

1213

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Eva Pearl Bryars Complainant

VS.

Jesse Floyd Bryars 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 Eva Pearl Bryars is forever divorced from the said Jesse Floyd Bryars

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 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 Eva Pearl Bryars the Complainant pay the cost herein to be taxed, for which execution may issue.

This 18th day of October, 1944 J. 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. 1573 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of _____

_____, 194____

Register

The State of Alabama,
Baldwin County.

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

EVA PEARL BRYARS Complainant.

VS.

JESSE FLOYD BRYARS Respondent.

I, Virginia Keel

as ~~Registrar and~~ Commissioner

have called and caused to come before me

Eva Pearl Bryars and Nancy Langham

witnesses named in the Requirement for Oral Examination, on the 13 day of October

1944, at the office of Beebe & Hall

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

truth, the whole truth, and nothing but the truth, the said Eva Pearl Bryars

doth depose and say as follows:

My name is Eva Pearl Bryars. I am 28 years of age. I have lived in Baldwin County since I was 6 years old. Jesse Floyd Bryars, Defendant in this cause is 39 years of age. He is a resident of Baldwin County, Alabama, where he has resided all of his life. We married at Brewton, Alabama, February 7, 1934 and lived together as husband and wife in Baldwin County, until August 14, 1944 when we separated at Fairhope in Baldwin County, Alabama. Floyd is a man of violent and ungovernable temper and for some time and on numerous occasions has become enraged without just cause or reasonable excuse and cursed and abused me. He has beat me a number of times in the face with his fist and on one occasion fractured my jaw and blackened my eye. He is gradually growing worse and because of such threats and actual physical violence I am afraid that should I continue to live with him he would do me bodily harm attendant with danger to my life and health. It was because of such cruelty that I left him August 14, 1944. We have not lived together since that time.

Eva Pearl Bryars

Nancy Langham, having first been duly sworn doth depose and say:

My name is Nancy Langham. I am 24 years of age. I am the sister of

Eva Pearl Bryars. I have lived at Bay Minette all of my life where
Eva Pearl and Floyd Bryars have lived until very recently and I
know his attitude and conduct toward her. I have known him to be
cruel. On one occasion he beat her so badly that he fractured her
jaw. He has blacken her eyes several times. He is getting worse...
If she should continue to live with him he would probably kill her
or ruin her health.

Nancy Langham

I, Virginia Keel, as Registrar and Commissioner hereby certify

that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and W. C. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 13 day of October 1944

Virginia Keel (L. S.)

NO. 1213 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Byars

vs. Complainant

Byars

Respondent.

Oral Deposition

Filed Oct 16, 1944, Register.

Recorded in _____ Record

Vol. _____ Page _____
_____, Register

.....Eva Pearl Bryars.....
Complainant,
VS.
.....Jesse Floyd Bryars.....
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
NO.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from

.....Bay Minette....., in the County ofBaldwin.....

Alabama, the place of trial of said cause, to-wit:.....

.....Eva Pearl Bryars and Nancy Langham.....

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

Beebe & Hall
By: *W. C. Beebe*
Solicitor for Complainant.

NOTE:

Complainant suggests the name ofVirginia Keel.....

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beebe & Hall
By: *W. C. Beebe*
Solicitor for Complainant.

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EST-6-40-500

DEMAND FOR ORAL EXAMINATION.

.....
Complainant,

.....
Vs.

.....

Respondent,

.....

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

Filed this 16 day of Oct,
1944.....

W. J. [Signature]
Register.

THE STATE OF ALABAMA,
Baldwin County

}

CIRCUIT COURT

TO Virginia Keel

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 Eva Pearl Bryars and Nancy Langham

as witnesses in behalf of Eva Pearl Bryars in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Eva Pearl Bryars Complainant
and Jesse Floyd Bryars

Defendant,

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

Witness 13 day of October 19 1944

R. Keel

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses:

EVA PEARL BRYARS,

Complainant,

VS.

