

The State of Alabama, }
BALDWIN COUNTY.

No. 807 CIRCUIT COURT IN EQUITY.

ZETTIE LEE BLACKMON

Complainant.

vs.

GUY J. BLACKMON

Defendant.

Motion is hereby made for a Decree Pro Confesso against

GUY J. BLACKMON

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 27th day of April 1922

H. E. Smith

Solicitor.

ZETTIE LEE BLACKMON

Complainant

VS.

GUY J. BLACKMON

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, _____

and Testimony of ZETTIE LEE BLACKMON AND MARGARET SUMERLIN

and in behalf of Defendant upon _____



Register.

The State of Alabama,
Baldwin County.

{ No. 807 ... CIRCUIT COURT IN EQUITY.

ZETTIE LEE BLACKMON Complainant
vs.

GUY J. BLACKMON Defendant

In this cause it appears to the REGISTER

that a summons requiring the Defendant GUY J. BLACKMON

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 GUY J. BLACKMON
was served upon him by the Sheriff of Baldwin County, Alabama, on the
23rd day of March 1932.

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 H. E. Smith

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 GUY J. BLACKMON

Defendant aforesaid.

This 27th day of April 1942

R. S. Duck Register.

807

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ZETTIE LEE BLACKMON Complainant

VS

GUY J. BLACKMON Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on 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 ZETTIE LEE BLACKMON is forever divorced from the said

GUY J. BLACKMON for and on account of VOLUNTARY 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 ZETTIE LEE BLACKMON AND GUY J. BLACKMON be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that ZETTIE LEE BLACKMON the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of June, 1912. J. M. Hare 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

.....
.....
.....
vs. Complainant.
.....
.....

.....
Respondent.
.....

DIVORCE DECREE

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

ZETTIE LEE BLACKMON. Complainant

VS

GUY J BLACKMON. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on _____ 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 ZETTIE LEE BLACKMON. is forever divorced from the said

GUY J BLACKMON.

for and on account of VOLUNTARY 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 ZETTIE LEE BLACKMON. AND GUY J BLACKMON. be, and ~~They are~~ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that ZETTIE LEE BLACKMON. the Complainant. pay the cost herein to be taxed, for which execution may issue.

This 29th day of April., 1942.

F W Hare.
Judge Circuit Court, in Equity.

I, R S Duck., 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 17th day of January., 1944

R S Duck
Register of Circuit Court, in Equity.

CIRCUIT COURT IN EQUITY

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

If a further ordered adjusted and divorced the husband party to this suit again marry...

It is further ordered that...

It is further ordered that...

It is further ordered that...

It is further ordered that...

It is further ordered that...

It is further ordered that...

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

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are here-
by commanded to summon Guy J. Blackmon to appear with-
in thirty days from service hereof and plead, answer
or demur to the bill of complaint filed in this Court
against him by Zettie Lee Blackmon. HEREIN FAIL NOT,
and make due return according to law.

WITNESS my hand this 10 day of March, 1942.

R. L. Duck
Register.

Zettie Lee Blackmon, :
Complainant, :
VS : In The Circuit Court of
: Baldwin County, Alabama.
: In Equity.
Guy J. Blackmon, :
Respondent. : TO HON.F.W.HARE, JUDGE:

Comes Zettie Lee Blackmon, as complainant, and
brings this her bill of complaint against Guy J.
Blackmon, as respondent, and respectfully alleges as
follows:

1. Complainant and respondent are each over
the age of twenty-one years. Complainant is now and
has been for more than one year next preceding the
filing hereof a bona fide resident citizen of said
county and state. Respondent is a resident of said
state and county.

2. Complainant and respondent were lawfully
married to each other on, to-wit: the fifth day of
November, 1938, and lived together as man and wife
until, to-wit: the sixth day of January, 1940.

3. On said date of, to-wit: January 6, 1940,
respondent voluntarily abandoned the bed and board
of complainant, and complainant and respondent have
not lived together as man and wife or otherwise
since said last date. Complainant since said last
date has worked and supported herself without help
from respondent. Complainant therefore charges
respondent with voluntary abandonment from bed and
board for more than two years next preceding the
filing of this her bill of complaint, and so alleges.

WHEREFORE, the premises considered, complain-
ant prays that the said Guy J. Blackmon be made a
party respondent hereto and that due process issue
from this Court for service upon him. Complainant
prays that upon the final hearing hereof your Honor
will give and grant to her a decree of absolute di-
vorce from the said Guy J. Blackmon and will grant
to her permission to again marry; and further that
your Honor will grant to complainant such further
relief, order and decrees as may be proper.

A. E. Smith
Solicitor for complainant

Received in Sheriff's Office

this 10 day of ~~March~~ 1942
W. R. STUART, Sheriff

Created this the 23rd
day March 1942 by
Serving a copy of
the return summons
on Guy J. Blackmon

W. R. Stuart
Sheriff

W. R. Stuart
25

807

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Zettie Lee Blackmon

vs

Guy J. Blackmon

BILL OF COMPLAINT

99. Answer please
for date see

RECORDED

Filed 3-10-42

A. S. Dwick
Registrar

RECORDED

No. 807

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

ZETTIE LEE BLACKMON

vs.

GUY J. BLACKMON

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued.....April.....27.....1912

R. S. Duck

Register.

Meore Printing Company, Bay Minette, Ala.

RECORDED

No. 807

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

ZETTIE LEE BLACKMON

Complainant

VS.

GUY J. BLACKMON

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 27th

day of April 1942

P. S. Duck

Register.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

ZETTIE LEE BLACKMON

Complainant

Vs.

GUY J. BLACKMON

Respondent

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed April 23rd, 1924

R. S. Duck

Register.

Recorded in Record,

Vol. Page

Register.

8.

testimony continues: "I suggested he make it to A. Bertolla & Sons, and then after some discussion we decided it was just as well to leave it to his estate, as he was a single man; that his father and brothers would receive the money just as if it was left to A. Bertolla & Sons."

Numerous witnesses testified to declarations by Louis at different times and places to the effect that this policy was taken out for the benefit of the firm. Indeed, his widow, now Mrs. Jacobs, one of the complainants in this cause, admitted that Louis did make statements that the insurance was made payable to A. Bertolla & Sons. He made that statement many times, but she insists that it was in the presence of some of his family, and that when the two were alone he would merely tell her that she need not worry, that she would be well taken care of. And she admits in her testimony that in the settlement of the partnership affairs in the amount of cash she received for Louis's interest she was "well taken care of."

Dr. Jordan, who had been the physician of Louis throughout the years, testified that Louis told him time and again that this policy was taken out for the company and to take care of any losses the partnership might suffer should anything happen to him, and that he told him this also just a short while before he died.

Witness Stevens has for a number of years been representing as agent the New York Life Insurance Company. He likewise discussed this matter with Louis. The last conversation was during his illness, and not long before his death. Louis told him that the policy was taken out to protect the firm in the event of his death, with some detail as to the reasons supporting that course. In one conversation a year or two before he died Louis inquired whether or not

The State of Alabama }
Baldwin County

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

Zettie Lee Blackmon

COMPLAINANT

VS.

Guy J. Blackmon

RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me Zettie Lee Blackmon and

Margaret Sumerlin

witnesses named in the requirement for Oral Examination, on the 28th day of April

1942, at the office of R. S. Duck, register

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 Zettie Lee Blackmon

doth depose and say as follows:

My name is Zettie Lee Blackmon. I am the complainant in this cause for divorce against Guy J. Blackmon, the respondent. Both myself and the said Guy J. Blackmon are over the age of twenty-one years. I am now and have been for more than one year next preceding the filing of my bill of complaint in this cause a bona fide resident citizen of Baldwin County, Alabama. The respondent is a resident of Baldwin County, Alabama.

I and the said Guy J. Blackmon were lawfully married to each other on the fifth day of November, 1938 and lived together as man and wife until the sixth day of January, 1940. On said last date of January 6, 1940, the said respondent voluntarily abandoned my bed and board, and we have not since lived together as man and wife or otherwise. Since January 6, 1940, I have worked and supported myself without any help at all from him. I did not give him any grounds at all for leaving me as I always acted toward him as a dutiful wife should. He just went off and did not come back home. I therefore charge him with voluntary abandonment from my bed and board for more than two years next preceding the filing of this my bill of complaint.

Zettie Lee Blackmon

ORAL EXAMINATION

I, R. S. Duck as Register and 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 them and they signed the same in the presence of myself and H. E. Smith, solicitor for the complainant 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 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 28th day of April 1942.

R. S. Duck (L. S.)
as Register

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Zettie Lee Blackmon

COMPLAINANT

vs.

Guy J. Blackmon

RESPONDENT

ORAL DEPOSITION

Filed April 28, 1942

R. S. Duck, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

And the said Margaret Sumerlin, being first by me duly sworn, deposes and says as follows:

My name is Margaret Sumerlin. I am over twenty-one years of age and have lived in Baldwin County, Alabama, for more than fifteen years. I have known the complainant, Zettie Lee Blackmon, for the past five years and also know the respondent. I have read the testimony of the said Zettie Lee Blackmon, and know that it is substantially correct, as I do not remember the exact dates, but I do know that they have been separated and have not lived together as man and wife or otherwise for more than two years before the bill of complaint in this case was filed by the said Zettie Lee Blackmon against the respondent.

Margaret Sumerlin