

1224

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

HAZEL SWEAT Complainant

VS.

RICHARD SWEAT Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~
on Answer & Waiver, of the Respondent 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 Hazel Sweat

is forever divorced from the said Richard Sweat

for and on account of Voluntarily abandonment

It is further ordered, adjudged and decreed that the Complainant shall,
and she is hereby awarded the custody, care and control of the said
minor children.

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 Hazel Sweat
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of Nov, 1944

J. M. Starn
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. 1224 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

TO Lillian Patterson

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 Hazel Sweat, and, Mazie Godwin

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

Complainant
and Richard Sweat

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 3rd day of November, 1944.

R. S. Duck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

NO. 1224

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses:

Hazel Sweat

Complainant

VS.

Richard Sweat

Respondent

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,
Answer and waiver of the Respondent and testimony of Hazel Sweat, and,
Mazie Godwin.

and in behalf of Defendant upon

R.S. Duck Register.

No. 1224

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 6th
day of Nov 1944

R. S. Duck
Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Hazel Sweat Complainant

VS.

Richard Sweat Respondent

I, Lillian Patterson
as ~~Register~~ and Commissioner
have called and caused to come before me Hazel Sweat and Mazie Godwin

witness named in the Requirement for Oral Examination, on the 3rd day of November
1944, at the office of Beebe & 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 Hazel Sweat, and Mazie Godwin
doth depose and say as follows:

My name is Hazel Sweat, I am a bona fide resident of Baldwin County Alabama, and over twenty-one years of age. The Respondent, Richard Sweat is a bona fide resident of Baldwin County and over twenty-one years of age.

The Respondent and I married at Bay Minette, Baldwin County, Ala., on March 6, 1934. We lived together as husband and wife, in Baldwin County, Alabama, until September 30, 1937.

That the Respondent on September 30, 1937, voluntarily abandoned my bed and board and has been away voluntarily and continuously since that time.

We have two children, Rose Carolyn Sweat, age six, and Lizzie Lanell Sweat, age 10, both of whom are now, and have been all their lives, under my care and custody.

The Respondent has no home and just lives about from place to place, and has no home in which to keep the children. He is not a suitable, fit or proper person to have the custody of the children.

I have, all their lives, supported the children and kept a place for them to live.

Hazel Sweat

Mazie Godwin, a witness for the Complainant, being first duly sworn deposes and says:

My name is Mazie Godwin, I am personally acquainted with the Complainant, Hazel Sweat. I know that the Complainant and the Respondent have not lived together for more than seven years, during which time the Complainant has supported herself and her two children. The Respondent has no home and just roams about from place to place. The Respondent is not a suitable person to have the care and custody of the two minor children.

Mazie Godwin

ORAL EXAMINATION.

I, Lillian Patterson, ~~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 witnesses—and read over to them and ~~they~~ signed the same in the presence of myself as Commissioner

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses—or had proom made before me of the identity of said witnesses—; 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 3rd day of November, 1944.

Lillian Patterson (L. S.)

NO. 1224 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 11-6, 1944

R.S. Wuch, Register.

Recorded in

Record

Vol. _____ Page _____

, Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

Hazel Sweat _____, Complainant

Vs.

Richard Sweat _____, 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 vacation

No. 1224 Page _____

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

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed 11 - 6, 1944

R. S. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU, that you summon RICHARD SWEAT to be and appear before the Judge of the Circuit Court of Baldwin County, 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 Hazel Sweat, against the said Richard Sweat, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the 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 6th day of November, 1944.

R. S. Duck
Register

HAZEL SWEAT)	IN THE CIRCUIT COURT OF
COMPLAINANT)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
RICHARD SWEAT)	IN EQUITY
RESPONDENT)	

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

Now comes your Complainant, Hazel Sweat, and humbly complaining against the Respondent, Richard Sweat, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

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

2.

That they were married in Bay Minette, Alabama, on March 6, 1934, and lived together as husband and wife until September 30, 1937;

3.

That on September 30, 1937, the Respondent voluntarily abandoned the bed and board of the Complainant, and has remained away voluntarily and continuously since that time.

4.

That there was born to said marriage between your Complainant and the Respondent, two children, Rose Carolyn Sweat, age six, and Lizzie Lanell Sweat, age ten; that said children now are, and have been all their lives with your Complainant, who has had the responsibility of their care, maintenance and support; but that the Respondent abandoned said children and has remained away from them, and is of such character that he is not a suitable, fit, or proper person to have their care and custody, wherefore, the premises considered your Complainant prays that you Honor will by proper process, make the said Richard Sweat, 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.

The Complainant further prays that upon the final hearing hereof, your Honor will enter a decree, awarding to her an absolute decree of divorce forever barring the bonds of matrimony existing between the said Richard Sweat and your Complainant; that the care, custody and control of the said minor children, Rose Carolyn Sweat, and Lizzie Lanell Sweat, be awarded her.

The Complainant prays for such other, further or different relief as she may be in equity and good conscience entitled to receive as in duty bound she will ever pray.

BEEBE & HALL

By: 

Solicitors for the Complainant.

1224

Summons
and Complaint

Filed

11-6-44

P.S. Micks
Register.

1224

Answer & Waiver

Filed

11-6-44

R. S. Muck
Register