

(2487)

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Hazel M. Burt, Complainant

vs.

William Burt, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on answer and 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 Hazel M. Burt is forever divorced from the said William Burt for and on account of Cruelty

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court that the Complainant be and she is hereby awarded the care, custody and control of the minor child, Linda Carol Burt.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Hazel M. Burt the Complainant pay the cost herein to be taxed, for which execution may issue.

This 17<sup>th</sup> day of June, 1950.

Julfair J. Mashburn, Jr.  
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.

RECORDED

No. 2489 Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

Hazel M. Burt

Complainant

vs.

William Burt

Respondent

DIVORCE DECREE

FILED

JUN 18 1950

ALICE J. DUCK, Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Hazel M. Burt

, Complainant

vs.

William Burt

, Respondent

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It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Hazel M. Burt the Complainant pay the cost herein to be taxed, for which execution may issue. This 17th day of June, 1950

Telfair J. Mashburn, Jr.

Judge Circuit Court, In Equity.

I, Alice J. 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 9th day of June, 1953

Register of Circuit Court, In Equity.

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

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Complainant  
vs.

Respondent

**DIVORCE DECREE**

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Hazel M. Burt

Complainant

VS.

William Burt

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Hazel M. Burt and W. A. Horn

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 11 day of June  
19450, at the office of Hubert M. Hall  
in Bay Minette, Alabama, and having first sworn said Witness Hazel M. Burt  
to speak the truth, the whole truth, and nothing but the truth, the said W. A. Horn  
W. A. Horn doth depose and say as follows:

My name is Hazel M. Burt. I am over twenty-one years of age and a resident of Baldwin County, Alabama, living at Bay Minette. The Respondent is over twenty-one years of age and a resident of the State of Alabama. The Respondent and I married at Greenville, on April 11, 1946. We lived together as husband and wife until in January 1950. The Respondent in January, 1950 threatened and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with him he would carry out his threats and do actual violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to make it absolutely impossible to live together as husband and wife.

We have one child, Linda Carol Burt, now two years old and who has been with me all of her life. I am the suitable, fit and proper person to have the custody, care and control of the child. The Respondent has no home of his own, nor any place to keep the child, and moving about from time to time hunting work. I have a home with my parents in Bay Minette, Alabama, where the child is properly cared for.

Hazel M. Burt

W. A. Horn, a witness for the Complainant, being first duly sworn, deposes and says: I am personally acquainted with the Complainant and the Respondent in this case. The Complainant in this case is my Sister-in-law. I have known the Complainant practically all of her life. I know that conditions were such that the Complainant and the Respondent could not live together as husband and wife. The Complainant is a suitable, fit and is the proper person to have the care and control of their minor child, Linda Carol Burt. The Complainant lives in the home with her folks where she has a good home for herself and her baby.

W A Horn

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition<sup>s</sup> on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they 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 es or had proom 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 11 day of June, 1940

Evelyn Watts (L. S.)

NO. 2289 PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Hazel M. Part

vs. Complainant

William Part

Respondent.

Oral Deposition

Filed 194

FILED

, Register.

JUN 16 1940

ALICE J. DUCK, Register Record

Vol.        Page       

, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Hazel M. Burt and W. A. Horn

as witnesses in behalf of Hazel M. Burt in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Hazel M. Burt

Complainant  
and William Burt

Respondent

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

Witness 14<sup>th</sup> day of June, 1940

Amos J. Duck  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

6/17/50  
HAZEL M. BURT

COMPLAINANT

VS

WILLIAM BURT

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

KNOW ALL MEN BY THESE PRESENTS that WHEREAS the Complainant and the Respondent married at Greenville, Alabama, on April 11, 1946; and

WHEREAS the parties have one child, Linda Carol Burt, now two years old; and

WHEREAS the parties have decided and concluded that it is impossible for them to longer live together as husband and wife; and

WHEREAS in January, 1950 they separated and have since that time lived separate and apart; and

WHEREAS the parties have reached a full and complete agreement as to the custody, maintenance and support of the minor child, Linda Carol Burt.