JESSE FLOYD BRYARS,

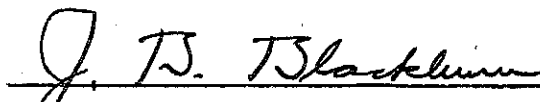
Respondent.

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

ANSWER

Now comes the Respondent, Jesse Floyd Bryars, and for answer to the Bill of Complaint filed against him in this cause and to each and every paragraph thereof separately and severally says:

1. He admits that the Complainant and the Respondent are each over twenty-one years of age, residents of Baldwin County, Alabama and that they were heretofore lawfully married.
2. He consents and agrees that a Commissioner be appointed, testimony taken and this cause submitted for Final Decree without notice to him, all of which is hereby expressly waived.
3. This Respondent denies each and all of the other allegations of the said Bill of Complaint and demands strict proof thereof.


Solicitor for Respondent.

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ANSWER

EVA PEARL BRYARS,

Complainant,

VS.

JESSE FLOYD BRYARS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Received 10/19/44
Eva Pearl Bryars

Eva Pearl Bryars

VS.

Jesse Floyd Bryars

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, _____

~~An Answer and Waiver, depositions of complainant's witnesses~~

and in behalf of Defendant upon _____

Beebe Hall
Register

_____ Register.

No. 1213

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 16

day of Oct 1944

[Signature]

Register.

STATE OF ALABAMA,
BALDWIN COUNTY



CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194 _____

Eva Pearl Bryars _____, Complainant

Vs.

Jesse Floyd Bryars _____, Defendant

To R. S. Duck _____, Register

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by _____

Beebe & Hall _____ Solicitors of record, now files with the Register of this

Court this written request to deliver the papers in this cause to the Judge for final decree in vaca-

No. 127 Page _____

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

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed 10-16, 1944
[Signature]
Register.

Recorded in _____ Record

Vol. _____ Page _____

iii Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - - - - GREETING:

WE COMMAND YOU, that you summon JESSE FLOYD BRYARS to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by EVA PEARL BRYARS against the said JESSE FLOYD BRYARS, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Defendant shall in no wise omit, under penalty of law. And we further command that you return this writ with your execution thereon, to our said Court, immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this this ____ day of October, 1944.

R. S. Duck
Register.

| | | |
|---------------------------------|---|-------------------------|
| EVA PEARL BRYARS COMPLAINANT | } | IN THE CIRCUIT COURT OF |
| VS. | | BALDWIN COUNTY, ALABAMA |
| JESSE FLOYD BRYARS DEFENDANT | | IN EQUITY. |

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Now comes your Complainant EVA PEARL BRYARS, and humbly complaining against the Defendant, JESSE FLOYD BRYARS, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama where she has resided since she was six years of age; that the Defendant is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama where he has resided all of his life.

2.

That they were married at Brewton, Alabama, on February 7, 1934, and lived together as husband and wife until August 14, 1944.

3.

The Defendant is a man of violent and ungovernable temper and has from time to time has cursed and abused this complainant and threatened to kill her, that he has on several occasions

beat the complainant unmercifully with his fist and on one occasion beat the complainant and fractured her jaw bone, that he has gradually grown worse, that complainant, because of such conduct and such threats and because of such actual violence on her person Complainant has reasonable grounds to fear and does fear that should she continue to live with him he would do her bodily harm attendant with danger to her life or health; that she separated from Defendant at Fairhope, Alabama, on August 14, 1944, because of such cruelty and they have not lived together as husband and wife since that time.

WHEREFORE, the premises considered, your complainant prays this Honorable Court will, by proper process, make the said JESSE FLOYD BRYARS, party Defendant, to this bill of complaint and require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of the cause made by this bill of complaint this Honorable Court will make and enter an order and decree forever dissolving the bonds of matrimony existing between the Complainant and the said Defendant; and Complainant prays for such other, further or different relief as in equity and good conscience she be entitled to receive in the premises.

BEEBE & HALL

BY

W.C. Beabe

Solicitors for Complainant.

1213

Burgess

Burgess

Burgess

Received Oct 16 1944
Burgess