

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARY HORTON SHEPHERD

Complainant

VS.

LESLIE H. SHEPHERD, JR.

Respondent

I, Florence G. Copeland

as ~~Register and~~ Commissioner

have called and caused to come before me Mary Horton Shepherd and Claudia Mae Bishop

witnesses named in the Requirement for Oral Examination, on the 9th day of July 1945, at the office of Rickarby & Rickarby, Solicitors for Complainant. in Fairhope, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Mary Horton Shepherd and Claudia M. Bishop doth depose and say as follows:

MARY HORTON SHEPHERD

I am the Complainant in this case and I am seventeen years of age and was born in Baldwin County where I have lived all of my life. On November 15, 1948, I married the Defendant, Leslie H. Shepherd, Jr. in Mississippi, but we both returned at once to Fairhope where we lived together as husband and wife parting for a short time on several occasions and parting finally on July 5, 1951. We have one child, a daughter, Mary Devota who is now eighteen months old and with me. During my married life my husband has struck and beat me on a number of occasions, the last time being July 5 when he beat me severely with a strap and I left him then and have been away ever since. He has told me that he expects to beat me whenever he thinks it necessary and I have no doubt that he will do so if I continue to live with him. For fear of more serious injuries I am now asking for a divorce. I do, however, expect him to contribute to the support and maintenance of our child. He is an intelligent man and when he works can make good pay. The last work he has been doing is driving trucks for Thompson and Company.

Mary Horton Shepherd

CLAUDIA MAE BISHOP

I am the mother of the Complainant and since she left her husband she and her child are now living with me. She and her husband have not gotten along well together as he has beaten her on a number of occasions. I have seen him strike her on several occasions. He uses a belt and strikes her with it. I have seen stripes on her from his blows several times so when she left him on the day after the Fourth of July, I was not surprised. She is just a young girl and if she continues to live with him he may do her serious bodily harm.

Claudia A. Bishop

NO. 2680

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MARY HORTON SHEPHERD

vs.

Complainant

LESLIE H. SHEPHERD, JR.

Respondent.

## Oral Deposition

Filed \_\_\_\_\_, 194\_\_\_\_\_

Register.

Recorded in

Record

Vol. \_\_\_\_\_

Page \_\_\_\_\_

Register.

COMMISSIONER'S FEE \$2.50-PAID

ORAL EXAMINATION.

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I, Florence G. Copeland, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~s~~ 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 one of the Solicitors for Complainant. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses 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 ninth day of July, 1945.

Florence G. Copeland (L. S.)

MARY HORTON SHEPHERD

VS.

LESLIE H. SHEPHERD, JR.

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, AND  
depositions of Complainant and Claudia M. Bishop, Witness for  
Complainant. In behalf of Complainant on Answer and Waiver.

and in behalf of Defendant upon answer and waiver.

Pickarby & Pickarby

*Wesley L. Lenoir*

Register.

No. 2680.....

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

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

MARY HORTON SHEPHERD

vs.

LESLIE H. SHEPHERD, JR.

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ....., 194.....

**FILED**

**JUL 10 1951**

Register.

**ALICE J. DUCK**, Register  
Baldwin Times

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

9 July 1951

Mrs. Alice J. Duck  
Register  
Bay Minette, Alabama

Dear Mrs. Duck:

SHEPHERD VS SHEPHERD: With this find Bill of Complaint, Answer and Waiver, and firm check for \$12.50 Court Costs in this case. Testimony should be taken in this case in the very near future and mailed to you together with divorce decree.

MANERY VS. MANERY: Transcript received this morning.  
Thanks.

Sincerely,

*Elliott G. Rickarby*  
for  
RICKARBY & RICKARBY

EGR:fc  
Enc. 3  
3074

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

Comes MARY HORTON SHEPHERD, and by this her Bill of Complaint presented against LESLIE H. SHEPHERD, JR., respectfully shows:

FIRST: That Complainant is over the age of seventeen and Defendant is over the age of twenty-one years and both are bona fide residents of Baldwin County, Alabama and have been all their lives.

SECOND: That Complainant and Defendant were married in the state of Mississippi on November 14, 1948 and have since that time, except for short intervals, <sup>lived</sup> as husband and wife in the Fairhope community until Thursday, July 5, when she was compelled to leave him for the reasons hereinafter stated:

THIRD: That to this marriage was born one child, a daughter, MARY DEVOTA, now eighteen months of age, who is in the care and custody of Complainant.

FOURTH: That since said marriage, Defendant has frequently committed actual violence on the person of Complainant with danger to her life and health and on the date of said separation, beat her violently with a strap so that she was compelled to leave him for fear of serious injuries to her health and life. That Defendant has expressed no regret for his cruelty, but promises to continue same so that she has reason to think that her personal safety can only be assured by a legal separation.

