

2955

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

Gloria W. Whaley

Complainant

vs.

John W. Whaley

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 Gloria W. Whaley is forever divorced from the said John W. Whaley for and on account of Voluntary Abandonment

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

This 6th day of March, 1953.

Richard M. Staele
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 3-9-53  
A. J. [Signature]  
[Signature]*

Gloria W. Whaley : Circuit Court  
COMPLAINANT :  
vs : Baldwin County  
John W. Whaley : Alabama  
RESPONDENT : In Equity

Comes Gloria W. Whaley, Complainant, and exhibits this, her Bill of Complaint against John W. Whaley, Respondent;

To the Honorable Hubert M. Hall, Judge of said Court, sitting in Equity, and shows as follows;

First: Complainant, whose age is 22 years, and Respondent, whose age is 32 years, intermarried at Robertsdale, Baldwin County, Alabama, on July 21st 1946.

Second: The parties hereto did live as man and wife in Baldwin County subsequent to said marriage until ~~November~~ July 1st 1951 on which date Respondent, John W. Whaley, did voluntarily abandon Complainant and he has continued said abandonment ever since with total neglect of the marital covenant on his part.

Third: Complainant remained a resident of said Baldwin County ever since and to the date of the filing of the within bill of complaint.

The premises considered, Complainant prays that said John W. Whaley be made party Defendant hereto by all due and proper process, that he be compelled to plead, demur or answer to the several paragraphs hereof within the time prescribed by law and that he be compelled to abide and obey all orders and decrees made in the premises.

Further, upon a hearing of the within cause, Complainant prays that a decree be ordered and entered forever divorcing her from said John W. Whaley.

E. A. Cramer

  
Solicitor for Complainant

Gloria W. Whaley  
vs.  
John W. Whaley

RECEIVED  
FEB 4 1953

ORDER OF COURT

IN RE

...

...

FEB 4 1953

ALICE J. DUCK, Register

...

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

Circuit Court

To Frances G. Crawford

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 Gloria W. Whaley and Chester Wells

as witnesses in behalf of Gloria W. Whaley in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Gloria W. Whaley is

Complainant

and John W. Whaley is

Respondent

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

Witness 26 day of Feb, 1953

Alice J. ...  
Register

Commissioner's Fee, \$ None  
Witness' Fees, \$ None

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Gloria W. Whaley

Complainant

VS.

John W. Whaley

Respondent

I, Frances G. Crawford,

as Register and Commissioner

have called and caused to come before me Gloria W. Whaley and Chester Wells

witnesses named in the Requirement for Oral Examination, on the 28 day of February  
194 1953 at the office of E. A. Cramer, Attorney,  
in Fairhope, Alabama, and having first sworn said Witness es to speak the  
truth, the whole truth, and nothing but the truth, the said Gloria W. Whaley  
doth depose and say as follows:

I am 22 years old and my husband, John W. Whaley, is 32. We were married at  
Robertsdale, Baldwin County, Alabama, on July 21st 1946. After our marriage, we  
lived together in Baldwin County, Alabama, as husband and wife until July 1st  
1951. On that date my husband left me. The reason for his leaving I expect must  
be because I had been working right along and he had not. I had been supporting  
him as well as myself and every time I tried to discuss the situation with him,  
he flew into a rage and refused to admit his responsibility in our marriage. He  
has remained away from me without contributing anything toward my support since  
July 1st 1951. In fact, before he left, he took money that I had earned and used  
it for his own reasons and purposes. He was not a normal conscientious husband.  
We have no children nor any property. After he left, I remained a resident of  
Fairhope, Baldwin County, Alabama, and still continue as a resident there. If I  
am granted a divorce, I want nothing but to be free of him and the right to resume  
the use of my maiden name, Gloria Wells, if I desire to do so.

Gloria W. Whaley

And the said Chester Wells doth depose and say as follows:

I am the Father of Gloria. I felt from the first that her marriage was a mistake  
and that she was much too young to be married. I know that John did not take care  
of her and, at times, mistreated her. I know that she was the main bread winner  
and that he did not try to change that condition. I know that he left her the  
middle of 1951 and went to someplace upstate and that he has never come back nor  
done anything for her since. I know that they lived in Baldwin County, Alabama,  
after their marriage at Robertsdale in 1946 and that she has continued to live  
in Fairhope, Alabama, ever since he left her to the present.

Chester Wells

ORAL EXAMINATION.

I, Frances G. Crawford, as Register and Commissioner hereby certify that the foregoing depositions 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 \_\_\_\_\_

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 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 28 day of February, 1953, 1953

Frances G. Crawford (L. S.)

*[Faint, illegible text, likely bleed-through from the reverse side of the page.]*

NO. _____	PAGE _____
THE STATE OF ALABAMA BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
Gloria W. Whaley	Complainant
vs.	
John W. Whaley	Respondent
<b>Oral Deposition</b>	
Filed <u>3-6</u> , 19 <u>53</u>	
Recorded in <u>King's Avenue</u>	Record _____
Vol. <u>1</u>	Page _____
_____	Register _____

GLORIA W. WHALEY

COMPLAINANT

VS

JOHN W. WHALEY

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now comes the Respondent and accepted service of the summon and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complaint; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

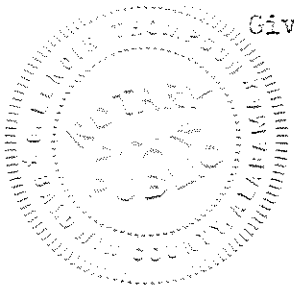
*John W. Whaley*

STATE OF ALABAMA  
BALDWIN COUNTY

I, *C. Lewis Thompson*, a Notary Public, in and for said County, in said State, hereby certify that John W. Whaley, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

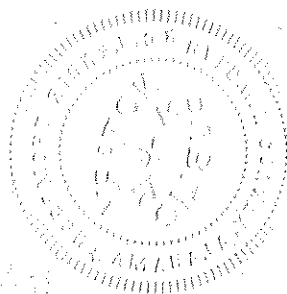
Given under my hand and seal on this the 16 day of February, 1953.

*C. Lewis Thompson*  
Notary Public, Baldwin County, Alabama.





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**RECORDED**



*[Faint handwritten notes, possibly a signature or initials]*

*[Faint handwritten notes, possibly a signature or initials]*

Gloria W. Whaley

Complainant

vs.

John W. Whaley

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

Gloria W. Whaley

Chester Wells

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



Solicitor for Complainant

### NOTE:

Complainant suggests the name of Frances G. Crawford  
as a suitable and competent person to act as commissioner upon the examination of said witnesses.



Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Complainant

vs.

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Filed this 26<sup>th</sup> day of Feb

1943

Alvin W. Nelson Register  
Moore Printing Co.

GLORIA W. WHALEY

vs.

JOHN W. WHALEY

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, \_\_\_\_\_  
Testimony of Complainant and Witness

and in behalf of Defendant upon Answer and Waiver

E. A. Cramer

*[Handwritten Signature]*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

GLORIA W. WHALEY

vs.

JOHN W. WHALEY

**NOTE OF TESTIMONY**

Filed in Open Court this .....6th.....

day of .....March....., 19453...

*Archie J. ...*  
Register.

Printed by the Baldwin Times

2955