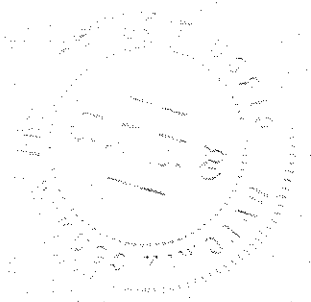


Copy
of Decree



STATE OF ALABAMA, BALDWIN COUNTY.

CHARITY WEAVER,

Complainant,

No. 9843 VS

ALLEN WEAVER,

Defendant.

IN THE CIRCUIT COURT IN EQUITY,

AT BAY MINETTE, ALABAMA.

This cause is submitted for decree on the pleadings, and the testimony as shown by the note of submission on file, and on consideration, it is ordered, adjudged and decreed by the Court that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Defendant be and the same are henceforth dissolved and annulled.

It is further ordered and decreed that the Complainant, Charity Weaver, be and hereby is permitted to again contract marriage, subject to such provisions of the law as regulate the marriage of divorced persons, but in no event before the expiration of sixty days after the rendition of this decree.

It is further ordered, adjudged and decreed that the custody of the minor child, Stella Weaver, be and hereby is awarded to the complainant, Charity Weaver, but this court retains jurisdiction of the care and custody of said minor child for the purpose of making such further orders as to such custody as the welfare of said child may render proper.

It is further ordered that respondent pay the costs of this suit, for which execution may issued.

In term time, September ^{15th}, 1933.

G. W. Hare
JUDGE.

RECORDED
221

In Circuit Court of
Baldwin County
Exhibits No 9843

Charity Woods
vs
Allie Woods

Final Decree.

1924

The State of Alabama,
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon ALLEN WEAVER

of BALDWIN County, 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

CHARITY WEAVER

against said ALLEN WEAVER

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant 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, T. W. Richerson, Register of said Circuit Court, this 22 day of

APRIL

1933

T. W. Richerson Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

40-61-29-50
Original

SERVE ON _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

CHARITY WEAVER

vs.

ALLEN WEAVER

B.F. McMILLAN, JR.

Solicitor for Complainant

Recorded in Vol _____ Page _____

RECORDED
INDEXED
THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this _____

day of _____ 19 _____

Sheriff _____

Executed this 25th day of

July 1933 19 _____

by leaving a copy of the within Summons with

Allen Weaver

Defendant

W.R. Stuart

Sheriff

By _____

Deputy Sheriff

STATE OF ALABAMA, |
 | * IN THE CIRCUIT COURT OF SAID COUNTY. IN EQUITY.
COUNTY OF BALDWIN. |

TO THE HONORABLE F. W. HARE, JUDGE:-

Humbly complaining your oratrix, Charity Weaver, as complainant, brings this bill of complaint against Allen Weaver, as respondent, and respectfully shows:

FIRST.

Complainant and Respondent are each over the age of twenty-one years; complainant is a bona fide resident of Mobile County, Alabama, and has been such resident for more than three years next preceding the filing of this bill of complaint. The respondent is a resident of Alabama and complainant is advised and believes and upon such information and belief states he resides in Baldwin County, Alabama.

SECOND.

Complainant and Respondent were married to each other at Perdido Station in Baldwin County, Alabama, in the year 1918 and they lived together periodically in Baldwin County, until January of 1932, but during such time Respondent's treatment of complainant was such that she frequently had to separate from him so that they did not continuously live together.

THIRD.

After the said marriage and during the time complainant attempted to live with the said respondent, he was very cruel to complainant and frequently beat her with his fists and his conduct towards complainant was such that she could not continue to live with him with safety and complainant now charges the respondent with having committed actual violence on her person accompanied with danger to life or health and that from his conduct there is reasonable apprehension of such violence and complainant has done nothing to condone the said acts. Complainant and respondent were separated at Bay Minette, in Baldwin County, Alabama, in January of 1932.

FOURTH.

Complainant further alleges that there is one child born of said marriage, viz: a girl named Stella Weaver, who is now only eleven years old and who now lives with complainant and has lived with complainant all her life and complainant is the proper person to have the custody and care of said minor child.

PRAYER FOR PROCESS.

The premises considered the complainant prays that your Honor will take jurisdiction of the cause made by this bill of complaint and that by proper process issuing to him from this court the said Allen Weaver be made a party respondent hereto and be required to answer the charges herein made against him in all things as required by the rules and practices of this court.

PRAYER FOR RELIEF.

Complainant further prays that upon the hearing of said cause your Honor will order, adjudge and decree that the bonds of matrimony heretofore existing between complainant and respondent be forever dissolved; that the custody of the said child, Stella Weaver, be awarded to complainant; that complainant be permitted to contract another marriage should she so desire and that your Honor will grant to her such other, further and different relief as in equity and good conscience may be due complainant in the premises.

B. F. McMillan
SOLICITOR FOR COMPLAINANT.

FOOT NOTE: The respondent, Allen Weaver, is required to answer each and every allegation and paragraph of the foregoing bill of complaint but his oath thereto is hereby expressly waived.

B. F. McMillan
SOLICITOR FOR COMPLAINANT.

Bill of Complaint ²³⁴ **RECORDED**

Charity Weaver,
complainant,
vs.
Allen Weaver,
Respondent.

Filed April 22, 1933.
J. M. Richardson,
Register.

B. J. McMillan, Jr.,
Solicitor for Complainant.

CHARITY WEAVER,

Complainant,

vs

ALLEN WEAVER,

Respondent.

