THEREFORE, ORDERED, ADJUDGED, AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and that the said ZULINE CHAFIN is forever divorced from the said MARION CHAFIN.

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 an 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, ADJUDGED AND DECREED that the said MARION CHAFIN shall have and he is hereby awarded the custody, care and control of the two minor children, Clarice Chafin and Moylan Chafin.

IT IS FURTHER ORDERED that the said Complainant, and the Respondent, be and they are hereby permitted to again contract marriage upon the payment of the costs of this suit.

IT IS FURTHER ORDERED that the said ZULINE CHAFIN, the Complainant, pay the costs herein, to be taxed, for which execution may issue.

Dated at Monroeville, in Monroe County, Alabama, this the 1st day of April, 1942.

A. J. W. Stare
Judge Circuit Court, in Equity.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon MARION CHAFIN to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 ZULINE CHAFIN against MARION CHAFIN, 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 _____ day of March, 1942.

Register.

ZULINE CHAFIN, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION CHAFIN, RESPONDENT.

IN EQUITY.

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

Now comes your Complainant, ZULINE CHAFIN, and humbly complaining against the Respondent, MARION CHAFIN, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both residents of Baldwin County, Alabama, and over twenty-one years of age; that they have been residents of Baldwin County, Alabama, for more than three years next preceding the filing of this Bill of Complaint;

2.

That the Complainant and the Respondent were married at Perdido, in Baldwin County, Alabama, in July, 1939; that they lived together as husband and wife, in Baldwin County, Alabama, until March 6, 1942;

3.

That on, to-wit, March 6, 1942, and at various times prior thereto, the Respondent cursed, threatened and abused the Complainant, and did actual violence to her person by striking her; that his conduct was such as to cause the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him as his wife he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

Therefore, the premises considered, the Complainant prays that your Honor

will by proper process make the said Respondent, MARION CHAFIN, 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.

The Complainant further prays that upon a final hearing hereof, your Honor will grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; and as in duty bound she will ever pray.

BEEBE & HALL

By: Hurstace
Solicitors for Complainant.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Frances Brantley

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 Zuline Chafin and Ernest Rabon

as witnesses in behalf of Zuline Chafin in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Zuline Chafin Complainant

and

Marion Chafin Defendant,

on oath to be by you administered, upon _____
to take and certify the deposition of the witness-es and return the same to our Court, with all convenient speed, under your hand.

Witness 30th day of March, 1942.

R. S. Duck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

RECORDED

ZULINE CHAFIN, COMPLAINANT,

VS.

MARION CHAFIN, RESPONDENT.

AGREEMENT AS TO ALIMONY, AND

CUSTODY OF MINOR CHILDREN.

118

BEEBE & HALL

Filed 4-1-42

R. A. Lusk

RECORDED

NO. 811

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ZULINE CHAFIN

Complainant

VS.

MARION CHAFIN

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

*Filed 4-1-42
R. S. Duck. Clerk*

RECORDED

ZULINE CHAFIN, COMPLAINANT,

VS.

MARION CHAFIN, RESPONDENT.

SUMMONS AND

COMPLAINT.

BEEBE & HALL, LAWYERS,
Bay Minette, Alabama

Filed 4-1-42

R. S. Dulk

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon MARION CHAFIN to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 ZULINE CHAFIN against MARION CHAFIN, 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 _____ day of March, 1942.

Register.

ZULINE CHAFIN, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

MARION CHAFIN, RESPONDENT.

IN EQUITY.

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

Now comes your Complainant, ZULINE CHAFIN, and humbly complaining against the Respondent, MARION CHAFIN, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both residents of Baldwin County, Alabama, and over twenty-one years of age; that they have been residents of Baldwin County, Alabama, for more than three years next preceding the filing of this Bill of Complaint;

2.

That the Complainant and the Respondent were married at Perdido, in Baldwin County, Alabama, in July, 1939; that they lived together as husband and wife, in Baldwin County, Alabama, until March 6, 1942;

3.

That on, to-wit, March 6, 1942, and at various times prior thereto, the Respondent cursed, threatened and abused the Complainant, and did actual violence to her person by striking her; that his conduct was such as to cause the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him as his wife he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

Therefore, the premises considered, the Complainant prays that your Honor

will by proper process make the said Respondent, MARION CHAYIN, 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.

The Complainant further prays that upon a final hearing hereof, your Honor will grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; and as in duty bound she will ever pray.

WEEBE & HALL, SYCAMORE

WILLIAM VED CHAYIN

WEEBE & HALL

By: _____
Solicitors for Complainant.

MARION CHAYIN

AC

WILLIAM VED CHAYIN

The State of Alabama }
Baldwin County

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

ZULINE CHAFIN

COMPLAINANT

VS.

