

2243

LERNER & LERNER

BARRISTERS - SOLICITORS  
NOTARIES

LONDON - CANADA

MAYER LERNER, B.A.  
SAMUEL LERNER, B.A.

425 RICHMOND ST.  
TELEPHONE FAIR. 5512-3

March 8, 1949.

Alice J. Duck,  
Register in Chancery,  
Bay Minette, Baldwin County, Alabama.

Re: Havard vs. Havard


Dear Madam:

Enclosed please find oral deposition of  
Doris Havard taken before me March 7, 1949, on commission  
from your Court, and the commission.

Would you please notify Mr. W. C. Beebe,  
Attorney-At-Law, Bay Minette, Alabama, that these docu-  
ments have been received by you.

Yours very truly,

LERNER & LERNER

Per:   
(Samuel Lerner)

SL:O'B.  
Encls.

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 194 \_\_\_\_\_

Miris Elaine Havard, Complainant  
Vs.

Carry Hubert Havard, Defendant  
To Alice J. Beck, Register

In the above stated cause a ~~Decree Pro Confesso~~ <sup>answer</sup> having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by W. C. Beck

\_\_\_\_\_ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

W. C. Beck  
Solicitor for Complainant.

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

**The State of Alabama,**

Baldwin County

**CIRCUIT COURT, IN EQUITY**

*Doris Elaine Howard*

**Vs.**

*Carey Herbert Howard*

**REQUEST FOR DECREE IN  
VACATION**

Filed *March 11*, 194*9*

*Alicia J. Luck*  
Register.

Recorded in \_\_\_\_\_ Record

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

Register.

THE STATE OF ALABAMA  
Baldwin County

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

DORIS ELAINE HAVARD

COMPLAINANT

VS.

CARY HUBERT HAVARD

RESPONDENT

I, Samuel Lerner

as ~~Register and~~ Commissioner

have called and caused to come before me Doris Elaine Havard

witness named in the Requirement for Oral Examination, on the 7<sup>th</sup> day of March  
1949, at the office of Lerner & Lerner  
in London Ontario Canada, ~~Alabama~~, and having first sworn said witness to speak the truth,  
the whole truth, and nothing but the truth, the said Doris Elaine Havard

doth depose and say as follows:

My name is Doris Elaine Havard, and I am presently residing at the City of Brantford, in the County of Brant, in the Province of Ontario, and Dominion of Canada. I am the wife of Cary Hubert Havard. I was born at Brantford, Ontario, on March 31, 1921 and my husband was born at Perdido, Alabama on September 21, 1921. I am the complainant in the suit for divorce in Baldwin County, Alabama, against Cary Hubert Havard. We were married at Brantford, Ontario, Canada, on April 13, 1942 and lived at Perdido, Alabama, and our son, William Cary Havard was born at Mobile, Alabama on March 4, 1943. We resided at Perdido, Alabama, in the Baldwin County, where we resided for more than twelve months next preceding the filing of this suit for divorce. I am temporarily resident with my parents in Canada. My husband is in the armed forces of the United States of America. We lived together as husband and wife until May 1946, when he voluntarily abandoned me without any cause or excuse and he has made no contribution towards my support or the support of our infant children since that time and we have not lived together since he deserted me. My husband has never supported me with the exception of the allotment that I received from the United States Government by reason of his military services.

Doris Elaine Havard

Samuel Lerner

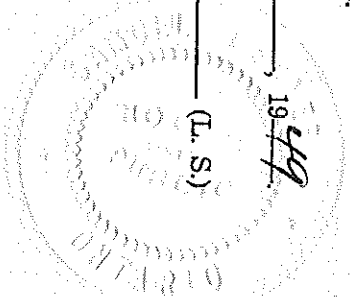
ORAL EXAMINATION

I, Samuel Ierner, as ~~Registered~~ 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 her and she signed the same in the presence of myself \_\_\_\_\_ 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 7th day of March, 1949

Samuel Ierner (L. S.)



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

THE STATE OF ALABAMA  
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Complainant

Vs.

Respondent

ORAL DEPOSITION

Filed 3-11, 1949

Alvin J. Rucke, Register  
RECORDED IN

Record

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

Register

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

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

WITNESS:

W. C. Bennett  
Hoyd E. Fisher

Carey H. Howard  
Defendant.

