

2598

The State of Alabama, Baldwin County

Circuit Court, In Equity

Eria Lee Harville, Complainant

vs.

Norman Harville, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and waiver 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 Eria Lee Harville is forever divorced from the said Norman Harville for and on account of Cruelty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the care custody and control of the minor child, Carolyn Lou Harville. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Respondent pay to the Complainant for the maintenance and support of said minor child, Carolyn Lou Harville, the sum of Thirty (\$30.00) Dollars per month.

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

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

This 14th day of February, 1951.

Jeffrey P. Moskberry, Jr.
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 _____ day
of _____, 19____.

Register of Circuit Court, In Equity.

RECORDED

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Eria Lee Harville

Complainant

vs.

Norman Harville

Respondent

DIVORCE DECREE

FILED

FEB 14 1951

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Eria Lee Harville

Complainant

VS.

Norman Harville

Respondent

I, Frederick Watts

as Register and Commissioner

have called and caused to come before me Eria Lee Harville and Rosie McDowell

witness named in the Requirement for Oral Examination, on the 10 day of February
19451, at the office of Hubert M. 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 Eria Lee Harville and
Rosie McDowell doth depose and say as follows:

My name is Eria Lee Harville. I am the Complainant in the above styled cause. The Respondent, Norman Harville, and I are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

The Respondent and I married in Bay Minette, Alabama, on August 20, 1946. We lived together as husband and wife in Baldwin County, Alabama, until October 20, 1950.

The Respondent on October 20, 1950, committed actual violence to my person by striking me. 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 carry out his threats and do further violence to my person which would necessarily endanger my life and health. The conduct of the Respondent toward me was such as to render it absolutely impossible of us to live together as husband and wife.

The Respondent and I have one child, Carolyn Lou Harville, now twenty-two months old. I have a home and a suitable place for the child and I am the suitable, fit and proper person to have her care and control. The Respondent due to the tender age of the child is not a suitable, fit or proper person to have its care and control. The Respondent is an able bodied man and I feel is fully capable of contributing Thirty (\$30.00) Dollars per month toward the maintenance and support of the child and I am sure that such amount is reasonable taking into consideration his earning capacity.

Eria Lee Harville

Rosa McDowell, a witness for the Complainant being first duly sworn, deposes and says:

My name is Rosa McDowell. I am the mother of the Complainant. My daughter came to me the next day after she and the Respondent had had trouble. She, at that time had bruises about her body and she told me that they had been put there by the Respondent.

I have had occasion to see the Complainant and the Respondent from time to time and know that the conduct of the Respondent toward the Complainant is such as to render it absolutely impossible for them to live together as husband and wife.

Rosie McDowell

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Eria Lee Harville

vs. Complainant

Norman Harville

Respondent.

Oral Deposition

Filed _____, 194____

Register.

FILED

Recorded in

FEB 14 1951

Record

Vol. _____ Page _____

ALICE L. DUCK, Register

Register.

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness _____ and read over to them and they 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 proom 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 10 day of February, 194 51.

Evelyn Watts (L. S.)

ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now comes the Respondent, in his own proper person, and for answer to the Complainant's bill of complaint says:

1.

He admits the allegations contained in paragraph one that the Complainant and the Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

He admits the allegations contained in paragraph two that the Complainant and the Respondent married at Bay Minette, Alabama, on August 20, 1948, and lived together as husband and wife in Baldwin County, Alabama, until October 20, 1950.

3.

He denies all the allegations contained in paragraph three that he has committed actual violence to the Complainant or that from his conduct there is a reasonable apprehension that he will commit violence to the Complainant which would endanger her life and health.

4.

He admits the allegations contained in paragraph four that there born to the marriage between your Complainant and the Respondent one child now 22 months old, Carolyn Lou Harville; that the Complainant, the mother of the child is the suitable, fit and proper person to have her care and control.

The Respondent further admits that THIRTY (\$30.00) DOLLARS per month is a reasonable amount to be paid by him for the maintenance and support of said child, Carolyn Lou Harville, which amount he agrees to pay and consents that the same may be incorporated in the final decree in this cause.

5.

The Respondent agrees to pay the court costs and Twenty five (\$25.00) Dollars toward the attorney's fee in this cause.

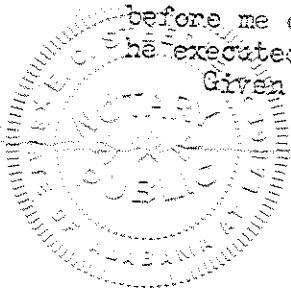
6.

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

Norman Harville (SEAL)

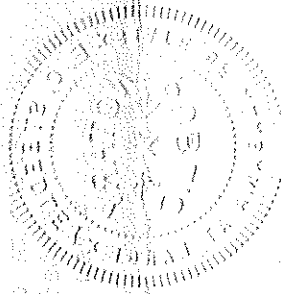
STATE OF ALABAMA
BALDWIN COUNTY

I, PC Hudley, a Notary Public, in and for said County, in said State, hereby certify that Norman Harville, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.
Given under my hand and seal on this the 10 day of February, 1951.



PC Hudley
Notary Public, Baldwin County, Alabama

RECORDED



ERIA LEE HARVILLE

COMPLAINANT

VS

NORMAN HARVILLE

RESPONDENT

ANSWER AND WAIVER

FILED

FEB 14 1951

ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Eria Lee Harville and Rosie McDowell

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

and Norman Harville, Complainant

Respondent

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

Witness 10th day of Feb, 1951

Archie J. - Welch
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Eric Lee Harville

Complainant

vs.

Norman Harville

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

Eria Lee Harville

vs.

Norman Harville

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Answer and waiver and testimony of Eria Lee Harville and
Rosie McDowell

and in behalf of Defendant upon _____

For Sale
Sol. for Camp

Alvin F. Hirsch

Register.

RECORDED

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Eria Lee Harville

vs.

Norman Harville

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED
FEB 14 1951

Register.

Printed By The Baldwin Times

STATE OF ALBAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are hereby commanded to summons NORMAN HARVILLE, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ERIA LEE HARVILLE as Complainant and against NORMAN HARVILLE, as Respondent.

Witness my hand this the 24th day of January, 1951.

Alice J. French

ERIA LEE HARVILLE
COMPLAINANT

VS

NORMAN HARVILLE
RESPONDENT

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

TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Eria Lee Harville, respectfully represents
unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide
residents of Baldwin County, Alabama, and over twenty-one years
of age.

2.

That Your Complainant and the Respondent married at Bay Minette,
Alabama, on August 20, 1948, and lived together as husband and wife
in Baldwin County, Alabama, until October 20, 1950.

3.

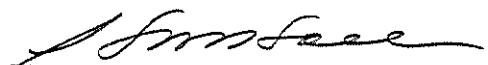
That on October 20, 1950, the Respondent committed actual
violence to your Complainant by striking her; that his conduct
is such as to give your Complainant every reasonable apprehension
to believe and she does actually believe that if she continues to
live with him he will carry out his threats and do further violence
to her person which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent one child now twenty-two months old, Carolyn Lou Harville; that your Complainant is the suitable, fit and proper person to have the care and control of said child; that your Complainant has no property and no means of making a livelihood for herself and minor child other than by her manual labor; that your Respondent is an abled bodied man capable of earning \$30.00 to \$50.00 per week, and able to care and provide for the Complainant and the minor child.

WHEREFORE, the premises considered, Your Complainant prays that your Honor will by proper process make the said Norman Harville 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; that Your Honor will order a reference to determine a reasonable amount to be paid by the Respondent to the Complainant as attorney's fees, and as alimony pende lite.

Your Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree awarding to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will award to your Complainant the Permanent care, custody and control of the minor child, Carolyn Lou Harville; that Your Honor will enter a decree ordering and requiring the Respondent to pay to your Complainant such amount as to your Honor shall seem just and proper as permanent alimony; that your Honor will given and grant unto your Complainant 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.


Solicitor for the Complainant

Norman Harville

NO 2598

Received in Sheriff's Office
this 25 day of Jan, 1951
TAYLOR WILKINS, Sheriff

Delivered Jan 26 1951
by serving copy of within Summons and
Complaint on

Norman Harville

Taylor Wilkins Sheriff
By H. F. Hall Deputy Sheriff

FILED
JAN 24 1951
ALICE J. DUCK, Register

2598