

19075

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY ELIZABETH LAZZARI

Complainant

vs.

LOUIS HENRY LAZZARI

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

MARY ELIZABETH LAZZARI

is forever divorced from the

said LOUIS HENRY LAZZARI for and on account of

cruelty, and that the said Louis Henry Lazzari is granted

the custody and control of Elizabeth Ida Lazzari, Louis Henry Lazzari, Jr., and Margaret Ann Lazzari, the children

of this marriage, subject to the right of Mary Elizabeth

Lazzari to see said children at any time and have the children visit with her provided it doesn't interfere with their health and education.

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 payment of the cost of this suit.

It is further ordered that MARY ELIZABETH LAZZARI

the complainant pay the cost herein to be taxed, for which executed may issue.

This 5 day of August 1957

Hubert M. Hall

Judge Circuit Court, In Equity.

I, ALICE 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 day of 19

Register of Circuit Court, In Equity.

No.----- Page-----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MARY ELIZABETH LAZZARI

Complainant

vs.

LOUIS HENRY LAZZARI

Respondent

DIVORCE DECREE

FILED
AUG 5 1957
ALICE J. DUCK, Registrar

MARY ELIZABETH LAZZARI,

COMPLAINANT

-VS-

LOUIS HENRY LAZZARI,

RESPONDENT.

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

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes JOYCE IRENE BLAIR, a witness on behalf of the complainant, and being duly sworn, testifies as follows:

Mykname is JOYCE IRENE BLAIR and I live at Spanish Fort in Baldwin County, Alabama.

I have been knowing both MARY ELIZABETH LAZZARI and her husband, LOUIS HENRY LAZZARI for the last four years. I am a friend of MARY ELIZABETH LAZZARI and see her off and on, I should say about once a week. Both she and LOUIS HENRY LAZZARI are bona fide residents of Baldwin County, Alabama, and have been for the last three years and still are bona fide residents of Baldwin County, Alabama.

They were married on July, 18th, about four years ago, and have lived together as husband and wife in Belforest up until approximately, three weeks ago and now they are separated.

I never saw him strike her or threaten her, but I knew that she and he were not happy from my association with MARY ELIZABETH LAZZARI.

There are three young children to this marriage, and ELIZABETH LAZZARI is not able to take care of them and wants LOUIS LAZZARI to take care of them, and I think that LOUIS can make arrangements to take care of them properly.

Joyce Irene Blair
JOYCE IRENE BLAIR

Subscribed and sworn to before me on this the 5th day of August, 1957.

Lillie B. Stephens
COMMISSIONER

MARY ELIZABETH LAZZARI,
Complainant,
-VS-
LOUIS HENRY LAZZARI,
Respondent.

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

TESTIMONY OF MARY ELIZABETH LAZZARI, COMPLAINANT:

MARY ELIZABETH LAZZARI, being first duly sworn, deposes and says, as follows, to-wit:

My name is MARY ELIZABETH LAZZARI, and I am bringing this suit for divorce against my husband, LOUIS HENRY LAZZARI.

I have lived all my life in Baldwin County, Alabama, and so has my husband, LOUIS HENRY LAZZARI, and we are both still living in Baldwin County, Alabama--I am living in Daphne, Alabama, and Louis is living in Belforest, Alabama.

My husband and I were married in Daphne, Alabama, on the 18th day of July, 1953, and lived together as husband and wife, more or less happily, until about six or eight months ago, and since that time he has become quarrelsome and we cannot get along happily.

On the 18th of June, 1957, while we were arguing, he struck me with a stick although it did not break any bones. I became highly nervous and sick.

We discussed our matrimonial affairs and I thought we had worked out a reconciliation in June, 1957, but he has continued to be quarrelsome and I believe that if we continue to live together, he will commit further violence upon my person, attended with danger to my life or health.

I believe that if we separate, I would have to work and support myself and that the children would be better off being supported by Louis and for that reason, I made the agreement, copy of which I have attached to the bill of complaint. Both Louis and I signed that agreement on the 5th day of August, 1957.