THE PREMISES CONSIDERED: Complainant prays that by proper process the Defendant be notified to answer this bill within the time prescribed by law and abide by such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this bill that a decree be rendered forever divorcing her from the said Leslie H. Shepherd, Jr., granting her the sole custody of the child of the marriage, <sup>up to the age of three years</sup> subject to the right of the father to visit same in reasonable hours and requiring Defendant to contribute to the support of said child to the extent of one-third of Complainant's earnings, same

to be delivered in such manner as to the Court seems to the child's  
best interests and to have such other further or different relief  
as to equity may seem meet. *Mary Lou Horton Shepherd*

Complainant

*Riskely + Riskely.*  
Solicitors for Complainant.



MARY HORTON SHEPHERD  
Complainant

No.  
EQUITY

vs

LESLIE H. SHEPHERD,  
Respondent

CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA


Comes LESLIE H. SHEPHERD, Respondent in the above styled cause, and for answer to the bill of complaint says he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

  
Respondent

Before me, the undersigned Notary, personally appeared Leslie H. Shepherd who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with the knowledge of its contents.

Witness my hand and official seal this the 7th day of July, 1951.

  
Notary Public, State of Alabama at Large.

MARY HORTON SHEPHERD,  
Complainant

vs

LESLIE H. SHEPHERD,  
Respondent

EQUITY

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

This cause coming on to be heard was submitted upon Bill of Complaint, 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 the bill.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore existing between Complainant and Respondent be, and the same are hereby, dissolved, and the said MARY HORTON SHEPHERD is forever divorced from the said LESLIE H. SHEPHERD, JR. for and on account of cruelty.

It is further ORDERED, ADJUDGED and DECREED that Complainant shall have the care and custody of MARY DEVOTA, the child of the marriage until said child attains the age of three years at which time such further orders will be made as to the custody and maintenance of the child as then seems proper. During such time Respondent, if complying with the requirements of this agreement, during reasonable daylight hours, may visit said child.

It is further ORDERED, ADJUDGED and DECREED that for the maintenance, support, and education of said child, Mary Devota, Respondent shall contribute for such purpose on Saturday of each week, food, clothing, and other necessities, of value, equal to one third of Respondent's net earnings for the preceeding week. Said provisions to be supplied by Respondent according to written schedule of said child's needs and be delivered to Complainant at her then home in this County, for the benefit of said child, not later than Tuesday of the following week. Should dispute arise as to the nature and extent of said child's necessities, same shall be submitted to and determined by the Family Welfare Department of Baldwin County, whose opinion shall be binding unless appealed

from and overruled by this Court.

The Court retains jurisdiction of this cause to make such further orders and decrees as may from time to time seem to the best interests of Mary Devota, the child of the marriage and of the parties to this cause.

It is further ORDERED, AJDUDGED, 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 Respondent pay the cost herein to be taxed, for which execution may issue.

This 2nd day of August, 1951.

*Jelfair J. Marshall, 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 3rd day of July, 1951.

Register of Circuit Court, In Equity.

MARY HORTON SHEPHERD,  
Complainant

No. 2680  
EQUITY

vs

LESLIE H. SHEPHERD,  
Respondent

CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

Comes the Complainant and shows to the Court that the failure of Respondent to respond to the Court's instructions of July 16th to report in Bay Minette for an interview was due to a misunderstanding on his part and that instead, Respondent returned to his family with promises of good behavior which promises have so far been kept and the attitude of Respondent indicates that this condition will continue, Complainant now prays that the decree of divorce rendered on August 2 be now set aside and the cause dismissed.

Respectfully submitted,

MARY HORTON SHEPHERD

By: *Risley*  
Her Solicitors

MARY HORTON SHEPHERD,  
Complainant

vs

LESLIE H. SHEPHERD,  
Respondent

No. 2680  
E Q U I T Y

CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard on the petition of MARY HORTON SHEPHERD, Complainant, to set aside the decree of divorce heretofore rendered in her favor and it appearing to the Court from the averment of said petition that it is to the best interest of the child of the marriage and to both parties concerned that said decree of divorce be set aside.

It is therefore ORDERED, ADJUDGED and DECREED that the decree of divorce heretofore rendered on August 2nd be and the same hereby is set aside and this cause is now dismissed.

It is further ordered that Defendant pay the costs of this proceeding for which execution may issue.

Done at Bay Minette, Alabama this the 24<sup>th</sup> day of August, 1951.

*Jeffair J. Maslibere, Jr.*  
Judge.

*Wm. H. Shepherd, Jr. v. Mary H. Shepherd*

2027

MARY HORTON SHEPHERD,  
Complainant  
vs  
LESLIE H. SHEPHERD,  
Respondent

DECREE SETTING ASIDE  
DIVORCE

FILED  
JUL 24 1957  
ALICE A. DICK, Register

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