

TEVIS MAY BREAKER

Complainant

VS

ROY RUFUS BREAKER

Respondent

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 Tavis May Breaker is forever divorced from the said

Roy Rufus Breaker

for and on account of Intolerable Cruelty

It is further ordered, adjudged and decreed that Complainant herein shall
take and have custody of the child, Clifford Maxwell Breaker

It is further ordered, adjudged and decreed that Defendant, Roy Rufus Breaker, shall pay to Complainant, as permanent alimony, the sum of Seventeen (17) Dollars each and every week hereafter unless modified for good cause shown

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 either party herein
be, and _____ hereby permitted to again contract marriage upon the payment of the cost of
this suit.

It is further ordered that _____
the Defendant pay the cost herein to be taxed, for which execution may issue.

This 14th day of April, 1944

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.

RECORDED

No. 1099 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

Barker

vs. Complainant

Barker

Respondent

DIVORCE DECREE

To The Honorable Francis W. Hare, Judge of the Circuit Court of Baldwin County, sitting in Equity:

Comes Tevis May Breaker and by this, her Bill of Complaint, presented against Roy Rufus Breaker, respectfully shows:

First:

Complainant intermarried with Roy Rufus Breaker on August 22nd 1933 at Tampa, Florida, and both parties hereto are past the age of twenty one years.

Second:

Said parties hereto have lived in the State of Alabama for more than two years past and live, presently, in Baldwin County therein.

Third:

There is a child, Clifford Maxwell Breaker, born to said marriage who is now nine years of age.

Fourth:

For more than one year past, Respondent has committed violence upon Complainant's person attendant with danger to her life, limb and health and, by such acts, has put her in fear of her life, limb and safety.

THE PREMISES CONSIDERED Complainant prays that said Roy Rufus Breaker, the said Respondent, be made Defendant to this Bill and, by appropriate process, be required to answer same within the period required by law and to obey all orders and decrees that may be made in the premises.

COMPLAINANT FURTHER PRAYS that, upon a hearing of this cause, a decree be rendered forever divorcing her from said Roy Rufus Breaker, granting her custody of said child, Clifford Maxwell Breaker, granting her such sums as permanent alimony as to Your Honor may appear mete and proper, granting her the right to remarry should she so desire and granting her such other, different and additional relief as to Your Honor may appear mete and proper in the premises.

E. A. Tramer

Solicitor for Complainant.

Tervis May Breaker : Circuit Court
Complainant :
vs : Baldwin County
: Alabama
Roy Rufus Breaker :
Respondent : In Equity

Comes Roy Rufus Breaker, and for answer to the Bill of Complaint in the above titled cause says that he denies each and every allegation therein contained.

Respondent further waives notice for demand for oral examination of Complainant's witnesses, the issue of formal commission to take testimony, notice of the time and place for taking same, and the right to cross examine and introduce evidence in his own behalf and agrees that this cause may be submitted for final decree at any time without further notice to him on the pleadings and Complainant's evidence as noted by the Register.

Roy Rufus Breaker

State of Alabama
Baldwin County

Personally appeared Roy Rufus Breaker, who is known to me, and he acknowledged that he executed the foregoing answer and waiver voluntarily and with full knowledge of its contents.

Given under my hand and official seal this 4th day of April, 1944.

E. Craver
Notary Public, Baldwin County
Alabama.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Francis G Crawford.

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 Tevis May Breaker and Mrs Lonnie Todd,

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

Complainant
and Roy Rufus Breaker.

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 8th day of April. 19 4
4

REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

TEVITS MAY BREAKER.

XXXXXXXXXXXXX.

Complainant

vs.

ROY RUFUS BREAKER.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

1097

RECORDED

Breaker

✓

Breaker

Wesley and Wines

June 28 1944
Wesley and Wines

1097

RECORDED

Compelment

Breaker

OK

Breaker

June 8 1944

Reynolds

Reynolds

THE STATE OF ALABAMA }
Baldwin County }

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

Tervis May Breaker

COMPLAINANT

vs.

Roy Rufus Breaker

RESPONDENT

I, Frances C. Crawford

as Register and Commissioner

have called and caused to come before me Tervis May Breaker and Mrs. Lonnie Todd

witnesses named in the requirement for Oral Examination, on the 5th day of April

1944, at the office of E. A. Cramer. attorney

in Fairhope, Alabama, and having first sworn said witnesses to speak the

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

Tervis May Breaker doth depose and say as follows:

Roy Rufus Breaker and I were married on August 22nd 1933 at Tampa, Florida. We are both past the age of twenty one years. We have lived in Alabama for more than two years, at present living in Baldwin County, Alabama, at Spanish Fort. We have one child, Clifford Maxwell Breaker, aged Nine years. For more than one year past, my husband has been mistreating me, beating me and generally abusing me in such a way that I cannot bear to continue to live with him. On Monday of this week, he punched me around and hurt me so badly that I had to run to a neighbor for protection. I would like to have custody of my boy if a decree is granted me. I am also satisfied that my husband can pay me at least Seventeen (17) Dollars a week as alimony. He makes close to fifty dollars a week, most weeks. In recent weeks, my husband threatened to kill me and I am deathly afraid that he may do so. I have laid awake nights in fear of his doing so.

Tervis May Breaker

And the said Mrs. Lonnie Todd doth depose and say as follows:

I have known Mr. and Mrs. Breaker for a number of months, being a neighbor of theirs. I have seen Mr. Breaker punch and mistreat Mrs. Breaker on several occasions. I live at Spanish Fort, Baldwin County, Alabama.

Mrs. Lonnie Todd

I, Frances G. Crawford 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 as and read over to them and they signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as or had proof made before me of the identity of said witness as; 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 5th day of April 1944.

Frances G. Crawford (L. S.)

No. 1097

Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Decker

COMPLAINANT

Decker vs.

RESPONDENT

ORAL DEPOSITION

Filed May 8, 1944

Decker, Register.

RECORDED IN

Record

Vol. _____ Page _____

, Register

RECEIPT

No. 247

THE STATE OF ALABAMA, BALDWIN COUNTY

Equity Division, Circuit Court.

Case No. 1097

Date 4-8, 1944

RECEIVED OF G. Crum (Brantley vs Brantley)
the sum of Ten

Trial Tax

\$ 3.00

\$ 7.00

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

\$

R. S. Brantley

As Register, Baldwin County, Ala.

TOTAL: \$ 10.00

By _____

Tervis May Breaker.

VS.

Roy Rufus Breaker.

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 Tervis May Breaker. and Mrs Lennie Todd.~~

and in behalf of Defendant upon ~~Answer and waiver.~~

R. Duck Register.

RECORDED

No. 1097

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Tavis May Breaker.

VS.

Roy Rufus Breaker.

NOTE OF TESTIMONY

Filed in Open Court this 8th.

day of April. 1944

R. A. Luck

Register.