Lewiston COUNTY.

Given under my hand and seal on this the 24 day of February, 1948.

Lydia  
Notary Public, County, Kansas.

1<sup>ST</sup> LT, CBE  
US Army

Figure 1: Schematic representation of the experimental design. The figure shows a sequence of four panels. Panel 1: A subject is shown in a car, looking at a road with a car ahead. Panel 2: The subject is shown in a car, looking at a road with a car ahead. Panel 3: The subject is shown in a car, looking at a road with a car ahead. Panel 4: The subject is shown in a car, looking at a road with a car ahead.

0-1050473  
U.S. Army.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY. }

Circuit Court

TO: Samuel Lerner.

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 Doris Elaine Havard

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

Doris Elaine Havard is

\_\_\_\_\_, Complainant

and Cary Hubert Havard is

\_\_\_\_\_, Respondent

on oath, to be by you administered, upon oral examination

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

Witness 24th day of February, 194 9.

Alice J. Luck  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

*Paris Elaine Haver*

*vs.*  
*Cary Hubert Haver*

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 over of defendant and deposition*  
*of Paris Elaine Haver*

and in behalf of Defendant upon

*Answer*

*W. J. ...* Register

*J. C. ...*  
Attorney for Complaint and  
Register



No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

*Denis Elaine Harvard*

vs.

*Carey Herbert Harvard*

NOTE OF TESTIMONY

Filed in Open Court this *11* .....

day of *March* ....., 19*49* .....

*Alvin J. Leuck*  
Register.

Printed By The Baldwin Times

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

DORIS ELAINE HAVARD, Complainant

vs.

CARY HUBERT HAVARD, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree ~~for divorce~~ on ANSWER & 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 DORIS ELAINE HAVARD is forever divorced from the said CARY HUBERT HAVARD 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 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 DORIS ELAINE HAVARD the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 11th day of March, 1949

Jeffair 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.

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*Filed 3-11-49  
Alice J. Duck  
Register*

STATE OF ALABAMA,

BALDWIN COUNTY.

TO ANY LAWFUL SHERIFF OF THE STATE OF ALABAMA:

WE COMMAND YOU, that you summon CARY HUBERT HAVARD to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 DORIS ELAINE HAVARD against the said CARY HUBERT HAVARD, and further to do and perform what said Judge shall order, and direct in that behalf, and this the Defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS ALICE J. DUCK, Register of said Circuit Court, this 24<sup>th</sup> day of February, 1949.

Alice J. Duck  
Register.

DORIS ELAINE HAVARD,  
COMPLAINANT

VS

CARY HUBERT HAVARD,  
DEFENDANT.

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

TO THE HONORABLE TELFAIR J. MASHBURN, JUDGE OF THE 28th JUDICIAL CIRCUIT, BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, DORIS ELAINE HAVARD, and humbly complaining against CARY HUBERT HAVARD, Defendant, respectfully shows unto your Honor:

FIRST:

That your Complainant, Doris Elaine Havard, and the said Cary Hubert Havard are both over the age of twenty-one years, and are residents of Baldwin County, Alabama, where they have resided continuously for more than twelve months next preceeding the filing of this Bill of Complaint, which place was their residence in May, 1946;

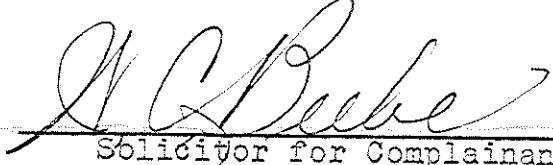
SECOND:

That your Complainant and the said Cary Hubert Havard are husband and wife, having married April 18, 1942; that they lived together as husband and wife until May, 1946, when the said Defendant, Cary Hubert Havard, voluntarily abandoned your Complainant without

just cause or legal excuse, and has remained away continuously since that day; that your Complainant and the said Defendant have not lived together as husband and wife since May, 1945.

Therefore, your Complainant prays this Honorable Court will take jurisdiction of the cause made by this Bill of Complaint, and make the said Cary Hubert Havard party defendant hereto, and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this Complainant and the said Defendant, and Complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

  
Solicitor for Complainant