

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

LEONA HATHCOCK

Complainant

VS.

ROY HATHCOCK

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 LEONA HATHCOCK is forever divorced from the said ROY HATHCOCK

for and on account of CRUELTY

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the party of the first part shall have the custody, care and control of the three minor children, Charles, aged 8 years, James, aged 6 years, and Renne, aged 2 years, with the right of the party of the second part to visit them at reasonable times.~~

~~The party of the second part shall pay to the party of the first part, as permanent alimony for the maintenance, care and support of her and the three minor children, Charles, aged 8 years, James, aged 6 years, and Renne, aged 2 years, the sum of \$20.00, every two weeks, payable on the 1st and 15th of each and every month thereafter.~~

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 Roy Hathcock the Respondent pay the cost herein to be taxed, for which execution may issue.

This 4th day of August, 1945

J. M. Stare
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. 1382 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

LEONA HATHCOCK
vs. Complainant

ROY HATHCOCK

Respondent

DIVORCE DECREE

Filed this _____ day of

August, 194 **5**

Register

LEONA HATHCOCK

vs.

ROY HATHCOCK

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, _____

Commission to take Testimony, Oral Depositions of Leona Hathcock,
D. C. Stabler and Alrena Stabler

and in behalf of Defendant upon ~~Answer and Waiver~~

*For my Client vs. the
Solicitor*

R. S. Duck

Register.

No. 1382

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

LEONA HATHCOCK

vs.

ROY HATHCOCK

NOTE OF TESTIMONY

Filed in Open Court this 2nd

day of August, 194 5

R.S.

Register.

Printed by The Baldwin Times, Bay Minette.

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LEONA HATHCOCK,
Complainant

vs.

ROY HATHCOCK,
Respondent

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

KNOW ALL MEN BY THESE PRESENTS, that this agreement made and entered into by and between Leona Hathcock, party of the first part, and Roy Hathcock, party of the second part, WITNESSETH:

WHEREAS, the parties hereto are husband and wife and have come to the conclusion that it is absolutely impossible for them to any longer live together; whereas, a suit is now pending in the Circuit Court of Baldwin County, Alabama, by the party of the first part as Complainant against the party of the second part as Respondent.

WHEREAS, the parties have reached a full and complete agreement as to the alimony, custody of the children and payment of all costs.

1.

The party of the first part is to have the custody, care and control of the three minor children, Charles, aged 8 years, James, aged 6 years, and Renne, aged 2 years, with the right of the party of the second part to visit them at reasonable times.

2.

The party of the second part will pay to the party of the first part, as permanent alimony for the maintenance, care and support of her and the three minor children, Charles, aged 8 years, James, aged 6 years, and Renne, aged 2 years, the sum of \$20.00 every two weeks, payable on the 1st and 15th of each and every month thereafter.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 30th day of July, 1945.

Roy Hathcock (SEAL)
Leona Hathcock (SEAL)

THE STATE OF ALABAMA,)
BALDWIN COUNTY,)

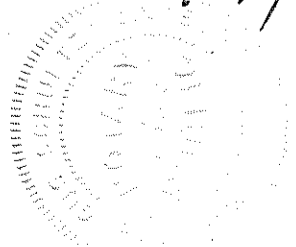
I, Kenn Schmitt, a Notary Public in and for said County and State, hereby certify that Roy Hathcock and Leona Hathcock, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand this the 30th day of July, 1945.

My commission expires:

Kenn Schmitt
Notary Public

3-29-49



1382

RECORDED

AGREEMENT

LEONA HATHCOCK,
Complainant

vs.

ROY HATHCOCK,
Respondent

Filed

8-2-45

R.S. Nuck
Registrar

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on the 2nd day of August, 1945.

Witness my hand and the seal of my office this 2nd day of August, 1945.

