

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

EOLA DEAKLE

Complainant

VS.

BURKE DEAKLE

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 EOLA DEAKLE

is forever divorced from the said BURKE DEAKLE

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 the payment of the cost of this suit.

It is further ordered that BURKE DEAKLE

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

This 4<sup>th</sup> day of December, 1945

*[Signature]*

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

**EOLA DEAKLE**

vs. Complainant

**BURKE DEAKLE**

Respondent

**DIVORCE DECREE**

Filed this \_\_\_\_\_ day of

**December**, 194**5**

Register

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

To Alica A. Christian

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 Eola Deakle and R. F. Long

as witnesses in behalf of Eola Deakle in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Eola Deakle

Complainant

and

Burke Deakle

Respondent

on oath, to be by you administered, upon Eola Deakle and R. F. Long to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all convenient speed, under your hand.

Witness 4<sup>th</sup> day of December, 1945

R. S. Luck  
By Alice J. Luck Register

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. ~~1458~~

1415



THE STATE OF ALABAMA  
Baldwin County  
CIRCUIT COURT

EOLA DEAKLE

Complainant

VS.

BURKE DEAKLE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Alica A. Christian

WITNESSES:

Eola Deakle and

R. F. Long

Faint, illegible text and markings on the right side of the page, possibly bleed-through or ghosting from the reverse side.

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

WE COMMAND YOU, that you summon Burke Deakle, 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 Eola Deakle, against the said Burke Deakle, 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 the 26 day of September, 1945.

BILL OF COMPLAINT

BURKE DEAKLE, )  
Complainant )  
vs. )  
EOLA DEAKLE, )  
Respondent )

*R. S. Duck*  
Register

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.

Your Complainant, Eola Deakle, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about December 23, 1929, Complainant intermarried with said Burke Deakle, at Pensacola, Florida, and they lived together as man and wife until about April, 1945, most of the time residing in Mobile County, except for the past two years, Complainant has been 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 from the Respondent's conduct there is reasonable apprehension of violence upon the person of the Complainant which puts her in constant fear of danger of her life or health, for the Respondent during the past year on numerous occasions has threatened to hit her; threatened to violently eject her from their home; and locked her out of her room causing her to be in constant fear of violence upon her person and to become very nervous.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Burke Deakle 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 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.

*Eola Deakle*  
*Forest A. Christian*  
Forest A. Christian, Foley, Alabama  
Solicitor for Complainant

2014/10/18 for Complaint

Robert V. O'Connell, Esq., Attorney

*Robert V. O'Connell*

she had be entitled to receive and as it only being she will ever have. Give and Grant unto her and others, further declared or consent, ruled on a of matrimony entered between her and the Respondent that your Honor will will Grant and pay an absolute decree of divorce forever separating the party Complainant further pray that upon a final hearing proceed your Honor the Complainant;

Complainant; and also a suitable attorney's fee to be paid by the Respondent to of attorney to be paid by the Respondent to the Complainant's attorney; the sum that your Honor will order a reference to determine a reasonable amount of this reasonable cost;

within the time and under the direction prescribed by law and the direction this decree of action, retaining him to direct answer or demur to the same Honor will in proper process make the said Burke Deakle party Respondent to WHEREFORE, the Petitioner prays that your Complainant pray that your

that fear of violence upon her behalf and to become very nervous.

her from their home; and looked her out of her room causing her to be in com- on numerous occasions has threatened to hit her threatened to violently eject her of danger of her life or health for the Respondent during the past year of violence upon the person of the Complainant which puts her in constant s' that from the Respondent's conduct there is reasonable apprehension

pass for one year past preceding the filing of this bill.

Complainant, and Complainant's wife a home the respondent atoken of vio- hereby for the past two years; Complainant has been residing in Belmar and wife until about April 1949, most of the time residing in Morristown, New Jersey; Burke Deakle, of Belmar, New Jersey, and they lived together as man known that on or about December 28, 1949, Complainant interviewed with witness' over the age of twenty-one years, respondent's spouse into your Complainant's wife Deakle, a resident of Belmar, New Jersey.

ATTORNEY, IN BELMAR,  
SO THE HONORABLE J. W. SWAN, JUDGE OF THE CIRCUIT COURT OF BERKSHIRE COUNTY,

Respondent

vs.

26 19 45

Complainant

IN THE CIRCUIT COURT OF

1415  
EOLA DEAKLE,  
Complainant  
vs.  
BURKE DEAKLE,  
Respondent

1949

Complainant that your Honor this bill with your exception thereof. Respondent until in no wise child support benefit of the law; and she further pray the said Judge shall order and direct in that behalf; and this the pray that your Honor shall order the said Burke Deakle, and further to go and deliver answer; direct or demur without entry in a bill of complaint; finally praying that your Honor shall give effect to the Petitioner's and there to the Judge of the Circuit Court of Berkshire County, exercising generally justice and equity your Honor answer Burke Deakle, to be and appear before

TO THE SHERIFF OF THE STATE OF VERMONT - BELMAR;  
BERKSHIRE COUNTY;  
THE STATE OF VERMONT;

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

EOLA DEAKLE

VS.

BURKE DEAKLE

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY  
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, \_\_\_\_\_

~~Commission to take Testimony, Oral Depositions of Eola Deakle and R. F. Long and  
Agreement of parties~~

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_

Answer and Waiver

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*Forrest W. H. H. H.*  
*Solicitor for Complainant.*

*R. S. Duck* Register.

No. 1415  
145-8

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

EOLA DEAKLE

VS.

BURKE DEAKLE

NOTE OF TESTIMONY

Filed in Open Court this 4<sup>th</sup>  
day of December 1945

P. S. Luck  
by Alvin J. Register Register



THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

EOLA DEAKLE

Complainant

VS.

BURKE DEAKLE

Respondent

I, Alice A. Christian  
as ~~Registrar~~ Commissioner  
have called and caused to come before me Eola Deakle and R. F. Long

witness ~~es~~ named in the Requirement for Oral Examination, on the 3rd day of December  
194<sup>5</sup>, at the office of Forest A. Christian  
in Foley, Alabama, and having first sworn said Witnesses to speak the  
truth, the whole truth, and nothing but the truth, the said Eola Deakle and R. F. Long  
doth depose and say as follows:

My name is Eola Deakle. I am 30 years of age. I am the Complainant in this case. We were married December 23, 1929. We have no children. We have lived in Alabama all of this time. Two or three times a week for at least the past year he has blown his top and has hit me with his fist and left home for two or three days at a time. He drank some and when he came home drunk he was fussing around and he would be very abusive to me. I was afraid of him and he made me extremely nervous. He told me to leave and finally I did leave him because I couldn't live with him.

Eola Deakle

Eola Deakle

My name is R. F. Long. I am the father of the Complainant. I live at Foley, Alabama. It is hard to put a half a life time in a few words but I do know that my daughter lived in hell all of the time. I visited them numerous times and he was very abusive. He was mean and not only when he was drunk. My daughter tried to live with him as long as she could but it wouldn't do. When she came home she was nervous and upset and said that her husband had hit her and mistreated her. She couldn't live with him any longer.

R. F. Long

R. F. Long

ORAL EXAMINATION.

I, Alica 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 3rd day of December, 1945.

Alica A. Christian (s)

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

NO. 1445-8 PAGE \_\_\_\_\_

1445-

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

EOLA DEAKLE  
vs. Complainant

BURKE DEAKLE  
Respondent.

Oral Deposition

Filed December 4<sup>th</sup>, 1945

T. S. Wood  
by Alice A. Christian, Register.  
Recorded in \_\_\_\_\_

Record \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_, Register.

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

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

WE COMMAND YOU, that you summon Burke Deakle, 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 Eola Deakle, against the said Burke Deakle, 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 the 26 day of Sept, 1945.

R. S. Duck  
Register

EOLA DEAKLE, )  
Complainant )  
vs. )  
BURKE DEAKLE, )  
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.

Your Complainant, Eola Deakle, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about December 23, 1929, Complainant intermarried with said Burke Deakle, at Pensacola, Florida, and they lived together as man and wife until about April, 1945, most of the time residing in Mobile County, except for the past two years, Complainant has been 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 from the Respondent's conduct there is reasonable apprehension of violence upon the person of the Complainant which puts her in constant fear of danger of her life or health, for the Respondent during the past year on numerous occasions has threatened to hit her; threatened to violently eject her from their home; and locked her out of her room causing her to be in constant fear of violence upon her person and to become very nervous.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Burke Deakle 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 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.

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



ANSWER

EOIA DEAKLE,  
Complainant

vs.

BURKE DEAKLE,  
Respondent

*Filed*

*12-4-45*

*R.S. Deakle - Reg  
By Alice J. Deakle  
M.R.*