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

No. _____

Comes the respondent and for answer to the complaint says:

1. Complainant admits the marriage as alleged and further admits the ages and residences of the parties but he denies the other allegations of the complaint.

Dated this 25th day of July, 1933.

CHARITY WEAVER,

Complainant,

vs

ALLEN WEAVER,

Respondent.

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

No. _____

Comes the respondent and agrees that the complainant may take her testimony and submit the cause for final decree.

Respondent waives all further forms and notices.

Dated this 25 day of July, 1933.

Witness
W. R. Stewart
M. H. Stewart
Randolph M. Stewart

Signature Allen Weaver

^{15th}
RECORDED

In Circuit Court
Boonville Co
Equity No 9 84 3

Charity Weaver
vs
Allen Weaver

Defendants answer
received
Filed Sept 11th 1933
M. A. Stone
register

CHARITY WEAVER,
Complainant,
vs
ALLEN WEAVER,
Respondent.

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

No. 9845

Personally appeared before me, Ruth Macdonald, Commissioner named in the attached commission, Charity Weaver and Jim Allen, material witnesses for the complainant in the foregoing cause, who being by me first duly sworn to speak the truth, the whole truth and nothing but the truth, did depose and say on oral examination as follows:

Deposition of Charity Weaver.

My name is Charity Weaver. I am thirty-five years old and live in Mobile County, Alabama. The respondent, Allen Weaver is over forty years of age and he lives in Baldwin County, Alabama. Allen Weaver is a bona fide resident of Baldwin County, Alabama and has been such resident continuously for more than two years. He moves about from one part of the county to another and is now living with another woman who passes as his wife. I lived in Baldwin County until January of 1932 but I left Baldwin County about that time and came to live in Mobile.

The respondent, Allen Weaver, and I were married to each other in 1918 and we lived together off and on from that time until 1932 but during the time I tried to live with him as his wife he would frequently leave me and for a number of years hasn't done anything for my support and has been extremely cruel to me.

A few years after we were married, Allen Weaver began to be very cruel to me and he grew worse as time went on. He beat me with his fists and used to threaten my life and on more than one occasion he has threatened to kill me. In January of 1932, he beat me to the extent that my health was greatly impaired and I couldn't live with him with safety. He beat me over the face and on the body and threatened to kill me and if I had continued to live with him I believe he would have carried out his threat.

At that time we were in Bay Minette, Alabama. We separated in Bay Minette, Alabama, for the reasons I have stated, in January of 1932.

We had one child born of the marriage, a girl named Stella Weaver. She is now eleven years old and lives with me. She has lived with me all her life. I am the proper person to have the custody of the said minor child and Allen Weaver, the father is not the proper person to have such custody because he doesn't stay home to care for the child and he has failed or refused to support the child and is a heavy drinker.

Charity Weaver

Deposition of Jim Allen.

My name is Jim Allen. I am sixty-three years old and I live in Baldwin County.

I know Charity Weaver and I also know Allen Weaver and knew them when they were living together. They are both over the age of twenty-one years and they lived together in Baldwin County, Alabama, and they separated in Baldwin County, Alabama.

I know that Allen Weaver beat Charity Weaver because I have seen her after he had beat her and saw the marks and bruises of the beating he had given her. I never heard him threaten to kill her but from her appearance after he had beat her I believe he would have killed her if she had remained with him.

In my opinion Charity Weaver is the proper person to have the custody of the minor child and I do not believe Allen Weaver is the proper person to have such custody because he is a man of violent temper and I know that he drinks liquor very hard.

J. J. Allen

CERTIFICATE.

STATE OF ALABAMA,
COUNTY OF BALDWIN.

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IN THE CIRCUIT COURT OF SAID COUNTY
IN EQUITY No. 9843.

I, Ruth Macdonald, the Commissioner in the commission hereto attached named, do hereby certify that I am personally acquainted with the said witnesses, Charity Weaver and Jim Allen and know them to be the identical persons named in said commission, that they were duly sworn by me to speak the truth, the whole truth and nothing but the truth and examined as above stated and that their evidence was taken down by me as near as might be in their own language and was subscribed by them in my presence on the 26th day of August, 1933, at room 805 of the Van Antwerp Building, Mobile, Alabama.

I further certify that I am neither of counsel nor of kin to any of the parties to this cause nor in any way interested in the result thereof.

Witness my hand and seal this 27th day of August, 1933.

Ruth Macdonald
COMMISSIONER.

Commissioner's fee \$5.00

The State of Alabama,
Baldwin County

CIRCUIT COURT

To Ruth Macdonald, Mobile, Alabama.

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 Charity Weaver and Jim Allen

s witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Charity Weaver

is Complainant
and Allen Weaver

is Defendant,
oath to be by you administered, upon _____
take and certify the deposition of the witnesses and return the same to our Court, with all convenient
need, under your hand.

Witness 25th day of August 19 33

W. A. Stone

REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESSES' FEES, \$ _____

B. F. McMILLAN, JR.
ATTORNEY AT LAW
803-806 VAN ANTWERP BLDG.
MOBILE, ALABAMA

Filed Sept 11th 1903
W. A. Stone
Register

Mrs. W. A. Stone, Register,
Circuit Court,
Bay Minette, Alabama.

IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY No. 9843.
CHARITY WEAVER, Complainant,
vs
ALLEN WEAVER Respondent.
Depositions of Charity Weaver and Jim
Allen, witnesses examined on behalf of
complainant.

NO. 9843

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Charity Weaver

vs. Complainant

Allen Weaver

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Ruth Macdonald

WITNESSES: