

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

BETTY JEAN BAILEY

Complainant

vs.

G. W. BAILEY

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 Betty Jean Bailey is forever divorced from the said G. W. Bailey 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 payment of the cost of this suit.

It is further ordered that BETTY JEAN BAILEY the Complainant pay the cost herein to be taxed, for which executed may issue.

This 17th day of January 1958

J. 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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
JAN 17 1958
ALICE J. DUCK, Register

PETTY JEAN BAILEY

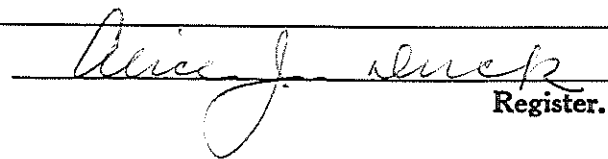
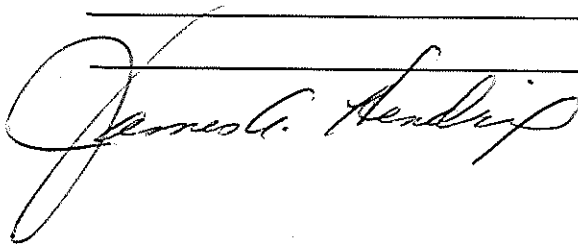
vs.

G. W. BAILEY

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 and waiver and the testimonies of Betty Jean Bailey and Albert
H. Spray, as set out in the oral deposition.

and in behalf of Defendant upon


Register.

No. 4203

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

BETTY JEAN FAILEY

VS.

G. W. FAILEY

Note of Testimony

Filed in Open Court this _____

day of _____, 19____

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.

FILED

JAN 16 1958

ALICE J. DUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: DELTA H. GWALTNEY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Petty Jean Bailey and Albert H. Spray

a witnesses in behalf of Petty Jean Bailey in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Petty Jean Bailey is

Complainant

and G. W. Bailey is

Respondent

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

Witness 29 day of Oct, 1958

Reverend J. H. Smith
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

PETTY JEAN BAILEY

Complainant

VS.

G. W. BAILEY

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Delta H. Gwaltney

WITNESSES:

Petty Jean Bailey

Albert H. Spray

BETTY JEAN BAILEY,

Complainant,

vs.

G. W. BAILEY,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER AND WAIVER

Comes now the Respondent, G. W. BAILEY, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

G. W. Bailey
G. W. Bailey

Sworn to and subscribed before
me this 29 day of October, 1957.

James G. Hendrix
Notary Public, Baldwin County, Alabama.

FILED

JAN 16 1958

ALICE J. DUCK, Registrar

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

BETTY JEAN BAILEY

COMPLAINANT

vs.

G. W. BAILEY

RESPONDENT

I, DELTA H. GWALTNEY

as Register and Commissioner

have called and caused to come before me Betty Jean Bailey and Albert H. Spray

witnesses named in the requirement for Oral Examination, on the 29th day of Oct
1957, at the office of James A. Hendrix

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

truth, the whole truth, and nothing but the truth, the said Betty Jean Bailey and

Albert H. Spray doth depose and say as follows:

My name is Betty Jean Bailey. I am over 18 years old and have lived in Baldwin County, for more than the past two years. G. W. Bailey is over 21 years old and at present is living in Foley, Alabama. G. W. and I were married on May 15, 1954, in Bell Glade, Florida. G. W. has committed actual violence on my person by hitting and striking me, the last of these assaults occurred on May 22, 1957, and since that time and as a result of said assault we have not lived together as husband and wife; I am afraid that if I continue to live with him, he will do me bodily harm which would endanger my life and health. We had two children, namely, George Ronald Vernon Bailey, a boy, now about two years old, and Kenneth Eugene Bailey, a boy, now about one year old. Both of these children are now in my care, custody and control and I feel that I am a fit and proper person to be awarded the permanent care, custody and control of these minor children. G. W. is an abled-bodied man, well able to help support these two children; and he has by a separate agreement entered into on May 27, 1957, agreed to pay \$17.50 per week to aid in the support of the said two minor children. There are no property rights to be settled between us.

Betty Jean Bailey

I have known Betty Jean Bailey for many years. She and her husband, G. W. Bailey, have been living in Foley for more than the past year. Betty Jean is a resident of the State of Alabama and has been a resident for more than the past two years; she is over 18 years old. G. W. Bailey is over 21 years old and lives in Foley, Alabama. Betty Jean and G. W. were married at Bell Glade, Florida, on May 15, 1954. G. W. has beat Betty Jean up on several different occasions, she has told me about these beatings and I have seen evidence of them; I do not feel it safe for her and the children to continue to live with G. W.; the last of these beatings occurred on about May 22, 1957, and since that time to my knowledge, they have not lived together as husband and wife. They had two children, namely, George Ronald Vernon Bailey, a boy, now about two years old and Kenneth Eugene Bailey, a boy, now about one year old; these children are now in the custody of the Complainant, their mother, and I feel that she is a fit and proper person to be awarded the permanent care, custody and control of the said minor children. G. W. is an abled-bodied man, well able to help provide for and maintain for these children.

