

846

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GEORGIANA WEEKLEY

Complainant

VS

FLOYD WEEKLEY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree of Divorcement~~

~~of~~ Answer & 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 GEORGIANA WEEKLEY is forever divorced from the said

FLOYD WEEKLEY

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 GEORGIANA WEEKLEY be, and she is hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 6th day of August, 19 42.

[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 _____ day of _____, 19 _____

Register of Circuit Court, in Equity.

No. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

GEORGIANA WHEATLEY
vs. Complainant.

FLOYD WHEATLEY
Respondent.

DIVORCE DECREE

*John D. Long 721
1845
Baldwin
Ala*

It is further ordered, defendant and decedent that neither party in this case shall have any right to claim either party's estate or the real estate of the estate and that a judgment shall be entered in favor of the plaintiff and decedent that the estate of the defendant shall be divided equally between the plaintiff and decedent.

If a further order is made, the court shall have jurisdiction to enter such orders as may be just and proper in the premises.

If a further order is made, the court shall have jurisdiction to enter such orders as may be just and proper in the premises.

The court do hereby certify that the foregoing is a true and correct copy of the original as recorded by me.

Witness my hand and seal of office this 15th day of August, 1921.

John D. Long, Clerk of the Court.

Witness my hand and seal of office this 15th day of August, 1921.

John D. Long, Clerk of the Court.

THE STATE OF ALABAMA,
Baldwin County

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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 GEORGIANA WEEKLEY

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

GEORGIANA WEEKLEY Complainant

and

FLOYD WEEKLEY Defendant,

on oath to be by you administered, upon

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

Witness 30 day of July 19 42.

J. H. Duck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon FLOYD WEEKLEY to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within thirty days after the service of this summons, and there to answer, plead, or demur, without oath, to a Bill of Complaint lately exhibited by GEORGIANA WEEKLEY against said FLOYD WEEKLEY, 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 the _____ day of _____, 1942.

Register.

GEORGIANA WEEKLEY, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

FLOYD WEEKLEY, RESPONDENT.

IN EQUITY.

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

And now comes your Complainant, GEORGIANA WEEKLEY, and humbly complaining against the Respondent, FLOYD WEEKLEY, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That the Complainant is a resident of Baldwin County, Alabama, over twenty-one years of age, and has been a resident of Baldwin County for more than one year next preceding the filing of this Bill of Complaint; that the Respondent is a nonresident of the State of Alabama, his address being c/o Diamond Dairy, Pensacola, Florida;
2. That the Complainant and the Respondent were married at Bay Minette, Alabama, on May 30, 1925, and lived together as husband and wife until, to-wit: in August, 1941;
3. That in August, 1941, and at various times prior thereto, the Respondent threatened and abused the Complainant, and on several occasions did actual violence to her person, which necessarily endangered her life and health; that the Complainant had every reasonable apprehension to believe, and did actually believe that if she continued to live with the Respondent he would continue to do violence to her person which would necessarily endanger her life and health.

Wherefore, the premises considered, the Complainant prays that this Honorable Court will by proper process make the said FLOYD WEEKLEY 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

(2)

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; 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: *S. L. L. L.*
Solicitors for Complainant.

THE STATE OF ALABAMA
Baldwin County

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

GEORGIANA WEEKLEY

COMPLAINANT

VS.

FLOYD WEEKLEY

RESPONDENT

I, Frances Brantley

as ~~Register~~ and Commissioner

have called and caused to come before me

GEORGIANA WEEKLEY

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

1942, at the office of BEEBE & HALL

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

the whole truth, and nothing but the truth, the said

GEORGIANA WEEKLEY doth depose and say as follows:

My name is Georgiana Weekly. I live at Gateswood, in Baldwin County, Alabama, where I have lived for more than one year, next preceding the filing of this Bill of Complaint. I am over twenty-one years of age, and have lived in the State of Alabama all of my life. The Respondent Floyd Weekly is over twenty-one years of age and a resident of the State of Florida, his address being c/o Diamond Dairy, Pensacola, Florida. The Respondent and I were married at Bay Minette, Alabama, on May 30, 1925. We lived together as husband and wife in Baldwin County, Alabama, until in August, 1941.

The Respondent is a man who drinks considerably. Many times while we were living together as husband and wife, the Respondent threatened and abused me and on various occasions did actual violence to my person which necessarily endangered my life and health. The last time that he was at my place he jumped on me about some little matter and hit me on the head with his fist. His conduct was such that I could not live with him any longer. If I should live with him I know that he will continue to abuse me as he has heretofore, and his abuse would necessarily endanger my life and health. He has contributed nothing toward my support since we separated.

Georgiana Weekly

ORAL EXAMINATION

I, Francis Beatty, 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— and read over to her and she 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— or had proof made before me of the identity of said witness—; 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 30 day of July, 1942
Francis Beatty (L. S.)

No. 846 Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

GEORGIANA WEEKLEY Complainant

Vs.

FLOYD WEEKLEY Respondent

ORAL DEPOSITION

Filed July 30, 1942
Francis Beatty Register

RECORDED IN _____ Record

Vol. _____ Page _____

Register _____

✓

RECORDED

GEORGIANA WEEKLEY, COMPLAINANT,

VS.

FLOYD WEEKLEY, RESPONDENT.

SUMMONS AND COMPLAINT.

Filed July 31 1943
Ray

BEEBE & HALL
Bay Minette, Ala.

RECORDED
NO 846

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

GEORGIANA WEEKLEY, COMPLAINANT

Complainant

VS.

FLOYD WEEKLEY, RESPONDENT

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

MS

8581. NOTE OF TESTIMONY

GEORGIANA WEEKLEY, COMPLAINANT,

VS.

FLOYD WEEKLEY, 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 and Waiver of the Respondent, and testimony of Georgiana Weekley

and in behalf of Defendant upon

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194 _____

GEORGIANA WEEKLEY, Complainant

Vs.

FLOYD WEEKLEY, 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.

846

No. _____ Page _____

~~RECORDED~~
~~RECORDED~~

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

GEORGTANA WEEKLEY

Vs.

FLOYD WEEKLEY

**REQUEST FOR DECREE IN
VACATION**

Filed _____, 194_____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page.]

RECORDED

No. 5476

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

GEORGIANA WEEKLEY, COMPLAINANT,

vs.

FLOYD WEEKLEY, RESPONDENT

NOTE OF TESTIMONY

Filed in Open Court this 3rd

day of July 1948

Robert
REGISTER

GEORGINA WEEKLEY, COMPLAINANT,

VS.

FLOYD WEEKLEY, RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

And now comes the Respondent, FLOYD WEEKLEY, in his own proper person, and accepts service of summons and complaint in the above cause, and denies each and every allegation contained therein.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant, the right to cross examine the Complainant's witnesses, and agrees that the matter be submitted forthwith for final decree without further notice.

Floyd Weekley
Respondent.

WITNESSES:

J. B. Weekley

840
RECORDED

GEORGIANA WEEKLEY, COMPLAINANT

VS.

FLOYD WEEKLEY, RESPONDENT

ANSWER & WAIVER

*Filed July 1st 1942
R. H. H. H.*