

MARZELLA WEAVER,
Complainant,

VS.

EDWARD WEAVER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard is submitted upon the original Bill of Complaint, Answer and Waiver of the Respondent, 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;

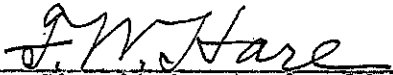
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant, MARZELLA WEAVER, pay the costs of this cause, for which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said MARZELLA WEAVER shall not again marry, except to the said EDWARD WEAVER, until sixty (60) days after this date, and if an appeal is taken within said sixty (60) days, she shall not again marry, except to the said EDWARD WEAVER, during the pendency of the appeal.

Dated at Monroeville, Monroe County, Alabama, on this 5th day of October, 1939.



Judge of the Circuit Court of Baldwin
County, Alabama.

Filed October 6, 1939
R.S. Buck, Plaintiff
By - Marshall Thompson, Deputy

IN EQUITY.

BALDWIN COUNTY, ALABAMA,
IN THE CIRCUIT COURT OF

Respondent.

EDWARD WEAVER,

VS.

Complainant,

MARZELLIA WEAVER,

FINAL DECREE:

RECORDED

MARZELLA WEAVER,
Complainant,
VS.
EDWARD WEAVER,
Respondent.

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

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

Comes your Complainant, MARZELLA WEAVER, and humbly complaining against the Respondent, EDWARD WEAVER, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and Respondent are both residents of Baldwin County, Alabama, and over twenty-one years of age;
2. That your Complainant and the Respondent were married at Monroeville, Monroe County, Alabama, on April 30th, 1927, and lived together as husband and wife, in Baldwin County, Alabama, until on to-wit, March 24th, 1933.
3. That the Respondent is a man that drinks heavily, and when under the influence of strong drinks has an ungovernable temper; that on to-wit, March 24th, 1933, and various times prior thereto, he cursed, abused and threatened the Complainant, and on various occasions did violence to her by actually striking her; that his conduct was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him, he would carry out his threats and do further violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said EDWARD WEAVER party respondent to this Bill of Complaint, 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;

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent, EDWARD WEAVER; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.


Solicitors for Complainant.

FOOT NOTE:

The Respondent, EDWARD WEAVER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

Richard H. ...
Solicitors for Complainant.

DIV. OF SQUADRON

EDWARD WEAVER

vs.

EDWARD WEAVER

Respondent

IN THE CIRCUIT COURT OF

THE FIRST JUDICIAL CIRCUIT

IN HONOLULU

[Handwritten notes and signatures]

The State of Alabama, }
Baldwin County

CIRCUIT COURT*

To O'BYRNE JONES

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 Marzella Weaver

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

is Complainant and Edward Weaver

is Defendant,

on oath to be by you administered, upon _____ to take and certify the deposition... of the witness... and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of September 19 39

