

3915

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Viola Morris Quinley, Complainant

vs.

John Elmer Quinley, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on answer 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

Viola Morris Quinley is forever divorced from the said John Elmer Quinley for and on account of

Cruelty

It is futher 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 futher 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 futher ordered that Viola Morris Quinley the Complainant pay the cost herein to be taxed, for which executed may issue.

This 12th day of February 1960

Hubert M. ... 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

Viola Morris Quinley

Complainant

vs.

John Elmer Quinley

Respondent

DIVORCE DECREE

VIOLA MORRIS QUINLEY,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA
JOHN ELMER QUINLEY,	¶	
Respondent.	¶	IN EQUITY

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and says:

1. The Respondent admits the allegations in the first paragraph of the Bill of complaint as to the age of the parties and the fact that they are now both residents of Baldwin County, Alabama, but he denies that they have resided in this county all of their lives and demands strict proof of that allegation.

2. The Respondent admits the allegations in the second paragraph of the Bill of Complaint as to the date of their marriage and that they have lived together as man and wife until January 11, 1957 but he denies that they separated in Baldwin County, Alabama. The Respondent alleges that they had been living in Mobile, Alabama, for approximately three years immediately prior to January 11, 1957 and that the Complainant left your Respondent in Mobile, Alabama.

3. The Respondent denies all of the allegations of the third paragraph of the Bill of Complaint and demands strict proof thereof.

CHASON & STONE

Filed
4-17-57

By: *[Signature]*
Solicitors of Respondent

ORDER OF CONTINUANCE

VIOLA MORRIS QUINLEY)	
	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
)	
VS	)	IN EQUITY
	)	NO. 3975
JOHN ELMER QUINLEY)	
)	
RESPONDENT)	

It appearing to the court that Viola Morris Quinley has heretofore filed a petition in this cause requesting the court to set this cause down for a final hearing and it appearing to the court that this cause was set down for a final hearing on this the 28th day of January, 1960, and it further appearing to the court that the Respondent in this cause has not yet been served with a copy of the foregoing order and motion.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that this matter be continued and reset for a final hearing on the 11th day of February, 1960.

Done this the 28th day of January, 1960.

Hubert M. Steel
Circuit Judge

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to serve the foregoing order of continuance, the order of the court setting this matter for a final hearing and the motion on which it is based upon John Elmer Quinley and make due return thereof according to law.

This 28th day of January, 1960.

Hubert M. Steel
Circuit Judge

No. 3975

VP

Received _____ day of _____ 19__

and on 29 day of Jan 1960

I served a copy of the within Order

on John Elmer Quinley

By service on _____

TAYLOR WILKINS, Sheriff

By W. A. Talbert
Crossroad

Sheriff claims 20 miles at

Ten Cents per mile Total \$ 2.00

TAYLOR WILKINS, Sheriff

BY Talbert
DEPUTY SHERIFF

VIOLA MORRIS QUINLEY

COMPLAINANT

VS

JOHN ELMER QUINLEY

RESPONDENT

ORDER OF CONTINUANCE

VIOLA MORRIS QUINLEY	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
JOHN ELMER QUINLEY	)	NO. 3975
RESPONDENT)	


TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes now your Petitioner, Viola Morris Quinley, by her attorney and shows unto the Court as follows:

That this cause of action is now at issue and has been at issue since April 17, 1957; That the Respondent at one time was represented in this cause by the Honorable John Chason; that he has now withdrawn his appearance for the Respondent in this cause.

Now comes your Petitioner, Viola Morris Quinley, and as is provided in Equity Rule 60 moves Your Honor to set this cause down for a final hearing giving the Respondent such notice as is provided by law.

Filed
1-21-60

Wilters & Brantley

 Solicitors for the Complainant

VIOLA MORRIS QUINLEY	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
JOHN ELMER QUINLEY	)	NO. 3975
RESPONDENT)	

ORDER

This day came Viola Morris Quinley, Petitioner in the foregoing cause, and moved the court to set this case down for a final hearing and upon consideration of the same, the court is of the opinion that the same should be set down for a final hearing.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED, that this cause be set for a final hearing on the 21 day of January, 1960.

Done this the 21 day of Jan, 1960.

Hubert M. Miller
Circuit Judge

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to serve a copy of the foregoing order and the motion on which it is based upon John Elmer Quinley and make due return thereof according to law.

This 21 day of January, 1960.