Notary Public for the State of Missouri

LEONA HATHCOCK, Complainant

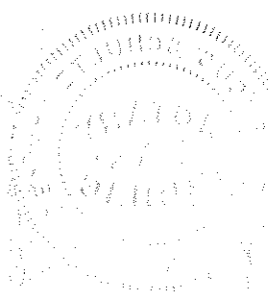
ROY HATHCOCK, Respondent

Witness my hand and seal this 2nd day of August, 1945.

Notary Public for the State of Missouri

LEONA HATHCOCK, Complainant

ROY HATHCOCK, Respondent



LEONA HATHCOCK,
Complainant

vs.

ROY HATHCOCK,
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

ANSWER

Now comes Roy Hathcock, the Respondent named in the above entitled cause, and for answer to the Bill of Complaint filed against him herein says:

1. He admits that the Complainant is over twenty-one years of age and a bona fide resident citizen of Baldwin County, Alabama, and that he is over twenty-one years of age and a resident of Baldwin County, Alabama.

2. The Respondent denies each and all of the other allegations of the Bill of Complaint and demands strict proof thereof.

3. The Respondent waives all formalities and requirements of law in connection with the taking of testimony in this cause, submission of the cause for final decree and any and all other notice or notices of every kind and nature which are or may be required in this cause.

Roy Hathcock
Respondent

THE STATE OF ALABAMA)
BALDWIN COUNTY.

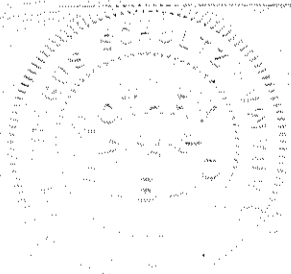
I, Russ Schultz, a Notary Public in and for said County and State, hereby certify that Roy Hathcock, whose name is signed to the foregoing answer, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said answer, he executed the same voluntarily on the day the same bears date.

Given under my hand this the 31st day of July, 1945.

My commission expires:

3-29-49

Russ Schultz
Notary Public



1382

RECORDED

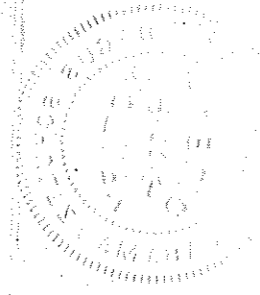
ANSWER

LEONA HATHCOCK, Complainant

vs.

ROY HATHCOCK, Respondent

Filed
8-2-45
R.S. Luck
Register



THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING:

WE COMMAND YOU, that you summon Roy Hathcock, 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 Leona Hathcock, against the said Roy Hathcock, 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 thereof.

WITNESS, R. S. Duck, Register of said Court, this 2nd day of July 1945.

R. S. Duck
Register

.....

LEONA HATHCOCK,)	IN THE CIRCUIT COURT OF
Complainant)	BALDWIN COUNTY, ALABAMA
vs.)	IN EQUITY
ROY HATHCOCK,)	
Respondent)	

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

Your Complainant, Leona Hathcock, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about November 17, 1935, Complainant intermarried with said Roy Hathcock, at Monroe County, Alabama, and they lived together as man and wife until three months ago, most of the time residing in Baldwin County, Alabama, and Complainant has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

2. That Respondent has committed actual violence upon the person of the Complainant, attended with danger to her life and health or from his conduct there is reasonable apprehension of such violence; That on to wit: Several weeks ago, the Respondent struck the Complainant several violent blows knocking her to the ground.

3. That there was born to said marriage three children, Charles, aged 8 years, James, aged 6 years and Renne, aged 2 years; that said children are and have been with your Complainant, who is a suitable, fit and proper person to have their care, maintenance and control; that the Respondent is an able bodied man, easily capable of maintaining and supporting the Complainant and the minor children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Roy Hathcock 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;

That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant;

Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the said children, Charles, James and Rense; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Leona Hatcock
Complainant

Forest A. Christian
Forest A. Christian, Foley, Alabama
Solicitor for Complainant

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING:

WE COMMAND YOU, that you summon Roy Hathcock, 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 Leona Hathcock, against the said Roy Hathcock, 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 thereof.

