

2762

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Willie W. Corley, Complainant
vs.

Horace W. Corley, 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 Willie W. Corley is forever divorced from the said Horace W. Corley for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the care, custody and control of the minor child, Horace Donald Corley, subject to the right of the Respondent to visit him at reasonable times.

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 Willie W. Corley

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

This 17th day of January, 1952

Jelfair J. Maddox
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.

M

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Willie W. Corley

Complainant

vs.

Horace W. Corley

Respondent

DIVORCE DECREE

FILED

JAN 17 1952

ALICE J. DUCK, Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WILLIE W. CORLEY

, Complainant

vs.

HORACE W. CORLEY

, 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 WILLIE W. CORLEY is forever divorced from the said HORACE W. CORLEY for and on account of Cruelty

It is further ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the care, custody and control of the minor child, Horace Donald Corley, subject to the right of the respondent to visit him at reasonable times.

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 Willie W. Corley the Complainant pay the cost herein to be taxed, for which execution may issue.

This 17th day of January, 1952

Telfair J. Mashburn, Jr

Judge Circuit Court, In Equity.

I, Alice J. Duck, 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 6th day of November, 1952

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Willie W. Corley

Complainant

VS.

Horace W. Corley

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Willie W. Corley and Mrs. Jack Cassaday

witnesses named in the Requirement for Oral Examination, on the 5th day of January
194 52, at the office of Hubert M. 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 Willie W. Corley and Mrs. Jack Cassaday doth depose and say as follows:

My name is Willie W. Corley. I am the Complainant in this cause. Both the Respondent, Horace W. Corley, and I are over twenty-one years of age and bona fide residents of Baldwin County, Alabama, and have been all of our lives.

The Respondent and I married in Bay Minette, Alabama, on February 15, 1939. We lived together as husband and wife in Bay Minette, Baldwin County, Alabama, until on to-wit, December 20, 1951.

The Respondent oh, to-wit, December 20, 1951, and on various occasions prior thereto has threatened and abused me and threatened to do violence to my person which will necessarily endanger my life and health. The conduct of the respondent is such as to give me every reasonable apprehension to believe and I do actually believe that if I continue to live with him he will carry out his threats and do actual violence to my person which will necessarily endanger my life and health. The relationship between the Respondent and me has grown to the point where it is absolutely impossible for us to longer live together as husband and wife.

The Respondent and I have one child, Horace Donald Corley, age 8. He has been with me all of his life and I am the suitable, fit and proper person to have his care, custody and control. I am willing and do assume all responsibility of caring and providing for said child.

Willie W. Corley

I know and have known for many years the Complainant and the Respondent in this cause. I have had occasion to be with and around them from time to time during the past years. I know that the conditions existing in their home are such as to render it impossible for the Complainant and the Respondent to live together as husband and wife. I know that the Complainant is a suitable person to have the care and control of the minor child, Horace Donald Corley.

Mrs Jack Cassaday

ORAL EXAMINATION.

I, Evelyn Watts, 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 witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 January, 194 52.

Evelyn Watts (L. S.)

NO. 2262 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Willie W. Corley

vs. Complainant

Horace W. Corley

Respondent.

Oral Deposition

Filed 1-8, 194 52

Register.

Recorded in

Record

Vol. _____ Page _____

Register.

Willie W. Corley

vs.

Horace W. Corley

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

Answer and waiver of the respondent and testimony of Willie W. Corley

and Mrs. Jack Cassaday

and in behalf of Defendant upon _____

Shirley
for. Corp.

Alice J. Smith

Register.

M

No. 2762

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Willie W. Corley

vs.

Horace W. Corley

NOTE OF TESTIMONY

Filed in Open Court this 8-

day of Jan, 1942

W. J. Knecke
Register.

Printed By The Baldwin Times

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons HORACE W. CORLEY 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 WILLIE W. CORLEY as Complainant and against Horace W. Corley, as Respondent.

WITNESS my hand this the 5 day of January, 1952.

