

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

BOIA 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 BOIA 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 4th 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^s of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness 4th day of December, 1945

R. S. Duck
By Alice J. Duck Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. ¹⁴¹⁵~~1458~~

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

EOLA DEAKLE

Complainant

VS.

BURKE DEAKLE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Alicia A. Christian

WITNESSES:

Eola Deakle and

R. F. Long



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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

EOLA DEAKLE, Complainant
vs.
BURKE 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

Notar Public for Commonwealth
Robert A. Quinn-Tamm, Notary, Virginia

Robert A. Quinn-Tamm
Notary Public

she had be entitled to receive, and as it will hereby she will earn back.
She and Grant made her own other father, different or contrary, relied on a
of numerous extrinsic papers her and the Respondent; that your Honor will
will Grant and her an absolute grant of divorce forever pending the party
Complainant further begs that upon a first pending period your Honor
the Complainant;

Respondent; and also a trustee appointed, a fee to be paid by the Respondent to
of amount to be paid by the Respondent to the Complainant; to wit: and
that your Honor will order a reference to determine a reasonable amount

OF THE HONORABLE COURT

At this time and when the Complainant presented by her and the Respondent
this cause of action, regarding her to being a woman or woman to the same
Honor will in proper process make the said Burke Deakle her Respondent to
Respondent; the Complainant Complainant; your Complainant begs that your

grant her of divorce upon her behalf and to become such her
her from their bond; and I ordered her out of her room saying her to be in con-
or numerous occasions has threatened to hit her; threatened to violently effect
her of number of her life or health; for the Respondent during the last year
of violence upon the person of the Complainant which has her in constant
of that from the Respondent, a constant threat to reasonable apprehension

pass for one year from preceding the filing of this bill.
Complainant Virginia, and Complainant Respondent a bond the Respondent citizen of Vir-
sufficient for the last two years; Complainant has been residing in Bedford
and wife until about July 1933; most of the time residing in Norfolk County,
said Burke Deakle, of Richmond, Virginia; and they lived together as man
Honor that on or about December 31, 1933, Complainant immediately after
Virginia; over the age of twenty-one years; habitually upon and your
your Complainant; both parties a resident citizen of Bedford County;

VIRGINIA, IN COUNTY
SO THE HONORABLE L. W. BROWN, JUDGE OF THE CIRCUIT COURT OF BEDFORD COUNTY,

BURKE DEAKLE,
Respondent

IN COURT,
BEDFORD COUNTY, VIRGINIA

vs.
EOLA DEAKLE,
Complainant

IN THE CIRCUIT COURT OF
BEDFORD COUNTY, VIRGINIA

Eola Deakle
Complainant
vs.
Burke Deakle
Respondent

Complainant Eola Deakle and wife with your execution thereof,
Respondent Burke Deakle in no wise either Respondent or the law. And we further
upon the said judge shall order and direct in that behalf, and give the
of both parties, stating the said Burke Deakle, and further to go and before
Honor, based on your witness and the bill of Complainant, Eola Deakle, explained
action within which she after the parties of the Complainant and there to
the judge of the Circuit Court of Bedford County, executing orders and
we Complainant you that your Honor make Deakle, to be and appear before

TO THE SHERIFF OF THE COUNTY OF VIRGINIA - BEDFORD;

BEDFORD COUNTY,

THE STATE OF VIRGINIA,

415

Robert A. Quinn-Tamm
Notary Public
26 14 45

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

George W. H. 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 4th
day of December 1945

P. S. Luck
by *Alice J. Luck* Register

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

EOLA DEAKLE

Complainant

VS.

BURKE DEAKLE

Respondent

I, Alica 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
194⁵, 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)

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NO. 1445-8 PAGE _____

1445-

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

FOIA DEAKIE
vs. Complainant

BURKE DEAKIE
Respondent.

Oral Deposition

Filed December 4th, 1945

T. S. [Signature], Register.
Recorded in by Alice A. Christian

Vol. _____ Page _____
Register.

Record _____

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

EOLA DEAKLE,
 Complainant

 vs.

 BURKE DEAKLE,
 Respondent

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

ANSWER

Now comes Burke Deakle, 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 Mobile 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.

Burke Deakle
 Respondent

THE STATE OF ALABAMA,)
)
 MOBILE COUNTY.)

I, Yvonne Morris, a Notary Public in and for said County and State, do hereby certify that Burke Deakle, 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 1st day of December, 1945.

My commission expires:

Nov. 19, 1948

Yvonne Morris
 Notary Public



1465
12/5/45

ANSWER

EOLA DEAKLE,
Complainant

vs.

BURKE DEAKLE,
Respondent

Filed

12-4-45

*R.S. Deakle - Atty
by Alice J. Deakle
J.R.*