R. S. DUCK
clerk, - register

By [Signature] REGISTER
Deputy

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

CHANCERY EXECUTION

BILL OF COSTS

No. 527

Margella Weaver,
Complainant

VS. *Edward Weaver*
Respondent

PLAINTIFF
DEFENDANT

FEES OF REGISTER	Dollars	Cents	Brought Forward		
Filing each bill and other papers		50	For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	\$	4.50 6.25
Issuing each subpoena		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Issuing each copy thereof		40	Each notice sent by mail to creditor	15	
Entering each return thereof		15	Filing receipting for and docketing each claim, etc.	25	
For each order of publication	1	00	For all entries on subpoena docket, etc.	50	
Issuing Writ of injunction	1	50	For all entries on commission docket, etc.	50	
For each copy thereof		50	Making final record, per 100 words	15	2.00
Entering each return thereof		15	Certified copy of decree	1	00
Issuing Writ of Attachment	1	00	Report of divorce to State Health Office (Acts 1915)	50	50
Entering each return thereof		15			
Docketing each case	1	00	TOTAL FEES OF REGISTER		7.75
Entering each appearance		25			
Issuing each decree pro confesso on per ser.	1	00	FEES OF SHERIFF		
Issuing each decree pro confesso on publica	1	00	Serving and returning subpoena on deft.	\$1	50
Each order appointing guardian	1	00	Serving and returning subpoena for witness	65	
Any other order by Register		50	Levying attachment	3	00
Issuing Commission to take testimony		50	Entering and returning same	25	
Receiving and tiling		10	Selling property attached	75	
Endorsing each package		10	Impaneling Jury	2	50
Entering order submitting cause		50	Executing Writ of possession	1	50
Entering any other order of court		25	Collecting execution for costs	65	
Noting all testimony		50	Serving and returning sci. fa., each	65	
Abstract of cause, etc.	1	00	Serving and returning notice	1	50
Entering each decree		75	Serving and returning writ of injunction	1	50
For every 100 words over 500		15	Serving and returning writ of exeat	1	50
Taking account, etc.	3	00	Taking and approving bonds, each	75	
Taking testimony, etc.		15	Collecting money on execution	2	50
Each report, 500 words or less	2	50	Making Deed	1	00
For every 100 words over 500		15	Serving and returning application, etc.	1	00
Amount claimed less than \$500, etc.	2	00	Serving attachment, contempt of court	1	50
Issuing each subpoena		25			
Witness certificate, each		25	TOTAL FEES OF SHERIFF		3.00
Issuing execution, each		75			
Entering each return		15	RECAPITULATION		
Taking and approving bond, each	1	00	Register's Fees	7	75
Making copy of bill, etc.		15	Sheriff's Fees	3	00
Each notice not otherwise provided for		50	Commissioner's Fees		
Each certificate or affidavit, with seal		50	Solicitor's Fees		
Each certificate or affidavit, no seal		25	Witness Fees		
Hearing and passing on application, etc.	3	00	Guardian Ad Litem		
Each settlement with Receiver, etc.	3	00	Printer's Fees		
Examining each voucher of Receiver, etc.		10	Trial Tax	3	00
Examining each answer, etc.	3	00	Recording Decree in Probate Court		
Recording resignation, etc.		75			
Entering each certificate to Supreme Court		50	TOTAL		13.75
Taking questions and answers, etc.		25			
For aliother ser relating to such proceedings	1	00			
For services in proceeding to relieve minors, etc., same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent					
Sub Total Carried Forward					

The State of Alabama,
Baldwin County

No. 527
Circuit Court, In Equity December Term, 1939

To any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of _____

Margella Weaver Defendant

you cause to be made the sum of _____ Dollars,

which *Edward Weaver* Plaintiff

recovered of _____ on the 5 day of October 1939

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of \$13.75 Dollars,

costs of suit, and have the same to render to the said _____ and make return of this Writ and the execution thereof, according to law.

Interest from _____ 1939 to date of collection.

Witness my hand, this 14 day of December 1939

R. S. Duch Register

FOOT NOTE:

The Respondent, EDWARD WEAVER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

~~Richard L. ...~~
Solicitors for Complainant.

The State Of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon EDWARD EDWARD WEAVER

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 Summons, 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, R. S. Duck, Register of said Circuit Court, this 15th day of Feb., 1939.

R. S. DUCK
clerk, - register

[Signature], Register

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

MARZELLA WEAVER,
Complainant,
VS.
EDWARD WEAVER,
Respondent.

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

And now comes the Respondent, in his own proper person, and denies each and every allegation contained in the Complainant's Bill of Complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant; the right to cross-examine witnesses for the Complainant, and agrees that this cause be submitted for final decree forthwith without further notice.

Edward Weaver
Respondent.

WITNESSES:

O. Byrnes Jones
Shirley Lacey

FOOT NOTE:

The Respondent, EDWARD WEAVER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 3, inclusive, but not under oath, oath being hereby expressly waived.

~~Attorney for Plaintiff~~
~~Solicitor for Complaint~~

BILL OF COMPLAINT:

MARZELLA WEAVER,

Complainant,

VS.