Hubert M. Miller
Circuit Judge

3975

Received 21 day of Jan 1960
at on 9 day of Feb 1960
I served a copy of the within Order of Protection
John Elmer Quinley

service on _____
TAYLOR WILKINS, Sheriff
By W. A. Zalkoff D. S.
2-11-60

VIOLE MORRIS QUINLEY
COMPLAINANT
VS
JOHN ELMER QUINLEY
RESPONDENT

PETITION AND ORDER

FILED
JAN 21 1960
ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA & GREETINGS:

WE COMMAND YOU that you summon John Elmer Quinley to be and appear before the Judge of the Circuit Court of Baldwin County, in Equity, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Viola Morris Quinley against the said John Elmer Quinley and further do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, Alice J. Duck, Register of said Circuit Court, this the 19 day of Feb, 1957.

Ex 4-10-57

Alice J. Duck
Register

VIOLA MORRIS QUINLEY
COMPLAINANT

VS

JOHN ELMER QUINLEY
RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

And now comes your complainant, Viola Morris Quinley and humbly complaining against John Elmer Quinley, respondent, respectfully shows unto your Honor:

FIRST: That your complainant and the said John Elmer Quinley are each over the age of twenty-one years, and are residents of Baldwin County, where they have resided all of their lives.

SECOND: That complainant and respondent were married at Gateswood, Alabama, April 21, 1923 and lived together as husband and wife until the 11 day of January, 1957, when they separated in Baldwin County, Alabama.

THIRD: That at the time of their marriage the said John Elmer Quinley was a man of sober and industrious habits, but since their marriage has been and is now an habitual drunkard and when in a drunken condition is cruel and inhuman; that on, to-wit: the 17th day of January, 1957, the defendant in a drunken condition attack this complainant and severely beat her and attempted to kill her and that because of his said habitual drunkenness acquired after marriage and because of his said cruelty this complainant separated from the defendant on said date and they have not lived together since their separation occurred in Baldwin County.

WHEREFORE your complainant prays that this Honorable Court will take jurisdiction of the cause and by appropriate process make the said John Elmer Quinley party defendant hereto 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 this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant; and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

Willa M. Quinley
Complainant

Beelbe & Swearingin
Delectors for Complainant

VIOLA MORRIS QUINLEY
Complainant,
VS.
JOHN ELMER QUINLEY,
Defendant.

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

MRS. VIOLA MORRIS QUINLEY, THE COMPLAINANT, BEING FIRST DULY
SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Brantley.

Q. Is your name Mrs. Viola Morris Quinley?

A. Yes sir.

Q. Mrs. Quinley, are you and your husband, John Elmer Quinley,
both over the age of 21 years of age?

A. Yes sir.

Q. Both Residents of Baldwin County, Alabama?

A. Yes sir.

Q. You have resided in Baldwin County most of your life?

A. Yes sir.

Q. When you were married?

A. 1923.

Q. At Gateswood, Alabama?

A. Yes sir.

Q. When were you all separated?

A. A little over three years ago.

Q. Was it about January 11, 1957?

A. That's right.

Q. Now at the time you married Mr. Quinley, was he sober and
industrious?

A. Well he worked and did the best he could.

Q. And did he, in your opinion, become an habitual drunkard?

A. Yes sir.

Q. Now at the time you all separated, what was the cause of the
separation?

A. He attacked me and I had to leave.
(page 1)

Viola Morris Quinley

vs.

John Elmer Quinley

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, petition and order, and testimony ore tenus of Viola Morris Quinley and

Orville Waters

and in behalf of Defendant upon answer

*Collect M. Daniels
att. for complaint*

Archie J. W. Smith
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Viola Morris Quinley

vs.

John Elmer Quinley

NOTE OF TESTIMONY

Filed in Open Court this

day of , 194

FEB 12 1960

ALICE J. DUCK, CLERK REGISTER.

Printed by the Baldwin Times

Q. Did he beat you with his fist?

A. Yes sir.

Q. Have you lived with him since that time?

A. No sir.

Q. Was his conduct such as to lead you to believe that if you continued to live with him that he would do you bodily harm, attended with danger to your life or health?

A. Yes sir.

Q. You have not received any support from him since you left?

A. No sir.

Q. And that was about January 11th or 12th of 1957?

A. That's right.

MR. WATERS, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Brantley.

Q. Are you Mr. Waters?

A. Yes sir.

Q. Are you related to Mrs. Quinley?

A. Yes sir.

Q. What is the relationship?

A. She's my aunt.

Q. Have you known her and her husband for the last five years?

A. Yes sir.

Q. They are both residents of Baldwin County, Alabama?

A. Yes sir.

Q. And both over the age of 21 years?

A. Yes sir.

Q. Do you know whether your aunt has lived with her husband during the past two or three years?

A. No sir.

Q. They have not lived together?

A. No sir.

C E R T I F I C A T E :

I hereby certify that the foregoing, consisting of pages 1 and 2, is a true and correct transcript of the testimony taken by me in open Court on this day in said case.

This 11th day of February, 1960.

Louise B. [Signature]
Court Reporter