

834

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EUGENIA A. HAYES Complainant

VS

BERNARD J. HAYES Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Answer~~ ~~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 Eugenia A. Hayes is forever divorced from the said

Bernard J. Hayes

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 Eugenia A. Hayes be, and she is hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 11th day of June 19 42

F. 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.

The State Of Alabama, Baldwin County

CIRCUIT COURT IN EQUITY

BERNARD J. HAYES

Respondent

No. Page
The State Of Alabama
Baldwin County
In Circuit Court, In Equity

EUGENIA A. HAYES
vs. Complainant.

BERNARD J. HAYES
Respondent.

DIVORCE DECREE

In a former decree entered and signed by the said court, it was ordered that the complainant should pay to the respondent the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is now ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

It is further ordered that the respondent should pay to the complainant the sum of \$1000.00 as a settlement of the property of the parties to the said decree.

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

Eugenia A. Hayes and Mary Rhodes

as witnesses in behalf of Eugenia A. Hayes in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

EUGENIA A. HAYES

Complainant

and

BERNARD J. HAYES

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 10th day of June, 19 42.

Roduch

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

EUGENIA A. HAYES, COMPLAINANT,

VS.

Bernard

~~BARNET~~ J. HAYES, RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

And now comes the Respondent in his own proper person and accepts service of the summons and complaint in this cause, and waives any and all other notices required by law to be given him, and the right to cross-examine witnesses of the Complainant, and agrees that this cause be submitted for final decree forthwith.

Bernard Hayes

Mrs C. Waltman

Mary Rhodes

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__

EUGENIA A. HAYES

Complainant—

VS.

BERNARD J. HAYES

Respondent—

TO R. S. DUCK, REGISTER:

In the above stated cause a Answer and Waiver

having been filed by _____ the Respondent—, 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, Solicitor^s 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—

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon BERNARD J. HAYES 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 EUGENIA A. HAYES against BERNARD J. HAYES, 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 the 10 day of June, 1942.

R. S. Duck
Register.

EUGENIA A. HAYES, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

BERNARD J. HAYES, RESPONDENT.

IN EQUITY.

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

Now comes your Complainant, EUGENIA A. HAYES, and humbly complaining against the Respondent, BERNARD J. HAYES, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both over twenty-one years of age, and residents of the State of Alabama;

2.

That your Complainant and the Respondent were married at Mobile, Alabama, on March 30, 1942, and lived together as husband and wife until, to-wit, May 9, 1942;

3.

That on, to-wit, May 9, 1942, and on several occasions prior thereto the Respondent cursed, threatened and abused the Complainant, and 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 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 do violence to her person which would necessarily endanger her life and health.

Wherefore, the premises considered, the Complainant prays that your Honor will by proper process make the said Respondent, BERNARD J. HAYES, party respondent

(2)

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 of this cause, your Honor will grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different, and 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: *Hubert*
Solicitor for Complainant.

EUGENIA A. HAYES, COMPLAINANT,

VS.

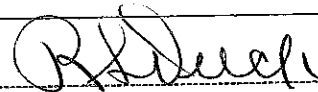
BERNARD J. HAYES, RESPONDENT.

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,
Answer & Waiver of the Respondent, Request for decree in vacation,
and Testimony of Eugenia A. Hayes and Mary Rhodes

and in behalf of Defendant upon



Register.

THE STATE OF ALABAMA
Baldwin County

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

EUGENIA A. HAYES

COMPLAINANT

VS.

BERNARD J. HAYES

RESPONDENT

I, Frances Brantley

as ~~Register and~~ Commissioner

have called and caused to come before me

EUGENIA A. HAYES and MARY RHODES

witnesses named in the Requirement for Oral Examination, on the 9th day of June

1942, 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

EUGENIA A. HAYES doth depose and say as follows:

My name is Eugenia A. Hayes. I am over twenty-one years of age and a resident of Baldwin County, Alabama. The Respondent, Bernard J. Hayes, is over twenty-one years of age and a resident of the State of Alabama.

The Respondent and I were married at Mobile, Alabama, on March 30, 1942. We lived together as husband and wife until May 9, 1942.

Soon after we were married the Respondent began drinking to excess and while under the influence of liquor has an uncontrollable temper. On various occasions while we were living together as husband and wife, and while he was under the influence of liquor he threatened and abused me and on several occasions threatened to do violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with him he would do violence to my person which would necessarily endanger my life and health.

The conduct of the Respondent was such as to render it absolutely impossible for me to live with him as his wife.

Mrs. Eugenia A. Hayes

MARY RHODES, A WITNESS FOR THE COMPLAINANT, HAVING BEEN FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Mary Rhodes. I live at 385 Monroe Street, Mobile, Alabama. I am personally acquainted with Eugenia A. Hayes and Bernard J. Hayes, the Complainant and Respondent in the above styled cause. They were married on March 30, 1942, and while living together as husband and wife I saw them very often. The Respondent after their marriage began to drink to excess and on many occasions while under the influence of liquor threatened and abused the Complainant. The conduct of the Respondent was such as to cause the Complainant to fear violence at his hands. From my observation and personal knowledge of their family life I know that it was impossible for the Complainant to live with the Respondent as his wife.

Mrs. Mary Rhodes

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— 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 10th day of June, 19 42.

Frances Brantley

(L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

EUGENIA A. HAYES
Complainant

Vs.

BERNARD J. HAYES
Respondent

ORAL DEPOSITION

Filed June 10th 1942
Frances Brantley, Register

RECORDED IN _____ Record

Vol. _____ Page _____

Register _____

(Handwritten initials)

No.

834

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

EUGENIA A. HAYES

COMPLAINANT,

VS.

BERNARD J. HAYES

RESPONDENT.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of

June 1934
Resdwell

REGISTER

EUGENIA A. HAYES, COMPLAINANT,

VS.

BERNARD J. HAYES, RESPONDENT.

SUMMONS AND COMPLAINT.

Filed

6-10-42

R. S. Luck

BEEBE & HALL, LAWYERS,
Bay Minette, Ala.

834

EUGENIA A. HAYES, COMPLAINANT,

VS.

BERNARD J. HAYES, RESPONDENT,

ANSWER & WAIVER OF RESPONDENT.

filed June 10th
1942
R. S. [unclear]
Ref

NO. _____

EUGENIA A. HAYES

Complainant—

VS.

BERNARD J. HAYES

Respondent—

Request For Decree In Vacation

Filed

June 10th, 1942
R. Adams

Register.

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

EUGENIA A. HAYES,

Complainant _____

vs.

BERNARD J. HAYES

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses: