

MRS. GEORGIA HARTLEY:  
COMPLAINANT.

VS. :

DEWITT HARTLEY :  
DEFENDANT. :

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

TO HONORABLE FRANCIS W. HARE, JUDGE OF THE  
TWENTY-FIRST JUDICIAL CIRCUIT OF ALABAMA, IN EQUITY

Now comes the complainant, Mrs. Georgia  
Hartley, humbly complaining of the defendant, Dewitt  
Hartley in a matter of divorce as will hereinafter  
appear and represents and shows unto Your Honor as  
follows:

FIRST. That both the defendant and the complainant  
are residents of BALDWIN County, Alabama and are over  
the age of twenty-one years.

SECOND. That the complainant and the defendant were  
married to each other on, to-wit, the 12th day of October,  
1918 in Baldwin County, Alabama and lived together there-  
after as man and wife until on, to-wit, the 4th day of  
August, 1937.

THIRD. That the defendant for a long time before  
the 4th day of August, 1937 had commenced to treat the  
complainant in a cruel and inhuman manner and would abuse  
and beat her and threaten her, and that this cruelty on  
his part was without any just cause or good excuse, and  
that this treatment grew worse and worse and that on, to-wit  
the 4th day of August, 1937, the defendant beat the complain-  
ant about her face and body and bumped her head against the  
floor and made large blue and inflamed spots about her face  
and body, that this cruelty was attended with great danger to  
her life and health; and that she can no longer with any de-  
gree of comfort and safety continue to live with the said de-  
fendant.

PRAYER FOR PROCESS

To the end that equity may be had in the premises,  
your Oratrix, the Complainant, prays that the said Dewitt  
Hartley, be made party Defendant to this Bill of Complaint,

and that summons be issued and served upon him requiring him to plead, answer or demur to the Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Premises considered, your Oratrix, the Complainant, prays that on a final hearing of this cause your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between the Complainant and the Defendant and granting to your Oratrix the right to again marry should she so desire. Your Oratrix prays such other, further and general relief to which she may be entitled, the premises considered, and your Oratrix will ever pray, etc.

Horne & Hodnette  
HORNE & HODNETTE, Solicitors for  
the Complainant.

FOOTNOTE:  
DEFENDANT IS REQUIRED TO ANSWER EACH  
AND EVERY PARAGRAPH OF THE FOREGOING  
BILL OF COMPLAINT, numbered "first"  
"second" and "Third", but not under  
oath, ANSWER UNDER OATH BEING HEREBY  
EXPRESSLY WAIVED.

Horne & Hodnette  
Solicitors for the Complainant

The State of Alabama, }  
Baldwin County

No. 328

CIRCUIT COURT IN EQUITY

GEORGIA H. HARTLEY,

Complainant

vs.

DeWITT T. HARTLEY,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of  
CRUELTY

It is further ordered, that the said GEORGIA H. HARTLEY, be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said GEORGIA H. HARTLEY, the Complainant, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said DeWITT T. HARTLEY, the Respondent .

It is further ordered, adjudged and decreed that the said GEORGIA H. HARTLEY shall not again marry except to said DeWITT T. HARTLEY, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said DeWITT T. HARTLEY,

during the said pendency of appeal

This 14<sup>th</sup> day of May 19 38

*J. W. Jare*

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA }  
BALDWIN COUNTY }

CIRCUIT COURT, IN EQUITY

I, \_\_\_\_\_, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_ 9, in the cause of \_\_\_\_\_

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

Register

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

Comes GEORGIA H. HARTLEY and, humbly complaining against  
DeWITT T. HARTLEY, respectfully shows unto your Honor:

FIRST:

That your complainant and the said DeWitt T. Hartley are  
each over the age of twenty-one years and residents of Baldwin Coun-  
ty, Alabama, where they have continuously resided for more than ten  
years next preceding the filing of this bill of complaint.

SECOND:

That your complainant and the said DeWitt T. Hartley are  
husband and wife, having intermarried October 12, 1918, at Perdido,  
in Baldwin County, Alabama. That your complainant and the said  
DeWitt T. Hartley are the mother and father of EthelMarie Hartley,  
16 years of age; Edna Earle Hartley, 14 years of age; Voncille  
Hartley, 12 years of age; DeWitt T. Hartley, Jr., 9 years of age,  
Lewis Hartley, 6 years of age, Glen Edward Hartley, 5 years of age,  
and Eugene Hartley, 2 years of age. That the said children are in  
the custody of the said DeWitt T. Hartley.

THIRD:

That your complainant and the said DeWitt T. Hartley lived  
together as man and wife until April 26, 1937, when your complainant  
left the said DeWitt T. Hartley and they have not lived together as  
husband and wife since then; that the cause of your complainant  
leaving the said DeWitt T. Hartley was his cruelty; that the said  
DeWitt T. Hartley is a man of violent and ungovernable temper; that  
on April 26, 1937, the said DeWitt T. Hartley, without cause, flew  
into a rage, cursed and abused your complainant, threatened to kill  
her and on said occasion attempted to kill her and did choke her in-  
to insensibility, and but for the intervention of others would have  
killed her or committed such violence on her person as to injure  
her health. That such conduct and action has occurred frequently  
within the last few months, and was continuously growing worse, so  
that your complainant, because of the conduct of the said defend-

ant, feared that if she continued to live with him, he would commit such actual violence on her person as would kill her or injure her health, and complainant for that reason left the said DeWitt T. Hartley and has not returned, and fears that should she return to him as his wife he would carry out his threats and do her bodily harm.

WHEREFORE, your complainant prays this Honorable Court will take jurisdiction of the cause made by this bill of complaint, and by proper process make the said DeWitt T. Hartley a party defendant hereto, and require him to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said DeWitt T. Hartley, and your complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive.

  
Attorneys for Complainant.

Defendant is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to THIRD inclusive, but not under oath, oath being hereby expressly waived.

  
Attorneys for Complainant.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To ROBBIE RUTH THOMPSON,

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 Georgia Hartley, Cora Lee Payne, and Clem Sanks,

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

GEORGIA HARTLEY

Complainant

and DeWITT HARTLEY

Defendant,

on oath to be by you administered, upon them 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 11th day of November 19 37

*R. Jones*

REGISTER

COMMISSIONER'S FEE, \$ \_\_\_\_\_

WITNESS' FEES, \$ \_\_\_\_\_



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 DEWITT T. HARTLEY

of BALDWIN 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 Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

GEORGIA H. HARTLEY

against said DEWITT T. HARTLEY

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, Robert S. Duck, Register of said Circuit Court, this 5th day of May 1937

Robert S. Duck Register

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



GEORGIA HARTLEY,  
Complainant,

vs.

DEWITT T. HARTLEY,  
Defendant.

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

IN EQUITY. 328

Come Beebe, Hall & Beebe in the above entitled cause  
and withdraw their appearance for Georgia Hartley, complainant.

Beebe, Hall & Beebe  
Attorneys for Complainant.

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

Georgia Hartley

Complainant

vs.

Dewitt Hartley

Defendant

Oral examination before the Register of the following witnesses:

Georgia Hartley, Cara Lee Payne  
and Clem Sauts

who reside in Alabama, said examination being conducted in Atmore Alabama,

on this the 7 day of May 1938, and there being present

the Commissioner and said witnesses

Testimony of Georgia Hartley

The said Georgia Hartley being first sworn to speak the truth, the whole truth and nothing but the truth,

testified as follows:

My name is Georgia Hartley. I am the Complainant in the above styled cause. Dewitt T. Hartley is the Defendant. We are both residents of Baldwin, County, Ala., and are both over the age of 21 years, and we have resided in Baldwin County for more than 10 years, before I filed my Bill of Complaint against him. We were married to each other at Perdido in Baldwin County, Ala. on the 12th day of Oct., 1918, and lived together thereafter as man and wife until April 26, 1937. That for a long time prior to April, 26, 1937, the Defendant had commenced to treat the Complainant in a cruel and in-human manner, and that on many occasions he would threaten to kill her and curse her, and that on April, 26, 1937, he did abuse and beat her with his fists, and strike her about the face and body until she was unconcious, and left large blue and inflamed spots about her face and neck. That this conduct was without provocation or fault on her part; That shortly after this and after this Bill of Complaint was filed, the Defendant came to the Complainant and threatened to kill her and some of the children, unless she went back and lived with him; that she went back for a few weeks, and that this condition became worse instead of better; and that in August, 1937, on to-wit the 4th day of Aug., 1937, the Defendant made a vicious attack upon her person, and he took her by the hair of the head and slung her against the floor, and hit her head against the floor and made

RECORDED *Direct*  
2-362

(original)

No. 328

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY,  
Baldwin County, Ala.

GEORGIA H. HARTLEY,

Complainant,

vs

DEWITT T. HARTLEY,

Respondent.

DECREE OF DIVORCE

Filed in office this 16

day of May, 19 38

*Radwick*  
Register.

E. O. M.

RECORDED

*Such*  
*7-124*

GEORGIA H. HARTLEY,  
Complainant,

vs.