NOW, THEREFORE, it is hereby expressly agreed by and between the parties hereto as follows:

1. That the Complainant, Hazel M. Burt, shall have the custody, care and control of the minor child, Linda Carol Burt;
2. That the Respondent, William Burt, shall have the right to visit with said child at reasonable time.
3. That the Complainant assumes the responsibility and will care for, maintain and support of said minor child, and the Respondent is hereby releived and released from any claim for support or maintenance of the said child.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, in duplicate, on this the 12 day of June, 1950.

Hazel M. Burt (SEAL)  
William C. Burt (SEAL)



No. 2489

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

Hazel M. Burt

Complainant

VS.

William Burt

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

**FILED**  
WITNESSES:  
JUN 16 1950

ALICE J. DUCK, Register

Hazel M. Burt

vs.

William Burt

**THE STATE OF ALABAMA**  
**Baldwin County**

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

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_

Answer and waiver, agreement of parties, and testimony of Hazel M.

Burt and W. A. Horn

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

*Amie J. Newick*

Register.

H. M. HALL

**RECORDED**

No. 2489

**THE STATE OF ALABAMA**  
**Baldwin County**

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

Hazel L. Burt

vs.

William Burt

**NOTE OF TESTIMONY**

Filed in Open Court this \_\_\_\_\_  
day of \_\_\_\_\_ 194

**FILED**

**JUN 16 1950** Register.

Printed by the Baldwin Times

**ALICE J. DUCK, Register**

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons WILLIAM BURT, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Hazel M. Burt, as Complainant and against William Burt, as Respondent.

Witness my hand this the 16<sup>th</sup> day of June, 1950.

*Archie Smith*  
Register

HAZEL M. BURT

COMPLAINANT

VS

WILLIAM BURT

RESPONDENT

)

IN THE CIRCUIT COURT OF

)

BALDWIN COUNTY, ALABAMA,

)

IN EQUITY

)

)

TO HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Your Complainant, Hazel M. Burt, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama; that the Respondent is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama.

2.

That your Complainant and the Respondent married at Greenville, Alabama, on April 11, 1946, and lived together until in January, 1950.

3.

That in January 1950 the Respondent threatened and abused your Complainant, and threatened to do actual violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats and do actual

violence to her person which would necessarily endanger her life and health.

L.

That there was born to the marriage between you Complainant and the Respondent one child, Linda Carol Burt; that your Complainant is the suitable, fit and proper person to have the care, custody and control of said child.

WHEREFORE the premises considered your Complainant prays that your Honor will, by proper process make the said William Burt, 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 your Honor will upon a final hearing hereof, will give and grant unto your Complainant a decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent; that she be awarded the care, custody and control of the minor child, Linda Carol Burt; that she be granted such other, further and different or general relief as she may be in equity and good conscience entitled to receive.



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RECORDED

No 2489

RECORDED

HAZEL M. BURT

COMPLAINANT

VS

WILLIAM BURT

RESPONDENT

BILL OF COMPLAINT

FILED

JUN 16 1950

ALICE J. DUCK, Register

HAZEL M. BURT

COMPLAINANT

VS

WILLIAM BURT

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

Now comes the Respondent and accept service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences, and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

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

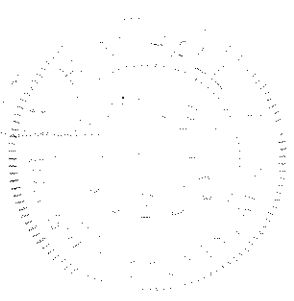
William C. Burt

STATE OF ALABAMA  
BALDWIN COUNTY

I, J. H. Luce, a Notary Public, in and for said County in said State, hereby certify that William Burt, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 12th day of June, 1950.

J. H. Luce  
Notary Public, Baldwin County, Ala.



RECORDED

2489

HAZEL M. BURT

COMPLAINANT

VS

WILLIAM BURT

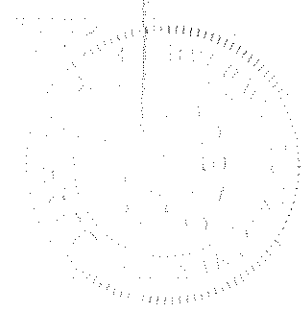
RESPONDENT

ANSWER AND WAIVER

FILED

JUN 16 1950

ALICE L. DUCK, Registrar



2489