EDWARD WEAVER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed February 15, 1935
W. S. Burch, Registrar
By Marzella Weaver
Edward Weaver

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

MARZELLA WEAVER

Complainant

vs.

EDWARD WEAVER

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

O'BYRNE JONES

WITNESSES:

MARZELLA WEAVER

RECORDED

BILL OF COMPLAINT

MARZELLA WEAVER,

Complainant,

VS.

EDWARD WEAVER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed February 15, 1939
R. S. Duck, Register
By - Audrie Thompson,
Deputy - Register

Original

EDWARD WEAVER
JACKSON, ALA.

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 527

Summons

MARZELLA WEAVER,

Complainant,

vs.

EDWARD WEAVER,

Respondent.

BERNIE HALL & BERNIE
Solicitor for Complainant

Recorded in Vol. _____ Page _____

*Copy made on 10 P. A. -
Jackson, Ala*

THE STATE OF ALABAMA,
Baldwin County

Received in office this 15th

day of July, 1939

W. P. Stewart
D., Sheriff.

Executed this 23 day of

July, 1939

by leaving a copy of the Summons with

Edward Weaver

Defendant

O. C. Eckart
of Clark County Sheriff

By W. P. Calhoun
Deputy Sheriff

ANSWER AND WAIVER

MARZELLA WEAVER,

Complainant,

VS.

EDWARD WEAVER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed September 29, 1939
R. S. DUCK
clock - register

By *Walter Thompson*
Deputy

MARZELLA WEAVER

vs.

EDWARD WEAVER

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, _____
 and Testimony of Marzella Weaver _____

and in behalf of Defendant upon Answer and Waiver

R. S. DUCK

clerk, register

Register.

By *Arthur H. ...*
 Deputy

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

MARZELLA WEAVER

Complainant,

vs.

EDWARD WEAVER,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 4th

day of October 1937

R. S. DUCK

clerk - register

REGISTER

MOORE PRINTING CO. BAY MINNIE, ALA.

[Handwritten signature]

The State of Alabama }
Baldwin County

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

MARZELLA WEAVER

COMPLAINANT

vs.

EDWARD WEAVER

RESPONDENT

I, O'BYRNE JONES

as ~~Register and~~ Commissioner

have called and caused to come before me ~~Marzella Weaver and~~

witness named in the Requirement for Oral Examination, on the 29 day of September

19 39, at the office of Beebe, Hall & Beebe,

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Marzella Weaver

doth depose and say as follows:

My name is Marzella Weaver. I live at Dyas, in Baldwin County, Alabama, and am over twenty-one years of age.

The Respondent, Edward Weaver, is over twenty-one years of age and a resident of Baldwin County, Alabama.

The Respondent and I were married at Monroeville, in Monroe County, Alabama, on April 30th, 1927. We lived together as husband and wife, in Baldwin County, Alabama, until March 24th, 1938.

The Respondent, while we were living together as husband and wife, drank heavily, and when under the influence of liquor had an ungovernable temper; that on several occasions, while under the influence of liquor, the Respondent cursed, abused and threatened me, and on several occasions and on March 24th, 1938, the Respondent was drinking and did actual violence to my person by striking me with his hand; that the conduct of the Respondent was such as to cause your Complainant to have every reasonable apprehension to believe and she does actually believe that if she had continued to live with him, he would have continued to carry out his threats and would have done further violence to her person, which would necessarily have endangered her life and health; that conditions were such that it was impossible for your Complainant to live with the Respondent as his wife.

Marzella Weaver

ORAL EXAMINATION

I, O'BYRNE JONES, as ~~Register~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to her and she signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 29th day of September 1939.

O'Byrne Jones (L. S.)
Commissioner

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MARZELLA WEAVER

COMPLAINANT

vs.

EDWARD WEAVER

RESPONDENT

ORAL DEPOSITION

Filed October 1st, 1939

_____, Register

RECORDED IN

_____, Record

Vol. R. S. DUCK Page _____

clerk, - register

Marzella Weaver Register

Deputy