WITNESS, R. S. Duck, Register of said Court, this ___ day of July, 1945.

Register

LEONA HATHCOCK,
Complainant

vs.

ROY HATHCOCK,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

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

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That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant;

Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the said children, Charles, James and Renae; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Leona Hathcock
Complainant

Forest A. Christian, Foley, Ala
Forest A. Christian, Foley, Alabama
Solicitor for Complainant

BILL OF COMPLAINT

LEONA HATHCOCK, Complainant

vs.

ROY HATHCOCK, Respondent

Handwritten notes:
4/2/28
8-5-42
R. S. ...
D. ...

138 E

1382

BILL OF COMPLAINT

LEONA HATHCOCK,
Complainant

vs.

ROY HATHCOCK,
Respondent

roy hathcock
complainant
vs.
roy hathcock
respondent

LEONA HATHCOCK
Complainant

ROY HATHCOCK
Respondent

Filed
8-2-45
R.S. Luck
Reg 1

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

LEONA HATHCOCK

Complainant

VS.

ROY HATHCOCK

Respondent

I, Alice A. Christian
as ~~Register~~ and Commissioner

have called and caused to come before me Leona Hathcock, D. C. Stabler and Alrena Stabler

witness^{es} named in the Requirement for Oral Examination, on the 31st day of July 1945, at the office of Forest A. Christian in Foley, Alabama, and having first sworn said Witness^{es} to speak the truth, the whole truth, and nothing but the truth, the said Leona Hathcock, D. C. Stabler and Alrena Stabler doth depose and say as follows:

My name is Alrena Stabler. I am the mother of the Complainant in this case. Roy and Leona were married in Monroe County about November 17, 1935. They lived together until two or three months ago. My daughter was working at a packing shed in Summerdale. My son went to the packing shed to walk home with her about 10:30 o'clock after work. My son, D. C. Stabler, walked home with Leona and when they came to the door of Leona's house, Roy, her husband, was waiting for her at the door. ~~Then he~~ slapped her down out in the yard before she got in the house. My son, D. C., came to get me and told me what had happened. When I got to the house Roy slapped her again while I was in there. I asked him not to do it any more and he turned on me. He pushed me out of the door with one hand and slapped me with the other. Roy had been drinking some but wasn't drunk. Roy went to his brother's house that night and my daughter came home with me and hasn't been back to their house since. I know that Roy had been trying to run her off the place for some time. I wouldn't feel safe in sending my daughter back to him.

Alrena Stabler

My name is D. C. Stabler. I am 15 years of age. I am the brother of the Complainant. I went to the packing shed in Summerdale to take my sister home from work. When we got to the door, Roy was standing in the door, and he came out and slapped her down knocking her to the ground. I went to get mamma and when we came Leona was in the house. Roy slapped her again and Leona fell on a little rocker and it was broken.

D.C. Stabler

My name is Leona Hathcock, I am 25 years of age. I am the Complainant in this case. I married Roy on November 17, 1935, in Monroe County, Alabama. I was working at the potato packing shed in Summerdale this spring. My husband was working in the shipyards at Chickasaw. One evening he came by the shed where I was working and we went home for supper. Then we went back to the shed and he went somewhere and later came back and told me that he wasn't going to let me in that night. I thought he was joking. But when my brother walked home with me, Roy was at the door and came out and slapped me down to the ground. Later I was able to get into the house and he slapped me again knocking me upon a small rocker and broke it. I went home with mother and haven't been back. When I went to visit Mother before that night he asked why I came back and often told me that he wished that I would go and stay home.

Leona Hathcock

ORAL EXAMINATION.

I, Alice A. Christian, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~s~~ 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 Forest A. Christian 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 31st day of July, 1945.

Alice A. Christian

NO. 1382 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

LEONA HATHCOCK

vs. Complainant

ROY HATHCOCK

Respondent.

Oral Deposition

Filed 8-2, 1945

R. S. Welch, Register.
Recorded in _____

Record _____

Vol. _____ Page _____

Register.