

1027

STATE OF ALABAMA, )  
COUNTY OF BALDWIN.)

MARZELLA WEAVER, )  
Complainant, )  
vs )  
EDWARD WEAVER, )  
Respondent. )

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALA.

IN EQUITY

BEFORE THE HON. FRANCIS W.  
HARE, JUDGE OF SAID COURT.

### BILL OF COMPLAINT

1. Comes now your complainant, a resident of the county of Baldwin, State of Alabama, and respectfully shows to this honorable court that both she and the respondent are over the age of twenty-one years, and that the complainant and the respondent were married in Monroeville, Alabama, on or about the 30th day of April, 1927, most of the time residing in Monroe and Baldwin Counties, Alabama, since their marriage, and that your complainant has been a bona fide resident of the state of Alabama for more than three years next preceding the filing of this Bill, and of Baldwin County for more than one year last past.

2. Your complainant shows to this Honorable Court that on or about the 1st day of February, 1931, while your complainant and respondent were living together as man and wife, that she came into their home suddenly on or about the 1st day of February, 1931, and found the respondent with another woman sitting on his lap, whose name is Altha Phillips, and whom the respondent was fondling and caressing, and that upon the remonstrance made by your complainant the respondent flew into a rage and assaulted and struck, threatened and abused your complainant and told her, "It is none of your damn business." The respondent threatened to do your complainant violence and bodily harm and to take her life if necessary; that he committed acts of violence upon the person of your complainant and further threatened to do her violence and bodily harm if she further remonstrated.

Your complainant further shows to this Honorable court that she verily believes that it is dangerous for the complainant and the respondent to be left alone together. Your complainant further shows to this Honorable Court that he has threatened further acts of violence toward her if an opportunity ever presented itself, and to do her grievous and bodily harm.

3. Your complainant further shows to this Honorable Court that to this marriage no children were born.

Premises considered, your complainant prays that Your Honor will take jurisdiction of this cause made by this Bill of Complaint and will cause notice thereof to be served on the respondent, EDWARD WEAVER, according to the rules of this Honorable Court and the laws of the state of Alabama in such matters pertaining, and make ~~him~~ a respondent to said Bill of Complaint, requiring him to answer, plead or demur within the time allowed by law.

Your complainant further prays that upon the final hearing

of this cause Your Honor will grant her a decree of divorce, dissolving the bonds of matrimony now existing between your complainant and the respondent, EDWARD WEAVER, granting her an absolute divorce, granting her the right to re-marry again, granting her the right to resume her maiden name, and for such other relief as equity in good conscience, your complainant will ever pray.

Marzella Weaver

F. F. Nelson  
Solicitor

FOOT NOTE: The respondent is required to answer each and every paragraph of the foregoing Bill of Complaint, but not under oath, his oath thereto being expressly waived.

F. F. Nelson

Defendant found at Allen. Pa.

Original Bill

RECORDED

Margiea Brown  
PS

Edward Brown

Recd Feb 14/83

Wm Brown

Wm Brown

The State of Alabama,  
Baldwin County.

No. 1027... CIRCUIT COURT IN EQUITY.

MARZELLA WEAVER

Complainant

VS.

EDWARD WEAVER

Defendant

Motion is hereby made for a Decree Pro Confesso against

EDWARD WEAVER

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....; and that said summons was duly served according to law, and that said Defendant... has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 28 day of August

19 52

F. F. Nelson Solicitor.

No. 1027

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# The State of Alabama,

Baldwin County.

## CIRCUIT COURT, IN EQUITY

MARZELLA WEAVER

vs.

EDWARD WEAVER

### MOTION FOR DECREE PRO CONFESSO ON PERSONAL SERVICE

Filed June 25 1932 19

Register.

Recorded in Record,

Vol. Page

Register.

The State of Alabama, {  
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,  
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon Edward Weaver, Allen, Clarke  
County, Alabama,

of Clarke County, to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
Marzella Weaver

against said Edward Weaver

and further to do and perform what said Judge shall order and direct in that behalf. And this the  
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return  
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 4th day of

February 193 2

T. W. Richerson Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

(original)

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

No. \_\_\_\_\_

SUMMONS

Marzella Weaver

vs.

Edward Weaver

F. F. Nelson

Solicitor for Complainant.

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 193

Sheriff.

Executed this \_\_\_\_\_ day of \_\_\_\_\_

*Feb* 193

by leaving a copy of the within Summons with

*Edward Weaver*  
Defendant.

*L. D. Weaver*  
Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

The State of Alabama, {  
Baldwin County.

No. 1027

CIRCUIT COURT, IN EQUITY

MARZELLA WEAVER

Complainant.

vs.

EDWARD WEAVER

Defendant.

In this cause it appears to the REGISTER  
that a Summons requiring the Defendant EDWARD WEAVER

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the  
service of said Summons upon EDWARD WEAVER  
was served upon HIM by the Sheriff of CLARK County, Alabama, on the  
9th day of February 19 32

And the said Defendant ... having failed to demur, plead to or answer the said Bill of Complaint  
to this date, it is now, therefore, on motion of F.F. Nelson, Solicitor for Complainant

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as  
confessed against the said Edward Weaver

Defendant ... aforesaid.

This 28th day of March 19 32

Register.

No. 1027 ..... Page .....

**The State of Alabama,**  
Baldwin County

Circuit Court In Equity

MARZELLA WEAVER

vs.

EDWARD WEAVER

Decree Pro Confesso On  
Personal Service.

Issued ..... March 28, ..... 19 32 .....

*J. M. [Signature]*

Register.