MARION CHAFIN

RESPONDENT

I, Frances Brantley

as ~~Registered~~ Commissioner

have called and caused to come before me Zuline Chafin and Ernest Rabon

witness es named in the Requirement for Oral Examination, on the 30 day of March

19 42, at the office of Beebe & Hall

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

Zuline Chafin doth depose and say as follows:

My name is Zuline Chafin. I am a resident of Baldwin County, Alabama, over twenty-one years of age. The Respondent, Marion Chafin, is a resident of Baldwin County, Alabama, and over twenty-one years of age. We have both been residents of Baldwin County, Alabama, all of our lives.

Marion Chafin and I were married at Perdido, in Baldwin County, Alabama, in July, 1939. We lived together as husband and wife in Baldwin County, Alabama, until March 6, 1942.

The Respondent, Marion Chafin, is a man of high and uncontrollable temper. On various occasions while we were living together as husband and wife he cursed, threatened and abused me and many times did actual violence to my person by actually striking me. His conduct was such that I had every reasonable apprehension to believe, and did actually believe that if I continued to live with him he would carry out his threats and do violence to my person that would necessarily endanger my life and health. His conduct was such as to render it absolutely impossible for me to continue to live with him as his wife. His conduct was such that I was forced to leave the home, and I am now afraid to again live with him.

Zuline Chafin

ERNEST RABON, A WITNESS FOR THE COMPLAINANT, HAVING BEEN FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Ernest Rabon. I live at Rabon, in Baldwin County, Alabama. I am now and have been for the past ten years or more, acquainted with the Complainant and the Respondent in the above styled cause. They lived near me at Rabon for a good many years while they were living together as husband and wife. I know that the Respondent is a man of high temper and that he often abused the Complainant. While I didn't actually see him strike her, I saw her immediately afterward, and it was common knowledge in the community, that he did actually strike her several times. Because of his conduct toward her it was necessary for her to leave the home. Knowing them as I do, in my opinion, it was impossible for the Complainant to live with the Respondent as his wife.

Ernest Rabon

ORAL EXAMINATION

I, Frances Brantley, 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 witness es and read over to them and they 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 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 30th day of March 1942.

Frances Brantley (L. S.)

No. 811 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ZULINE CHAFFIN
COMPLAINANT
vs.
MARTIN CHAFFIN
RESPONDENT

ORAL DEPOSITION

Filed 4/1, 1942

R. A. Stock, Register
RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

ZULINE CHAFIN, Complainant

Vs.

MARION CHAFIN, Defendant

To 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
Solicitor for Complainant.

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT IN EQUITY.

ZULINE CHAFIN

Complainant

vs.

MARION CHAFIN

Defendant

Motion is hereby made for a Decree Pro Confesso against

MARION CHAFIN

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 30th day of March 1942

Richard ...

Solicitor.

ZULINE CHAFIN

vs.

MARION CHAFIN

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, _____
_____ Answer and Cross Bill of Respondent, Agreement as to Alimony, and Custody
of Minor Children between the parties, and Testimony of Zuline Chafin and
Ernest Rabon

and in behalf of Defendant upon *Agreement as to custody of children*

R. S. Duch

Register.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

ZULINE CHAFIN
Complainant,
Vs.
MARION CHAFIN
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

MARION CHAFIN

by the Sheriff of Baldwin County, on the _____ day of March, 194².

And it further appears to the Register, that the said _____

MARION CHAFIN, the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, on motion of BEEBE & HALL Solicitors for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, and it hereby is, in all things taken as confessed against the said _____

MARION CHAFIN

This 30th day of March, 194².

R. S. Juch

Register.

RECORDED

No. 811

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY

ZULINE CHAFIN

Complainant,

Vs.

MARION CHAFIN

Respondent.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued this 1 day of April

1942.

R. S. Dusk

Register.

RECORDED

No. 811

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ZULINE CHAFIN

VS.

MARION CHAFIN

NOTE OF TESTIMONY

Filed in Open Court this 1st

day of April 1937

R. S. Duck
REGISTER

MOORE PRINTING CO., BAY MINETTE, ALA.

RECORDED

RECORDED

No. 811

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

ZULINE CHAFIN

vs.

MARION CHAFIN

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed April 14 1942

R. S. Duck

Register.

Recorded in Record,

Vol. Page

Register.

RECORDED

No. 811 Page _____

The State of Alabama,
Baldwin County
CIRCUIT COURT, IN EQUITY

ZULINE CHAFIN

Vs.

MARION CHAFIN

**REQUEST FOR DECREE IN
VACATION**

Filed 4-1-, 1942

R. S. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

...the same shall cause a license for Court to having been left in charge the Defendant and ...
...request being then intended, the Court should ...
...the same shall cause a license for Court to having been left in charge the Defendant and ...
...request being then intended, the Court should ...
...the same shall cause a license for Court to having been left in charge the Defendant and ...
...request being then intended, the Court should ...