Albert H. Spray

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

BETTY JEAN BAILEY

COMPLAINANT

vs.

G. W. BAILEY

RESPONDENT

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as ~~Register and~~ Commissioner

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Betty Jean Bailey

I have known Betty Jean Bailey for many years. She and her husband, G. W. Bailey, have been living in Foley for more than the past year. Betty Jean is a resident of the State of Alabama and has been a resident for more than the past two years; she is over 18 years old. G. W. Bailey is over 21 years old and lives in Foley, Alabama. Betty Jean and G. W. were married at Bell Glade, Florida, on May 15, 1954. G. W. has beat Betty Jean up on several different occasions, she has told me about these beatings and I have seen evidence of them; I do not feel it safe for her and the children to continue to live with G. W.; the last of these beatings occurred on about May 22, 1957, and since that time to my knowledge, they have not lived together as husband and wife. They had two children, namely, George Ronald Vernon Bailey, a boy, now about two years old and Kenneth Eugene Bailey, a boy, now about one year old; these children are now in the custody of the Complainant, their mother, and I feel that she is a fit and proper person to be awarded the permanent care, custody and control of the said minor children. G. W. is an abled-bodied man, well able to help provide for and maintain for these children.

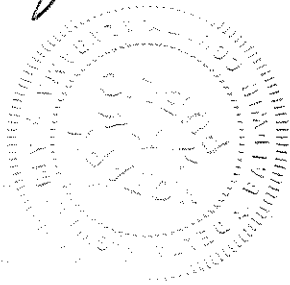
Albert H. Spray

I, Delta H. Gwaltney 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 es and read over to them and they signed the same in the presence of myself and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 29th day of Oct., 1957.

Delta H. Gwaltney (L. S.)



No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

METTY JEAN BAILEY

COMPLAINANT

vs.

G. W. BAILEY

RESPONDENT

ORAL DEPOSITION

Filed JAN 16 1958, 1958

FILED

ALICE J. DUCK, Register, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register.

STATE OF ALABAMA)

BALDWIN COUNTY)

BETTY JEAN BAILEY,)

Complainant,)

vs.)

G. W. BAILEY,)

Respondent.)

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity.

Comes now the Complainant, BETTY JEAN BAILEY, humbly complaining of the Respondent, G. W. BAILEY, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant, BETTY JEAN BAILEY, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide of said State for more than two years next preceeding the filing of this Bill of Complaint; that the Respondent is over the age of twenty-one years and resides at Foley, Alabama.

SECOND: That your Complainant and Respondent were lawfully married on or about, to-wit: May 15, 1954, at Pell Glade, Florida.

THIRD: Your Complainant avers and charges that the said Respondent did on or about the 22nd day of October, 1957, and on many occasions prior thereto assault, beat, hit, and strike Complainant; that said Respondent has committed actual violence on her person attended with dangers to her health and life; that the last of said assault did occur on October 22, 1957 and since that time Complainant and Respondent have not lived together as husband and wife due to said assault; Complainant further avers that the Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her she is reasonably convinced that he will commit an actual violence upon her person which would endanger her life and health.

FOURTH: Complainant further avers that there was born of the union of the Complainant and Respondent two children, George Ronald Vernon Bailey, a boy, now about four years old, and Kenneth Eugene Bailey, a boy, now about fifteen months old. That said children is now in the care, custody, and control of their mother, the Complainant. Further that Complainant is a fit and proper

person to be awarded the care, custody, and control of said minor children, George Ronald Vernon Bailey and Kenneth Eugene Bailey.

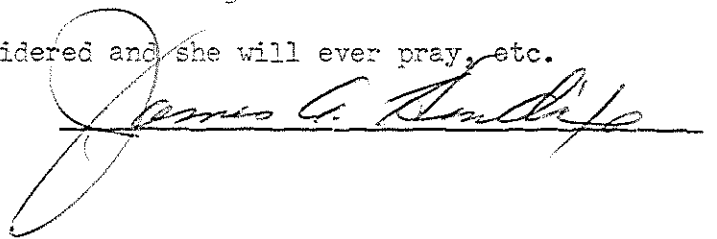
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said G. W. Bailey be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage, that by virtue of said decree the Complainant will be awarded the permanent care, custody and control of the said minor children, George Ronald Vernon Bailey and Kenneth Eugene Bailey.

Complainant prays all other further and general relief to which she may be entitled, the premises considered and she will ever pray, etc.

A handwritten signature in cursive script, appearing to read "James C. Smith", is written over a horizontal line.

4203