DEWITT P. HARTLEY,  
Defendant.

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

BILL FOR DIVORCE.

Filed May 5<sup>th</sup>, 1937.

R. S. Such  
*Register.*

BEEBE, HALL & BEEBE,  
Attys. for Complt.

The State of Alabama  
BALDWIN COUNTY  
CIRCUIT COURT

GEORGIA HARTLEY,

vs. Complainant

DEWITT HARTLEY,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Robbie Ruth Thompson,

WITNESSES:

Georgia Hartley, Cora

Lee Payne, and Clem Sanks.

RECORDED

*Book*  
7-429

No. 328

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**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

GEORGIA H. HARTLEY,

Complainant,

vs.

DEWITT G. HARTLEY,

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE

Issued May 9th, 19 38

*R. S. Dwell*

Register.

Moore Printing Company, Bay Minette, Ala.

*Originals*

RECORDED  
*Duck*  
7-12-34

Serve on Dewitt T. Hartley

Circuit Court of Baldwin County  
IN EQUITY

No. 328

**S U M M O N S**

GEORGIA H. HARTLEY,

Complainant,

vs.

DEWITT T. HARTLEY,

Respondent.

**THE STATE OF ALABAMA,**

BALDWIN COUNTY

Received in office this 25<sup>th</sup>

day of May, 1937

*M. W. Wilkins*

SHERIFF

Executed this 25<sup>th</sup> day of

May 1937

by leaving a copy of the within Summons with

*Dewitt T. Hartley*

Defendant

*M. W. Wilkins*

Sheriff

By *W. H. Hall*

Deputy Sheriff

BEEBE, HALL, & BEEBE  
Solicitor for Complainant

*Duck*  
*9-376*  
RECORDED  
INDEXED

GEORGIA HARTLEY,  
Complainant,

vs.

DEWITT T. HARTLEY,  
Defendant.

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

WITHDRAWAL OF APPEARANCE.

Filed November 23, 1937.

*R. S. Duck*  
Register.



The State of Alabama,

*Bartholomew* COUNTY

IN CIRCUIT COURT, IN EQUITY

*Mrs. Margie Hurdley*

vs. Complainant,

*Sewell Hurdley*

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of \_\_\_\_\_

for \_\_\_\_\_

Filed *10* day of *May*, 19*38*

Published by order of the Court, \_\_\_\_\_

day of \_\_\_\_\_, 19 \_\_\_\_\_

*Radwick*  
Register.

GEORGIA H. HARTLEY,

Complainant,

vs.

DEWITT T. HARTLEY,

Respondent.

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, \_\_\_\_\_

Motion for Decree Pro Confesso; Decree Pro Confesso on Personal  
Service; Testimony of Georgia Hartley; Testimony of Cora Lee Payne;  
Testimony of Clem Sanks;

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

*R. S. Sanks*

Register.

The State of Alabama,  
Baldwin County.

} No. 328 CIRCUIT COURT IN EQUITY.

GEORGIA HARTLEY,

Complainant

vs.

DEWITT T. HARTLEY,

Defendant

Motion is hereby made for a Decree Pro Confesso against

DEWITT HARTLEY,

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 9th day of May 1938

FRANK G. HORNE,

Solicitor,

The State of Alabama, Baldwin County.

IN CIRCUIT COURT, IN EQUITY

Mrs Georgia Hartley

Complainant

vs.

Dennis Hartley

Defendant

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and the evidence having been taken and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant by her Solicitors of Record, now files with the Register of said Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

By Harry F. Wadnet  
Frank G. Harne  
Solicitor for Complainant.

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

The State of Alabama,

\_\_\_\_\_ COUNTY.

**Circuit Court, in Equity**

vs. Complainant.

Defendant.

**Request for Decree in Vacation**

Filed *10* day of *May*, 19*38*

*Resnick*, Register.

Recorded in

Record

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Register.

RECORDED *Duch*

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No. 328

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**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

GEORGIA H. HARTLEY,

vs.

DeWITT HARTLEY,

**MOTION FOR DECREE PRO  
CONFESSO ON PERSONAL SERVICE**

Filed May 9th, 19 38

*R. S. Duch*

Register.

Recorded in *Final* Record.

Vol. *7* Page *429*

Register.

RECORDED *Duch*  
2-362

No. 328

**The State of Alabama**  
BALDWIN COUNTY

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

GEORGIA HARTLEY,

Complainant,

vs.

DEWITT T. HARTLEY,

Respondent.

**NOTE OF TESTIMONY**

Filed in Open Court this 11th  
day of May 193 8

*R. S. Duch*  
REGISTER