

MARY E. QUINLEY,
 Complainant,
 vs.
 ANDREW J. QUINLEY,
 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, _____
 Testimony of Mrs. Mary E. Quinley, Doc Sullivan,
 and Richard Calloway;

and in behalf of Defendant upon _____ Answer & Waiver.

R. S. Duell

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 401 March Term, 1938

MARY E. QUINLEY, Complainant

Vs.

ANDREW J. QUINLEY, Defendant

To R. S. DUCK, Register :

ANSWER & WAIVER having been filed by

In the above stated cause a ~~Decree Pro Confesso~~ having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by S. C. JENKINS,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

S. C. JENKINS,
Solicitor for Complainant.

401

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY E. QUINLEY, Complainant

vs.

ANDREW J. QUINLEY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on ANSWER & 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 MARY E. QUINLEY, is forever divorced from the said

ANDREW J. QUINLEY,

for and on account of

ABANDONMENT:

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 MARY E. QUINLEY and ANDREW J. QUINLEY, be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

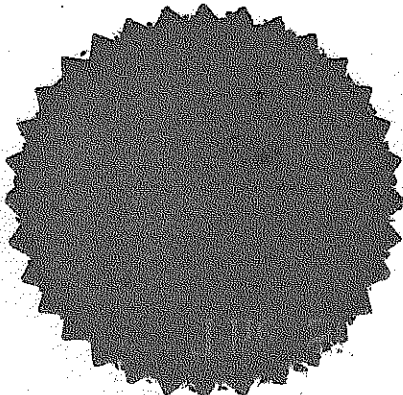
It is further ordered that ANDREW J. QUINLEY, the Respondent pay the cost herein to be taxed, for which execution may issue.

This 19th day of March, 1938

F. W. Hare

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

Mary E. Quinley, Complainant)
vs)
Andrew J Quinley, Respondent.)

In The Circuit Court of
Baldwin County, Alabama.
In Equity.

Comes Andrew J Quinley, the person named as defendant and respondent in this said cause now pending in the said Circuit Court of said Baldwin County, Alabama in equity and for answer to the complaint herein says: he denies each and every allegation therein made and he demands strict proof thereof and of the same; he, also, waives service by the sheriff of a subpoena on said Bill of Complaint, also, waives service of copy of of the interrogatories filed and notice of the filing of same and waives notice of the time and place of the taking of testimony either on oral examination or by deposition by witnesses, either before the Clerk of the Circuit Court of Baldwin County, Alabama or before a commissioner appointed for that purpose; also waives the right to cross question said witnesses and he consents that the decree may be taken in vacation and that the cause with all the testimony and evidence may be submitted in vacation to the the judge of said Circuit Court for a final decree on the note of testimony to be made by the Register or Clerk of said Court .

Andrew J Quinley

Witnesses.

P. J. M. Coody
W. M. Overstreet

Mary E. Quinley, Complainant
vs
Andrew J Quinley, Respondent

In The Circuit Court of
Baldwin County, Alabama.
In Equity. No

To The Honorable Francis W Hare, Judge of the Twenty First Judicial
Circuit of Alabama, which includes Baldwin County:

Humbly complaining, Your Oratrix, Mary E Quinley, respectfully rep-
-resents unto your Honor, as follows:-

1. Your Oratrix, the said Mary E. Quinley, and Andrew J Quinley were
legally married at Bay Minette, Ala. in Baldwin County, Alabama, on
towit, September 7th, 1931 and lived together as husband and wife at
different places in said county until , towit March 1st, 1934, about
four years ago, when they separated while they were then living in
Bay Minette, Alabama in said county of Baldwin and since said time
they have not lived together as husband and wife; at the said time,
on towit, March 1st, 1934, the respondent, the said Andrew J. -
Quinley, voluntarily abandoned your Oratrix without any legal or
just cause therefor and since said abandonment aforesaid of your
Oratrix by the respondent, he the said Andrew J Quinley has failed
and refused to resume marital relations with your Oratrix . Your
Oratrix now resides at Bay Minette, Alabama and so does the
respondent , the said Andrew J Quinley.

2. Your Oratrix further shows unto your Honor and states it to be a
fact, that both your Oratrix and the respondent are over the age of
twenty one years and both have resided in Baldwin County all their
lives and now reside in said county; that your Oratrix, for the -
past three years preceeding the filing of the Bill of Complaint in
this cause, has been a bona fide resident citizen of Baldwin County,
Alabama.

Wherefore, Your Oratrix prays that the respondent, the said
Andrew J Quinley, by proper process of this Honorable Court, be-
brought before this Honorable Court and directed to answer the-
charges herein made against him under the rules of this Court;
that he may be made a party defendant to this Bill of Complaint and
that upon a final hearing of the evidence in the cause, that Your
Honor will order, adjudge and decree that the bonds of matrimony -
heretofore existing between your Oratrix and the respondent, the -
said Andrew J Quinley be forever dissolved and that ---


Your Oratrix may be permitted to marry again and that she be granted such other and further relief as may in equity and good conscience seem meet and proper unto your Honor.

And your Oratrix will ever pray etc .

Solicitor for the Complainant

Foot Note:

The respondent is required to answer each and every paragraph of the foregoing Bill of Complaint from 1 to item 2 inclusive, but not under oath, his oath ~~to~~ his answer is hereby expressly waived.



Solicitor for the Complainant.

RECORDED

Duck
7-409

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

QUINLEY,

Vs.

QUINLEY

**REQUEST FOR DECREE IN
VACATION**

Filed March 15, _____, 1938

R. S. Duck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED *Duck*
2.35'6

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

MARY E. QUINLEY,

Complainant,

vs.

ANDREW J. QUINLEY,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 16th
day of March 1938

R. E. Duck

REGISTER

original RECORDED 2-35-6

No. 401 Page

The State of Alabama
Baldwin County

In Circuit Court, In Equity

MARY E. QUINLEY,

Complainant.

vs. Complainant.

ANDREW J. QUINLEY,

Respondent.

Respondent.

DIVORCE DECREE

Filed this 21 day
of March, 1938.

Richard
Registrar.

Quinly

*210
Quinly*

Green & Steiner

*Filed Nov 7 1935
D. Quinly
D. Quinly*

Quint
RECORDED
7-403

MARY E. QUINTLEY,
Complainant,

vs.

ANDREW J. QUINTLEY,
Respondent.

BILL OF COMPLAINT.

Filed this 5th day of
March, 1938.

R. S. Quint
Register.

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

MARY E. QUINLEY, _____
COMPLAINANT

vs.

ANDREW J. QUINLEY, _____
RESPONDENT

I, ROBERT S. DUCK, _____

as Register and Commissioner _____ of Baldwin County Equity Court,

have called and caused to come before me Mary E. Quinley, Doc Sullivan;

Richard Calloway;

witness named in the Requirement for Oral Examination, on the 11th day of March
19 38, at the office of R. S. DUCK, Clerk of the Circuit Court
in Bay Minette, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said MARY E. QUINLEY,

doth depose and say as follows:

TESTIMONY OF MRS. MARY E. QUINLEY, Complainant:-

My name is Mary E. Quinley. And I am the Complainant in the above cause. Myself and Andrew J. Quinley were lawfully married at Bay Minette, Baldwin County, on September 7, 1921; and we lived together as husband and wife, in said county and state, until about four years ago, on to wit, March 1st, 1934, when we separated while we were living in Bay Minette, Alabama. And since said time we have not lived together as husband and wife. At the said time on, to-wit, March 1st, 1934, my husband, Andrew J. Quinley, voluntarily abandoned me, without any legal or just cause, and since he has left me at said time, he has failed and refused to resume marital relations with me. I reside at Bay Minette, and so does the Respondent, Andrew J. Quinley. We are both over the age of twenty-one years, and have both resided in Baldwin County all our lives. I have been a bona fide resident of Baldwin County, for the past three years, preceding the filing of this bill of complaint.

Mary E. Quinley

TESTIMONY OF DOC SULLIVAN:

My name is Doc Sullivan. I reside at Bay Minette, Alabama. I know Mr. and Mrs. Andrew J. Quinley. I know that they have not lived together as husband and wife for the past three or four years. About four years ago, to my recollection, that Mr. Andrew J. Quinley voluntarily abandoned his wife, Mary E. Quinley while they were living here in Bay Minette. And he went off and lived at another place.

ORAL EXAMINATION

I, R. S. DUCK,, as Register and Commissioner hereby certify that the foregoing deposition ^s on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ^{es} or had proof 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 11th day of March 1938.

R. S. Duck (L. S.)

No. 401 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Mary E. Finley

COMPLAINANT

VS.

Andrew P. Finley

RESPONDENT

ORAL DEPOSITION

Filed March 11, 1938

R. S. Duck, Register

RECORDED IN

Record

Vol. _____ Page _____

Register

And they have not lived together as husband and wife since. Mrs. Quinley to all appearances made her husband a true and dutiful wife, and Andrew J. Quinley abandoned her without any just cause therefor. They are both over the age of twenty-one years, and both reside in Bay Minette, Baldwin County, Alabama, and are bona fide citizens of Baldwin County in this State.

Doc Sullivan

TESTIMONY OF RICHARD CALLOWAY:

My name is Richard Calloway. And I reside at Bay Minette, Alabama, and I am thirty-four years of age, and have resided in this community all my life. I know Mary E. Quinley and Andrew J. Quinley. I know when they were married about seventeen years ago. They were married in Bay Minette, Alabama, on Sept-7, 1921, and I have known them all along since. I remember the time about four years, on to-wit, March 1st, 1934, when they separated while they were living at Bay Minette. Andrew J. Quinley voluntarilly abandoned his wife, Mary E. Quinley; and since said time has failed and refused to live with her as husband and wife. The abandonment of Mrs. Quinley by Andrew J. Quinley was without any legal or just cause therefor. Both Mary E. Quinley and Andrew J. Quinley reside at Bay Minette, Ala. and are bona fide residents of Baldwin County, Alabama, and have been ever since I knew them. I have known them ever since I have big enough to remember.

Richard Calloway