

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MAYME ELOISE GAAR

, Complainant

vs.

DONALD V. GAAR

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 Mayme Eloise Gaar is forever divorced from the said Donald V. Gaar for and on account of

Habitual Drunkenness

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant, Mayme Eloise Gaar, be granted custody and control of the minor child, Donald V. Gaar, Jr., with rights of visitation at reasonable times to the respondent, Donald V. Gaar, and IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Donald V. Gaar pay the sum of Ten Dollars (\$10.00) per month for the support and maintenance of the said Donald V. Gaar, Jr.

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 Donald V. Gaar

the Respondent pay the cost herein to be taxed, for which execution may issue.

This 19th day of July, 1950.

Jeffrey 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. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

MAYME ELOISE GAAR
Complainant

vs.

DONALD V. GAAR

Respondent

DIVORCE DECREE

FILED

JUL 19 1950

ALICE J. DUCK, Register

THE STATE OF ALABAMA }
Baldwin County }

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

MAYME ELOISE GAAR

COMPLAINANT

vs.

DONALD V. GAAR

RESPONDENT

I, Lorna Underwood

as Register and Commissioner in chancery

have called and caused to come before me Mayme Eloise Gaar and W. C. Holmes

witness es named in the requirement for Oral Examination, on the 24th day of June

1945, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said witness es to speak the

truth, the whole truth, and nothing but the truth, the said Mayme Eloise Gaar and

W. C. Holmes

doth depose and say as follows:

TESTIMONY OF MAYME ELOISE GAAR:

My name is Mayme Eloise Gaar; I am over the age of twenty-one years and a bona fide resident citizen of Baldwin County, Alabama, having resided therein for more than one year; Donald V. Gaar is over the age of twenty-one years and a resident of Foley, Baldwin County, Alabama; we were married on December 26, 1934, and lived together as man and wife until May, 1949; Donald V. Gaar, after our marriage, became addicted to habitual drunkenness and this habit has continued to the present time; as a result of this habitual drunkenness he has been unable to hold steady employment; there was born to our marriage one child, Donald V. Gaar, Jr., who is now twelve years of age; he has been in my care and custody since separation in May of 1949; I have no knowledge of the income of Donald V. Gaar, however, I do know that he is presently employed at the Snack Shack in Foley, Alabama, which is a combination filling station, grocery store and cafe, and believe that he should earn enough to be in a position to pay the sum of Fifty Dollars (\$50.00) per month as support for this minor child.

Mayme E Gaar

TESTIMONY OF W. C. HOLMES:

My name is W. C. Holmes; I am over the age of twenty-one years, a resident of Baldwin County, Alabama, and a practicing physician and surgeon in the Town of Foley, Baldwin County, Alabama; I have been acquainted with Mayme Eloise Gaar and Donald V. Gaar since prior to their marriage and in my opinion Donald V. Gaar has since marriage become addicted to habitual drunkenness.

W C Holmes MD

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

MAYME ELOISE GAAR

COMPLAINANT

vs.

DONALD V. GAAR

RESPONDENT

ORAL DEPOSITION

Filed 11-23, 1942

Alvin J. Smith Register.

RECORDED IN

Record

Vol. _____ Page _____

_____, Register

ORAL EXAMINATION

BT-1/2M-12-40

I, Lorna Underwood 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 es and read over to them and they signed the same in the presence of myself and C. G. Chason 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 24th day of June 194 50.

Lorna Underwood (L. S.)

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Lorna Underwood

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 Mayme Eloise Gaar and W. C. Holmes

as witnesses in behalf of Mayme Eloise Gaar in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Mayme Eloise Gaar is

_____, Complainant

and Donald V. Gaar is

_____, Respondent

on oath, to be by you administered, upon them

to take and certify the depositions of the witnesss and return the same to our Court, with all convenient speed, under your hand.

Witness 23rd day of June, 1950

Commissioner's Fee, \$ 5.00

Witness' Fees, \$ _____

Leslie Underwood
 Register.

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MAYME ELOISE GAAR

Complainant

VS.

DONALD V. GAAR

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Lorna Underwood

WITNESSES:

Mayme Eloise Gaar

W. C. Holmes

MAYME ELOISE GAAR

vs.