Mary Elizabeth Lazzari
MARY ELIZABETH LAZZARI

Subscribed and sworn to before me this the 5th day of August, 1957.

Lillie R. Stephens
COMMISSIONER

MARY ELIZABETH LAZZARI,
Complainant

-VS-

LOUIS HENRY LAZZARI,
Respondent.

TESTIMONY

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

I, TILLIE K. STEPHENS, Commissioner, acting under stipulation of the parties in the divorce suit of MARY ELIZABETH LAZZARI, vs. LOUIS HENRY LAZZARI, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, MARY ELIZABETH LAZZARI and JOYCE IRENE BLAIR, who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. RICKARBY, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anyway interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 5th day of August, 1957.

Tillie K. Stephens
COMMISSIONER

4095'

MARY ELIZABETH LAZZARI,

Complainant

-vs-

LOUIS HENRY LAZZARI,

RESPONDENT

COMMISSIONER'S STATEMENT

FILED

AUG 5 1957

ALICE J. DUCK, Register

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.


MARY ELIZABETH LAZZARI,
COMPLAINANT,
-VS-
LOUIS HENRY LAZZARI,
RESPONDENT.

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

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, answer and waiver filed by Respondent, and depositions of Complainant and JOYCE IRENE BLAIR.



E. G. RICKARBY,
Solicitor for Complainant

4095'

MARY ELIZABETH LAZZARI,

Complainant

-vs-

LOUIS HENRY LAZZARI,

Respondent.

NOTE OF EVIDENCE

FILED

AUG 5 1957

ALICE J. DUCK, Register

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

STATE OF ALABAMA
COUNTY OF BALDWIN

KNOW ALL MEN BY THESE PRESENTS, that LOUIS HENRY LAZZARI OF Daphne, Alabama and his wife, MARY ELIZABETH LAZZARI are not living together and wish to make this agreement as to their joint property and the custody of their children, namely:

First: That all the property owned by these parties and accumulated by this marriage are to be turned over to LOUIS HENRY LAZZARI, except MARY ELIZABETH LAZZARI'S clothing, jewelry, record player, records and radio.

Second: That the said children born to this marriage are to be under the care, custody and control of LOUIS HENRY LAZZARI.

It is further agreed that the said MARY ELIZABETH LAZZARI desires to leave the home and obtain employment and does not desire to have the care, custody or control of said children, and that LOUIS HENRY LAZZARI can provide a home for said children and is the proper party to have the care, custody and control of said children.

The said LOUIS HENRY LAZZARI further agrees to care for and support said children without calling on MARY ELIZABETH LAZZARI for any help in the matter.

It is further agreed that the said MARY ELIZABETH LAZZARI has the right to see said children at any time and to have the children visit with her provided it does not interfere with their health or education.

The parties further agree that neither party will try to influence the children to the prejudice of the other party.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals in duplicate on this the 5 day of July, 1957.

Louis Henry Lazzari (SEAL)
LOUIS HENRY LAZZARI

Mary Elizabeth Lazzari (SEAL)
MARY ELIZABETH LAZZARI

STATE OF ALABAMA
BALDWIN COUNTY

I, Ed. P. [Signature], a Notary Public, in and for said state and county hereby certify that LOUIS HENRY LAZZARI and MARY ELIZABETH LAZZARI, whose names are signed to the foregoing instrument and who are known to me acknowledged before me on this day, that being informed of the contents of said agreement, they executed the same voluntarily on the day same bears date.

Witness my hand and official seal this the 5 day of July, 1957.

Ed. P. [Signature]
Notary Public, Baldwin County, Alabama

4095'

FILED
AUG 5 1957
ALICE J. DUCK, Register

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MARY ELIZABETH LAZZARI
COMPLAINANT
VS
LOUIS HENRY LAZZARI
RESPONDENT

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

ANSWER AND WAIVER

Comes the respondent, LOUIS HENRY LAZZARI, in the above styled cause and for answer to the Bill of Complaint heretofore filed in said cause, and to each and every paragraph thereof, says:

He denies each and every allegation contained therein and demands strict proof thereof.

