

(3253)

DIVORCE DECREE

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

KATHERINE WEAVER BROOKS, Complainant  
vs.

ERNEST D. BROOKS, JR, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said

Katherine Weaver Brooks is forever divorced from the said Ernest D. Brooks, Jr for and on account of

Abandonment

It is further ordered, adjudged and decreed by the court that the Complainant be and she is hereby given the right to resume her maiden name, Katherine Weaver.

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 Katherine Weaver Brooks the Complainant pay the cost herein to be taxed, for which execution may issue.

This 1<sup>st</sup> day of June, 1954

Hubert M Hall  
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

Katherine Weaver Brooks

Complainant

vs.

Ernest D. Brooks, Jr

Respondent

DIVORCE DECREE

FILED

JUN 1 1954

ALICE J. DUCK, Register

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Ernest D. Brooks, Jr., 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 Katherine Weaver Brooks as Complainant and against Ernest D. Brooks, Jr., as Respondent.

WITNESS my hand this the 13<sup>th</sup> day of May, 1954.

Register.

KATHERINE WEAVER BROOKS,  
COMPLAINANT,  
VS  
ERNEST D. BROOKS, JR.,  
RESPONDENT.

TO HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALA-  
BAMA:

Your Complainant, Katherine Weaver Brooks, 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 have been more than two years next preceding, That your Complainant is over the age of 18 years, and the Respondent is over the age of 21 years.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama, on July 28, 1952, and lived together as husband and wife until, on-to-wit: October 15, 1952.

3.

That on October 15, 1952, while your Complainant and the Respondent were living together the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

1

That the Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Ernest D. Brooks, Jr., party Respondent to this cause of action, 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.

Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of 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.

  
Solicitor for the Complainant.

3253

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

RECORDED

Received 13 day of May 1954  
and on 19 day of May 1954  
I served a copy of the within  
on \_\_\_\_\_

By service on Ernest D. Brooks, Jr.

TAYLOR WILKINS, Sheriff  
By Feterville D. S.

KATHERINE WEAVER BROOKS,

COMPLAINANT,

VS

ERNEST D. BROOKS, JR.,

RESPONDENT.

BILL OF COMPLAINT

C. LeNoir Thompson  
Attorney At Law  
Bay Minette, Alabama

FILED

MAY 13 1954

ALICE J. DUCK, Register

KATHERINE WEAVER BROOKS

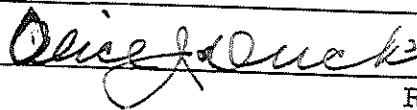

vs.

ERNEST D. BROOKS, JR.

THE STATE OF ALABAMA  
Baldwin CountyIN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_  
Answer & Waiver and testimony of Katherine Weaver Brooks and J. W.  
Weaver

and in behalf of Defendant upon \_\_\_\_\_



Register.

M  
No. ....

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

Katherine Weaver Brooks

vs.

Ernest D. Brooks, Jr

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of .....

FILED  
JUN 1 1954  
ALICE J. BUCK, Register

Register.

Printed By The Baldwin Times

KATHERINE HEATER BRACKS,

COMPLAINANT,

VS

ERNEST D. BROCKS, JR.,

RESPONDENT.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages and marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of 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 notice.

*Ernest D. Brooks Jr.*

STATE OF ALABAMA

BALDWIN COUNTY

I, *Levin Thompson* a Notary Public, in and for said County, in said State, hereby certify that Ernest D. Brooks, Jr., 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 the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 1 day of June, 1954.

*Levin Thompson*  
Notary Public, Baldwin County, Alabama



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

RECORDED

KATHERINE WEAVER BROOKS,  
COMPLAINANT,

VS

ERNEST D. BROOKS, JR.,  
RESPONDENT.

Answer & Waiver

FILED

JUN 1 1954

ALICE J. DUCK, Register

C. LeNoir Thompson  
Attorney At Law  
Bay Minette, Alabama

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

KATHERINE WEAVER BROOKS

Complainant

VS.

ERNEST D. BROOKS, JR

Respondent

I, Lyrleene Mixon

as ~~Register and~~ Commissioner

have called and caused to come before me Katherine Weaver Brooks and J. W. Weaver

witness named in the Requirement for Oral Examination, on the 1st day of June

19 54, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witness AS to speak the

truth, the whole truth, and nothing but the truth, the said Katherine Weaver Brooks and

J. W. Weaver doth depose and say as follows:

My name is Katherine Weaver Brooks. I am over the age of 18, and a resident of Baldwin County, Alabama, and have been all my life. The respondent, Ernest Brooks, is over the age of 20 and a resident of Baldwin County, Alabama, and has been all his life. We were married in Bay Minette, Alabama, on July 26, 1951, and separated about the middle of October, 1952, at which time the respondent carried me home and abandoned me without fault on my part. We have not lived together as husband and wife since that date, and I do not believe that we will ever live together again as husband and wife. I respectfully ask this Honorable Court to grant me the right to resume the use of my maiden name, Katherine Weaver.

Katherine Weaver Brooks

That my name is J. W. Weaver. I know both parties to this cause. Katherine Weaver Brooks is over the age of 18 and the respondent Ernest Brooks is over the age of 20 and both of them are residents of Baldwin County, Alabama and have been all of their lives. They were married in Bay Minette, Alabama, July 26, 1951 and about the middle of October, 1952 the respondent, Ernest Brooks abandoned his wife without fault on her part and they have not lived together as husband and wife since that date. I do not believe they will ever live together as husband and wife again.

J. W. Weaver

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Lyrleene Nixon

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 Katherine Weaver Brooks and J. W. Weaver

as witnesses in behalf of Katherine Weaver Brooks in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Katherine Weaver Brooks

, Complainant

and

Ernest D. Brooks, Jr

Respondent

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

Witness

1<sup>st</sup> day of

June

1954

*Alfred Duck*

Register.

Commissioner's Fee, \$

Witness' Fees, \$