Register

WILLIE W. CORLEY
COMPLAINANT

VS

HORACE W. CORLEY
RESPONDENT

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

TO HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Willie W. Corley, respectfully represents 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 over twenty-one years of age.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama, on February 15, 1939, and lived together as husband and wife until on to-wit December 20, 1951.

3.

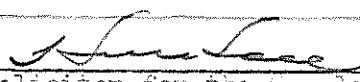
That on, to-wit December 20, 1951, and on various occasions prior thereto the Respondent threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would do actual violence to her person which would necessarily endanger her life and health.

L.

That there was born to the marriage between your Complainant and the Respondent one child, Horace Donald Corley, age 6; that the said child is now and has been all of his life with your Complainant.

WHEREFORE, the premises considered, The Complainant prays that your Honor will by proper process make the said Horace W. Corley 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.

Your Complainant further prays that upon a final hearing hereof Your Honor will give and grant to her a decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent; That the complainant be awarded the care, custody and control of the minor child, Horace Donald Corley; that your complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

2762

WILLIE W. CORLEY

COMPLAINANT

VS

HORACE W. CORLEY

RESPONDENT

BILL OF COMPLAINT

RECORDED

Filed Jan 5, 1952

Register
FILED

Jan 5 1952

1-
ALICE J. DUCK, Register

WILLIE W. CORLEY

COMPLAINANT

VS

HORACE W. CORLEY

RESPONDENT

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

~~Now comes the Respondent, in his own proper person, and accepts service~~
of summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residences,
but denies all allegations as to cruelty and demands strict proof of the same.

The Respondent admits the allegations that the Complainant is a
suitable, fit and proper person to have the care, custody and control of
the minor child, Horace Donald Corley, age 6 years.

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 further
notice.

Horace W. Corley

STATE OF ALABAMA
BALDWIN COUNTY

I, John Lee, a Notary Public, in and for said
County, in said State, hereby certify that Horace W. Corley, whose name is
signed to the foregoing instrument, and who is known to me, acknowledged
before me on this day that being informed of the contents of said instru-
ment, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 5 day of June, 1951.

John Lee
Notary Public, Baldwin County, Alabama

2762

WILLIE W. CORLEY

COMPLAINANT

VS

HORACE W. CORLEY

RESPONDENT

RECORDED

ANSWER AND WAIVER

Filed 1-8-52

Glenn L. Smith
Reg.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Willie W. Corley and Mrs. Jack Cassaday

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

and Horace W. Corley, Complainant

Respondent
on oath, to be by you administered, upon Willie W. Corley and Mrs. Jack Cassaday
to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all
convenient speed, under your hand.

Witness 8 day of Jan, 1945

Willie W. Corley
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2762

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Willie W. Corley

Complainant

VS.

Horace W. Corley

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Willie W. Corley

Mrs. Jack Cassaday

Filed 1-8-52
-3- Ricc. J. H. H. H.

WILLIE W. CORLEY

COMPLAINANT

VS

HORACE W. CORLEY

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY

NO. 2762

TO HONORABLE TELFAIR J. MASHBURN, JR., Judge of the Circuit Court of
Baldwin County, Alabama, in Equity:

Now comes the Respondent, Horace W. Corley, and respectfully represents
and shows unto your Honor as follows:

1.

That on the 17th day of January, 1952, a decree of divorce was granted
in this court in the above styled cause whereby the Complainant was forever
divorced from the Respondent.

2.

That in and by the terms and conditions of the decree of divorce the
Complainant was awarded the care, custody and control of the minor child,
Horace Donald Corley subject to the right of the Respondent to visit him at
reasonable times.

3.

That the Respondent has made repeated efforts to visit with the said
child but has been refused by the Complainant; that the Complainant refuses
to permit the said child to be with the Respondent.

WHEREFORE the premises considered, Your Honor by proper process give
the said Willie W. Corley notice of this petition, and that upon a hearing
thereof the decree of divorce heretofore granted in this cause be modified
so as to permit the Petitioner, Horace W. Corley the custody and control
of the minor child, Horace Donald Corley, from time to time, as to this
court may seem just and right.