Respondent hereby submits himself to the jurisdiction of this Honorable Court and waives notice of the time and place for taking testimony in said cause, waives the issuance of a formal commissioner to take testimony in said cause and consents that testimony may be taken without further notice to him and further waives notice of the time and place of submission of said cause and consents that said cause may be submitted for final decree at any time or place without further notice to him of such submission.

Louis H. Lazzari
LOUIS HENRY LAZZARI, Respondent

STATE OF ALABAMA
BALDWIN COUNTY

I, Louise J. Muschler, a Notary Public in and for said County in said state, hereby certify that LOUIS HENRY LAZZARI, whose name is signed to the foregoing instrument and who is known to me to be the respondent above named, acknowledged before me on this day that he executed the same voluntarily with knowledge of its contents.
WITNESS my hand and official seal this the 5 day of August, 1957.

Louise J. Muschler
Notary Public, Baldwin County, Ala.

4093'

MARY ELIZABETH LAZZARI

COMPLAINANT

VS

LOUIS HENRY LAZZARI

RESPONDENT

ANSWER AND WAIVER

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED

AUG 5 1957

ALICE J. DUCK, Register

MARY ELIZABETH LAZZARI,

Complainant,

-VS-

LOUIS HENRY LAZZARI,

Respondent.

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

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes MARY ELIZABETH LAZZARI by this, her Bill of Complaint presented against LOUIS HENRY LAZZARI, and respectfully shows:

1. That complainant is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama, and has been such for the three years next preceding the filing of this, her Bill of Complaint.

2. That LOUIS HENRY LAZZARI, the respondent, is over the age of twenty-one years and is a resident of Belforest, Baldwin County, Alabama.

3. That your complainant and respondent were lawfully married in Daphne, Baldwin County, Alabama, on, to-wit, the 18th day of July, 1952, and lived together as husband and wife until about the 11th day of July, 1957.

4. That the respondent has committed actual violence upon the person of this complainant by striking her at their home in Belforest on, to-wit, the 18th day of June, 1957, and that complainant became highly nervous and sick because of his striking her, and complainant has reason to believe, and does believe, that if she should continue to live with said respondent, he would commit further violence upon her person attended with danger to her life or health.

5. That to this marriage there have been born three children, namely, ELIZABETH IDA LAZZARI, now age three years; LOUIS HENRY LAZZARI, JR., now age two years; and, MARGARET ANN LAZZARI, now age nine months, and that the respondent, LOUIS HENRY LAZZARI has better facilities for providing for the care and custody of said children, and that complainant has agreed to the respondent's having the care and custody of said children subject to her right to visit with said children in accordance with the agreement, copy of which is attached hereto.

THE PREMISES CONSIDERED, your complainant prays that due notice be given of this Bill of Complaint as required by Law and that complainant further prays that, upon a hearing of this cause, the Court will ascertain the facts herein considered and dissolve the bonds of matrimony heretofore existing between MARY ELIZABETH LAZZARI and LOUIS HENRY LAZZARI, and grant the respondent the right to have control and custody of said children, subject to complainant's right to have the children visit with her at reasonable times and places.

Complainant further prays that, upon a hearing of this cause, the Court will render a decree forever divorcing her from the said respondent, allowing her to resume her maiden name, and granting her the right to remarry, should she so desire, and to have such other further or different relief as to equity may seem meet and proper.



E. G. RICKARBY,
Attorney for Complainant

4095

MARY ELIZABETH LAZZARI,

Complainant,

-VS-

LOUIS HENRY LAZZARI,

Respondent.

BILL OF COMPLAINT

FILED

AUG 5 1957

GAIGE J. DUCK, Register

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY.