

1014

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

ESTHER HOLLEY. Complainant

VS

JOSEPH E HOLLEY. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~
on ANSWER & 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said ESTHER. HOLLEY.
is forever divorced from the said

JOSEPH E HOLLEY.

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 ESTHER HOLLEY. & JOSEPH E HOLLEY.
be, and ~~They are~~ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

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

This 11th day of January, February, 19 44

A. W. Hale
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.

Mrs. Esther Hollie
Complainant,

vs.

Joseph E Hollie
Defendant.

In Circuit court, of Baldwin County, Alabama,

In "equity"

Comes To Honorable F.W.Hare, Judge of said Court.:

Comes your Oratrix in the above stated case, and prays leave of the Court to amend the original bill of Complaint, ~~as follows~~ by adding to the second paragraph the following:

And Oratrix charges and avers that after inflicting said violence on Defendant, and without fault on her part, Defendant voluntarily abandoned Oratrix, her bed and board in Baldwin County Alabama, and has never lived with her since.



Solicitor for Complainant.

I, E.W.Holt the commissioner under and by the authority of my appointment of the circuit court in equity of Baldwin County Alabama, in a case in which Esther Holley is Complainant and and Joseph E.Holley is Defendant, to take the testimony of certain witnesses orally, have called and caused to come before me the following named witnesses, viz:- Esther Holley, and Virginia Houchins, who being first duly sworn to speak the truth, the whole truth and nothing but the truth, do says;

The witness Esther Holley says; I am the Complainant in the above stated cause, I am 32 years of age, and reside in Baldwin County Alabama. The Defendant is my husband and is about 31 years of age, and resides in Montgomery Alabama, I have resided in the state of Alabama for a period of more than three years next before filing this bill of Complaint. We were married in Autauga county Alabama in 1938, but the separation took place in Baldwin County Alabama.

We are not liveing together now, the reason why is because Defendant voluntarily abandoned me, my bed and board, without nay fault of mine, as far as I could see, I haveing patiently and faithfully looked after his welfare as best I could. I have a daughter about 15 years of age, the child of my first husband, wha is with me and I have always worked and provided for my self and said child, without any help from Defendant, furthermore, when he left me he carried every thing, practically I had away with him.

Esther Holley

The itnexs Virginia Houchins being first duly sworn, says; I know each of the parties to this suit, I remember about the date of their marriage, which took place in Prattville Alabama, in the year 1938, oth of them are over legal age, Complainant resides in Baldwin County Alabama, but Defendant resides when at home, in Montgomery Alabama, but has been away from here for quite awhile until now. Complainant has resiede in the state of Alabama continously immediately before fileing this bill over three years,

Complainant and Defendant do not live together now, they separated in Baldwin county Alabama more than two years ago perhaps three years ago; which was caused by Defendant voluntarily abandoning Complainant, her bed and board, voluntarily, as afr as I could see or understand, and if Complainant did any thing to cause him to leave her, it was not apparent to me. I can not say what might have occurred when absent fro where I was, but I know Complainant to be a most affectionate wife, and can not believe she did any thing worthy of his desertion and I think I ould hav known or heard something of it if she had.

Virginia Houchins

I, the Commissioner under and by authority of my appointment as commissioner, have called and caused to come before me at my office in the city and county of Montgomery Alabama both of the above named witnesses, whose names are signed to the foregoing testimony, and I hereby certify that they both gave in their testimonym which was taken down before me under oath; and I forther certify that Bothe witnesses are know to me to be the identical parties whose mames are signed to thair respective testimony and that I m not of counsel or of kin to either of the parties to this suit and in no way interested in the result thereof.
done this 1st day of November 1943.

E. W. Holt

Commissioner.

Esther Hollie ,Complainant;) In Circuit Court of Baldwin County Alabama.

vs) In Equity.

Joseph E.Hollie Defenant, .)

Comes the Defendant Joseph E.Hollie, and makes the following answer answer to a bill of complaint filed against him in the ~~above~~ above stated cause:-

- 1--- The Defendant in answer to the first paragraph of said bill says, the allegations therein are true.
- 2--- Defendant denies each allegation contained in the second paragraph of said bill and demands strict proof theteof.

Joseph E. Hollie

Defendant.

The Defendant in the above stated cause accepts service of summons in said cause and waives service hereof by the Sheriff.

And Defendant hereby waives legal notice of the time and place of takeing testimony by Complainant, and agrees for said cause to be submitted for final decree without further notice to him.

Joseph E. Hollie
Defend^{nt}.

The state of Alabama

Montgomery County.)

Before me

C. D. Zimmerman

in and for the county and state aforesaid, hereby certifyethat Joseph E. Hollie, who is known to me and whose name is signed to the going acknowledgement, and waiver, appeared before on this day and after the contents were made known to him signed the same voluntarily on the day the same bears date.

Given under my hand this 27th day of October 1943.

C. D. Zimmerman

Notary Public.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To E. W. Stet

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

Esther Holley and Virginia Hester

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

Esther Hollie.

is Complainant and Joseph E Hollie.

is Defendant,

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

Witness 28th day of Oct. 19 43

Register

REGISTER

COMMISSIONER'S FEE, \$ paid.

WITNESS' FEES, \$ _____

 Esther Hooley

 VS.

 Joseph E Hooley.

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, _____
 and Testimony of Complainants Witnesses _____

and in behalf of Defendant upon Answer & Waiver. _____

_____ Register.

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

.....
.....
vs. Complainant.

.....
.....
Respondent.

DIVORCE DECREE

RECORDED

Mrs. Esther Hollie

VS

Joseph E. Hollie

Amendment to the Origin 1 Bill of
Complaint.

Filed Feb 5-1944
R. H. Mack
Register

[Vertical stamp or signature]

No 1014

Esther Holley

27

Joseph E. Holley

Deposition of Com
Hainaut witness

Filed Jan 23 1944

Edward
Fisher

~~1014~~ 1014

RECORDED

to

Esha Holler

M

Joseph E Kelly

Assistant Director
of Defense

Filed Oct 28 1943
Produced
By

RECORDED

No. 1014

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Esther Holley

VS.

Joseph E. Holley.

NOTE OF TESTIMONY

Filed in Open Court this 27th.

day of Jan. 194 4



Register.