Horace W. Corley

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Horace W.
Corley, who is known to me, and who having been by me first duly sworn,
deposes and says: that the facts contained in the foregoing petition are true.

Horace W. Corley

Sworn to and subscribed before me on this the 20 day of July, 1952

Wm. Lee

Received in Sheriff's Office
this 1 day of Aug, 1952
TAYLOR WILKINS, Sheriff

W. H. HOLCOMBE, Sheriff
By H. B. Sanders D.S.

Received 8 Day of August 1952
and on 8 Day of August 1952
I served a copy of the within
on Willie W. Corley
by service on

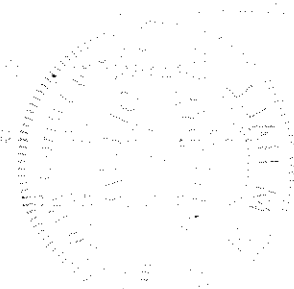
filed 7-31-52
Aucy. for rec'd
Reg

2762 7/19
Dennis W. Corley
V.
Horace W. Corley

Petition

for
Willie W. Corley
8x5

filed
7-31-52
Aucy. for rec'd
Reg
7



WILLIE W. CORLEY,

Complainant,

vs.

HORACE W. CORLEY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

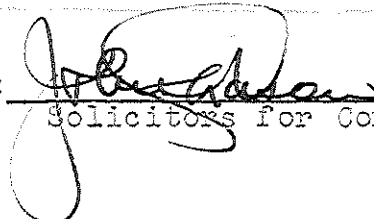
IN EQUITY.

NO. 2762.

Comes the Complainant, Willie W. Corley, whose name now is Willie Nixon, and demurs to the petition or Bill of Complaint filed by Horace W. Corley in the above styled cause and to each and every paragraph thereof, separately and severally, and assigns, the following separate and several grounds, viz:

1. That said Complaint does not state a cause of action.
2. That said Complaint does not allege proper grounds for modification of decree of custody referred to therein.
3. That said Complaint does not allege that the Respondent attempted to visit the child at reasonable and proper times.
4. That it affirmatively appears that the decree, which this petition seeks to have modified, does not provide for the child visiting with the Respondent.
5. For aught appearing, the Complainant was entitled to refuse to allow the child to go with the Respondent.
6. That it is not alleged that it would be to the best interest of such child to modify such decree.
7. That Respondent fails to show there has been any change of circumstances since the date such decree was rendered.

CHASON & STONE

BY: 

Solicitors for Complainant.

DEMANDER

WILLIE W. CORLEY,

Complainant,

VS.

HORACE W. CORLEY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2762.

Filed: August 1st 1952.

Chas. A. Quaker
Register.

WILLIE W. CORLEY,

Complainant,

vs.

HORACE W. CORLEY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2762.

This matter coming on to be heard and being submitted by consent of the parties on demurrer to the Complaint filed in said cause on July 31, 1952, and the court having considered the same is of the opinion that the demurrer to said Complaint should be sustained, it is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the demurrer to the Complaint filed in said cause as above set out be and the same hereby is sustained.

And it further appearing to the court that the Respondent, Horace W. Corley, does not desire to amend his Complaint or plead further in said cause and that therefore such Complaint should be dismissed, it is therefore,

ORDERED, ADJUDGED AND DECREED by the Court that the Complaint filed by the Respondent in said cause on July 31, 1952, be and the same hereby is dismissed.

Done in Bay Minette, Baldwin County, Alabama, this 19th day of August, 1952.

Telfair J. Mashburn, Jr.
Telfair J. Mashburn, Jr.
Judge of the Circuit Court
of Baldwin County, Alabama.

2762

ORDER SUSTAINING DEMURRER
AND DISMISSING CAUSE

WILLIE W. CORLEY,

Complainant,

vs.

HORACE W. CORLEY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

NO. 2762.

Filed: August 20th 1952.

Alvin D. Duck
Register.