DONALD V. GAAR

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Motion for Decree Pro Confesso on Personal Service, Decree Pro
Confesso on Personal Service and Testimony of Mayme Eloise Gaar
and W. C. Holmes

and in behalf of Defendant upon _____

E. L. Hoban
Salvator for Complaintant

David Frank
Register.

RECORDED

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

MAYNE ELOISE GAAR

vs.

DONALD V. GAAR

NOTE OF TESTIMONY

Filed in Open Court this 18th

day of July, 1948

W. J. [Signature]
Register.

Printed By The Baldwin Times

MAYME ELOISE GAAR,
Complainant,
-vs-
DONALD V. GAAR,
Respondent.

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

Your complainant, Mayme Eloise Gaar, respectfully represents and shows unto your Honor:

I. That she is over the age of twenty-one years and is a resident of said State and County, having resided therein for more than one year next preceding the filing of this Bill of Complaint; that Donald V. Gaar, the respondent, is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

II. That your complainant and the respondent were lawfully married on, to-wit, December 26, 1934.

III. Your complainant further avers and alleges that the said respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill, although this habit resulted in the separation of the complainant and respondent in May of 1949 and they have not lived together as man and wife since that time.


IV. Complainant further shows unto your Honor that there was born to your complainant and the respondent one child, Donald V. Gaar, Jr, age eleven years, which said child has been in the care and custody of your complainant during the separation of your complainant and the respondent.

V. Although respondent's present income is unknown to the complainant, she further avers that the respondent is capable of earning a sum sufficient to pay Fifty Dollars (\$50.00) per month as support of this minor child.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your complainant makes the said Donald V. Gaar a party respondent to this Bill of Complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be

issued, directed to the said Donald V. Gaar, commanding him to answer, plead or demur to this Bill of Complaint with the time required by law, and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said respondent; and that your Honor will grant to the complainant legal custody of the minor child of this marriage, Donald V. Gaar, Jr., and will direct the respondent to pay the sum of Fifty Dollars (\$50.00) per month as support for said minor child. The complainant further prays that your Honor will grant such other, further and different relief as unto your Honor may seem just and meet as your complainant will ever pray.


Attorney for Complainant

SUMMONS AND COMPLAINT

Moore Printing Co.

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 2447

Spring TERM, 19 50

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Donald V. Gaar

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Donald V. Gaar, Defendant

by

Mayme Eloise Gaar, Plaintiff

Witness my hand this 3 rd day of April 19 50

Walter J. Leach, Clerk

No. 2147 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

WAYNE ELOISE GAAR

Plaintiffs

vs.

DONALD V. GAAR

Defendants

SUMMONS and COMPLAINT

Filed April 3, 1950

Alice J. Duck, Clerk

C. G. Chason

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

, 19

, Sheriff

I have executed this summons

this, 19

by leaving a copy with

Sheriff

Deputy Sheriff

The State of Alabama,
Baldwin County.

{ No. CIRCUIT COURT IN EQUITY.

MAYME ELOISE GAAR

Complainant ..

vs.

DONALD V. GAAR

Defendant....

Motion is hereby made for a Decree Pro Confesso against Donald V. Gaar

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 23 day of June 19 50

Solicitor.

RECORDED

No. Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

MAYME ELOISE GAAR

vs.

DONALD V. GAAR

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed 6-24-1950

Register.

Recorded in..... Record,

Vol..... Page.....

Register.

Moore Printing Company, Bay Minette, Ala.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

MAYME ELOISE GAAR

Complainant,

Vs.

DONALD V. GAAR

Respondent.

In the Circuit Court.

In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

Donald V. Gaar

by the Sheriff of Baldwin County, on the 11th day of April,

1945

And it further appears to the Register, that the said _____

Donald V. Gaar

_____, the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of C. G. Chason Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said _____

Donald V. Gaar

This 24th day of June, 1945

Register.

RECORDED

No. _____

CIRCUIT COURT OF
BALDWIN COUNTY,
ALABAMA.
IN EQUITY

MAYME ELOISE GAAR

Complainant,

Vs.

DONALD V. GAAR

Respondent.

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued this _____ day of _____,

194_____.

Register.

Baldwin Times Print

24472