

W. C. BEEBE
H. M. HALL

BEEBE & HALL
LAWYERS
BAY MINETTE, ALABAMA

May 19, 1942

HAZEL HARVILLE
Complainant,

VS

GEORGE W. HARVILLE,
Respondent.

}
} IN THE CIRCUIT COURT OF
} BALDWIN COUNTY, ALABAMA

}
} IN EQUITY
}

Fee of Virginia Keel, Commissioner

To Taking and certifying Depositions of
Hazel Harville and Henry Payne,
Witnesses for Complainant.

\$5.00

824

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HAZEL HARVILLE

Complainant

VS

GEORGE W. HARVILLE

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Waiver of Respondent~~ on answer and waiver of 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 HAZEL HARVILLE is forever divorced from the said

GEORGE W. HARVILLE

for and on account of cruelty

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 are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that GEORGE W. HARVILLE the Respondent pay the cost herein to be taxed, for which execution may issue.

This 20th day of May, 1942

[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 20th day of May, 1942

[Signature]

Register of Circuit Court, in Equity.

The State Of Alabama, Baldwin County

CIRCUIT COURT IN EQUITY

No. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREEE

It is further ordered, adjudged and decreed that within thirty days after the date of the entry of this decree, the parties shall appear before the court for the purpose of settling the terms of the divorce and the custody of the children, if any, and the distribution of the property, if any, and the support of the children, if any, and the court shall make such orders as it may deem just and equitable in the premises.

It is further ordered that the complainant shall pay the costs of this proceeding, and the respondent shall pay the costs of this proceeding, and the court shall make such orders as it may deem just and equitable in the premises.

The court hereby certifies that the foregoing is a true and correct copy of the original record of this case, as the same appears in the books of the Circuit Court in the above entitled cause, and that the same is on file and on hand in my office.

Witness my hand and seal this _____ day of _____, 19____.

Clerk of the Circuit Court in Equity

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HAZEL HARVILLE, Complainant

vs.

GEORGE W. HARVILLE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree P/b/Con-
1056 on answer and waiver of 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and
that the said HAZEL HARVILLE is forever divorced from the said GEORGE W.
for and on account of cruelty HARVILLE

It is further ordered, adjudged and decreed that neither party to this suit shall again marry ex-
cept to each other until sixty days after the rendition of this decree, and that if appeal is taken with-
in 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 are hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that GEORGE W. HARVILLE
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 20th day of May, 1942

F. W. HARE
Judge Circuit Court, in Equity.

I, Alice J. Duck, 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 17th day
of May April, 1951

Register of Circuit Court, in Equity.

No. Page

The State of Alabama
BALDWIN COUNTY
In Circuit Court, In Equity

.....
Complainant.

Vs.

.....
Respondent.

DIVORCE DECREE

HAZEL HARVILLE,
Complainant,

VS.

GEORGE W. HARVILLE,
Respondent.

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

Now comes the Complainant, HAZEL HARVILLE, by Beebe & Hall, solicitors of record, and makes application to the register of said court to issue a commission to take the testimony in said cause, on oral examination, of HAZEL HARVILLE and _____ PAYNE, witnesses for the Complainant, who reside in Baldwin County, Alabama.

And Complainant suggests the name of Virginia Keel, who resides at Bay Minette, in said county, as a suitable person to be appointed commissioner to take the testimony of said witnesses.

This 18th day of May, 1942.

BEEBE & HALL
By *W. C. Beebe*
Solicitors for Complainant.

HAZEL HARVILLE,
 Complainant
 VS.
 GEORGE W. HARVILLE,
 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, _____
 Respondent's waiver of notices, Depositions of Hazel Harville
 and Henry Payne

and in behalf of Defendant upon _____ answer _____

[Signature] Register.

HAZEL HARVILLE,
Complainant,

VS.

GEORGE W. HARVILLE,
Respondent.

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

Comes the Respondent, GEORGE W. HARVILLE, in the above styled cause and answering Complainant's Bill of Complaint says:

1. He admits that the Complainant and he are both over the age of twenty-one years and residents of Baldwin County, Alabama.
2. He admits that he and Complainant were married November 10, 1934.
3. He admits that there were no children born to the said marriage.
4. He denies all the other allegations of Paragraph 3 of said Bill of Complaint and specifically denies that he ever cursed, abused and threatened to kill Complainant or attempted to kill her with a deadly weapon.

George W. Harville

Respondent.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

WE COMMAND YOU, That you summon GEORGE W. HARVILLE 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 HAZEL HARVILLE against said GEORGE W. HARVILLE, and further to do and perform what said Judge shall order, and direct in that behalf, and this the 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 15 day of May, 1942.

R. S. Duck

Register

HAZEL HARVILLE,
Complainant,

VS.

GEORGE W. HARVILLE,
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:

And now comes your Complainant, HAZEL HARVILLE, and humbly complaining against the Respondent, GEORGE W. HARVILLE, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and the said GEORGE W. HARVILLE are both over twenty-one years of age and residents of Baldwin County, Alabama.
2. That your Complainant and the said GEORGE W. HARVILLE were married at Bay Minette, Baldwin County, Alabama on the 10th day of November, 1934.
3. That the said GEORGE W. HARVILLE is a man of violent and ungovernable temper: that for some time prior to September, 1940 the said GEORGE W. HARVILLE on numerous occasions without cause became angry at your Complainant and cursed and abused her frequently threatening to kill her: that his conduct gradually became worse and that

Some time in the month of September, 1940, the exact date of which this Complainant does not remember, the said GEORGE W. HARVILLE became angry at this Complainant, cursed and abused her, and threatened to kill her and did attempt to kill her with a deadly instrument, and was only prevented from doing so by your Complainant's running away from him; that your Complainant feared that if she continued to live with him he would either kill her or do her such bodily harm as would endanger her life and health and that since the last named date the said Complainant has not lived with the said GEORGE W. HARVILLE; that the said acts and separation occurred in Baldwin County, Alabama; that no children were born to said marriage.

WHEREFORE, the premises considered, the Complainant prays that this Honorable Court will by proper process make the said GEORGE W. HARVILLE party respondent to this Bill of Complaint and by appropriate orders, require 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 dissolving the bonds of matrimony existing between her and the Respondent; that she be granted 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: W. C. Beebe

Solicitors for Complainant

THE STATE OF ALABAMA }
Baldwin County

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

HAZEL HARVILLE COMPLAINANT

VS.

GEORGE W. HARVILLE RESPONDENT

I, Virginia Keel

~~As Register and~~ Commissioner

have called and caused to come before me

HAZEL HARVILLE and HENRY PAYNE

witness ^{es} named in the Requirement for Oral Examination, on the 18 day of May
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 HAZEL HARVILLE

doth depose and say as follows:

My name is Hazel Harville. I am twenty-six years of age. I am a resident of Bay Minette, in Baldwin County, Alabama. George W. Harville is my husband. He resides at Bay Minette, Alabama. We were married at Bay Minette, November 10, 1934, and lived together as husband and wife until some time in September, 1940, when we separated. George W. Harville is a man of violent and ungovernable temper, and several times while we were living together he became angry and cursed me and threatened to kill me and several times he was only prevented from actually hitting me by intervention of my parents. I do not know why he did this way. In September, 1940, he came home one evening, and I think he must have been drinking, and as soon as he got in the house he started to curse me. I would rather not say what he said but it was awful words. He grabbed me and threw me down in a chair and slapped me, and said he was going to kill me. He fussed at me for some time and kept getting worse until he started after me with a poker and I ran and left the house and went over to my father's and told him what had happened and I have not lived with him since.

Hazel Harville

Henry Payne doth depose and says as follows:

My name is Henry Payne. I am a resident of Bay Minette. I am the father of Hazel Harville, Complainant, in this suit. George W. Harville, defendant, is her husband. They are both over the age of twenty-one years and reside in Bay Minette. They were married November 10, 1934. They lived together until some time in September, 1940 when they separated. The separation was because of his cruelty. He frequently flew into rages of violent anger and abused her and threatened to kill her and upon several occasions did attempt to kill her. I have frequently seen bruises on her body which he admitted he made. I was not at their home the night of their separation but she came to my house early in the evening all excited and told me he had come home drunk and had jumped on her and had tried to kill her. I talked with him the next morning and he corroborated what she had told me but said he was drunk and did not know what he was doing. They have both lived ever since their marriage in Bay Minette. They have not lived together since September, 1940.

Henry Payne

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Virginia Keel

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 Hazel Harville and Henry Payne

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

Hazel Harville Complainant

and

George W. Harville Defendant,

on oath to be by you administered, upon

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 18 day of May, 1942
R. S. Duck

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

HAZEL HARVILLE,
Complainant,

VS.

GEORGE W. HARVILLE,
Respondent.

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

Comes the Respondent, GEORGE W. HARVILLE and waives notice of application for oral examination by Complainant, and of notice to the issuance of the Commission to take deposition of Complainant's witness, notice of the time and place of taking such deposition, and the right to cross examine witnesses, and consent that the said cause may be set down for here and final decree without notice to him.

George W. Harville

Respondent.

RECORD

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 19th

day of May 1942

Resnick

Register.

824

RECORDED

Filed 5-18-42
R. H. D. Tuck
Clerk

Julius and Ethel
C. A. Miller
1914

RECORDED

No. 824

RECORDED

Filed 5-18-42

R. S. Truitt
clerk

Ms. 8264

RECORDED

Filed 5-18-42
P. S. Dwork
clerk

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

Hazil Harville

Complainant

VS.

George W. Harville

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

*Sworn 5-18-42
A. S. Street*

HAZEL HARVILLE VS GEORGE W. HARVILLE
Depositions of Hazel Harville and
Henry Payne, Witnesses for Complain-
ant.

R. S. Duck, Register
Bay Minette, Alabama

E & HALL
WYERS
TTE, ALABAMA

Virginia Keel
Commissioner

Virginia Keel,
Commissioner

Virginia Keel
Commissioner