DIVORCE DECREE

Printed by Moore Ptg. Co.

# The State of Alabama, Baldwin County

# CIRCUIT COURT, IN EQUITY

Mary Alice Ard

vs.

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

	Samuel Ard Jr, Respondent
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	Answer and waiver and Testimony as noted by the Register, and upon cor
siderati	on thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for i
said bil	
	It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofor
existing	between the Complainant and Defendant be, and the same are hereby, dissolved, and that the
said	Mary Alice Ardis forever divorced from th
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said	Samuel Ard Jr. for and on account
Compla	ty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the inant be and she is hereby availed the care, custody and control of the
minor	children, Eldon Newton Ard and Sharon Ellen Ard, with the right of the
	dent to visit them at reasonable times.
en e	IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the
Respon	dent pay to the Complainant the sum of Fifty (\$50.00) Dollars per month
Loviaro	the maintenance and support of said minor children.
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# THE STATE OF ALABAMA Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

Mary Alice Ard

Complainant

Respondent

VS.

#### Samuel Ard Jr.

I. \_\_EvelynWatts

as RegistercandxCommissioner \_

have called and caused to come before me Mary Alice Ard and Julia Toler

witness es named in the Requirement for Oral Examination, on the <u>15</u> day of <u>September</u> 194 <u>52</u> at the office of <u>Hubert M. Hall</u>

in <u>Bay Minette</u>, Alabama, and having first sworn said Witness <u>es</u> to speak the truth, the whole truth, and nothing but the truth, the said <u>MaryAlice Ard and Julia Toler</u> doth depose and say as follows:

My name is Mary Alice Ard. I am over twenty-one years of age and a resident of Summerdale, in BaldwinCounty, Alabama, where I have lived for the past nine years. The Respondent, Samuel Ard, Jr., is over twenty-one years of age and also a resident of Baldwin County, Alabama, and has been here all of his life.

The Respondent and I married at Pensacola, Florida, on October 9, 1937, We lived together as husband and wife in Baldwin County, Alabama, until December 29, 1951, I believe it was.

The Respondent while he and I have lived together has often threatened and abused me and threatened to actual violence to my person which would necessarily endanger my life and health and on several occasions he has commited actual violence to my person. Just Sunday Night two weeks ago the Respondent came to the house where I was and commited actual violence to my person by striking me and choking me. The conduct of the Respondent is such as to give me every reasonable apprehension to believe and I do actually believe that if I continued to live with him he would do further violence to my person which would necessarily endanger my life and health. The conduct of the mespondent was such that it is absolutely impossible fore the Respondent and me to live together.

The Respondent and I have reached a full and complete agreement as to a division of the property and the custody and support of our children. We have all ready executed proper conveyance from the one to the other conveying the respective interest in the joint property.

The Respondent and I have two children, Eldon Newton Ard, age 11, and Sharon Ellen Ard, age 6, who are now and have been all of their lives with me. I am the suitable, fit and proper person to have their custody, care and control. The Respondent has consented to pay toward the maintenance and support of the said children \$50.00 per month. While this amount may not be sufficient it will aid materially in their suppart. I have also considered the matter of their welfare and know that it is to their best interest taking into consideration the conduct of the Respondent when he is around that a divorce be granted.

My name is Julia Toler. I live at Robertsdale, Alabama. I am personally acquainted with the Complainant and the Respondent in this cause. I know that the Respondent has often threatened and abused the Complainant, and also know that on several occasions he has commited actual viclence to her person. I have had occasion to be around them quite a bit and know that the conduct of the Respondent is such as to render it absolutely impossible for the Complainant to live with him. I know that the Complainant is the suitable, fit and proper person to have the care, custody and control of their minor

ulia

#### ORAL EXAMINATION.

**T**arleburg store (12)

I, <u>Evelyn Watts</u>, as Register and Commissioner hereby certify that the foregoing deposition <u>S</u> on Oral Examination was taken down by me in writing in the words of the witness <u>es</u> and read over to <u>them</u> and <u>they</u> signed the same in the presence of myself <u>and Hubert M. Hall</u>

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness <u>es</u> or had proom made before me of the identity of said witness <u>es</u>; 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 <u>15</u> day of \_\_\_\_\_ September 194 52 Culyn Coatta (L. S.)

ZO <u>₹</u>01 Ν CIRCUIT COURT, IN EQUITY. THE STATE OF ALABAMA Mary Alice Ard SEO Samuel Ard Jr. BALDWIN COUNTY **Recorded** in eposition ٧S. PAGE\_ Page . Respondent. Complainant Register Register 194Record

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

The Respondent admits that the Complainant is the suitable, fit and proper person to have the care, justody and control of the two minor children Elden NewtonArd and Sharon Ellen Ard; that he thinks Fifty (\$50.00) Dollars per month is a reasonable amount to pay toward the maintenance and support of said children and agrees and binds himself to pay said amount and consents that said provision be entered in the final decree of the divorce.

The Respondent waives notide 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.

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### STATE OF ALABAMA BALDAIN JOUNTY

I, H. M. HALL, A Notary Public, in and for said County, in said State, hereby certify that Sammle Ard Gr., whose name is signed to the foregoing instrument, and who is known to re, acknowledged before me on this day that being informed of the contents of said instrument, he executed the same voluntarily on the day the same lears date. Given under my hand and seel on this the <u>13</u> day of September, 1952.

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STATE OF ALABAMA BALDWIN COUNTY

# TO ANY SHERIFF OF THE STATE OF ALA BAMA:

You are hereby commanded to summons SAMUEL ARD JR., to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the CircuitCourt of Baldwin County, Alabama, in Equity, by MARY ALICE ARD, as Complainant, and against SAMUEL ARD JR., as Respondent.

WITNESS MY HAND this the \_\_\_\_\_day of September, 1952.

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MARY ALICE ARD	Q	
COMPLAINANT	Q	IN THE CIRCUIT COURT OF
VS	Q	BALDWIN COUNTY, ALABAMA,
SAMUEL ARD JR.	ð	IN EQUITY
<b>RES PONDENT</b>	ð	
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TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Mary Alice Ard, respectfully represents unto Your Honor and this Honorable Court as follows:

### 1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

#### 2,

That your Complainant and the Respondent married at Pensacola, Florida, on October 9, 1937, and lived together as husband and wife in Bakdwin County, Alabama, until on to-wit, December 29, 1951.

## 3.

That on, to-wit, December 29, 1951, and on various occasions prior thereto the Respondent cursed, 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 theRespondent he would do actual violence to her person, which would necessarily endanger her life and health. That there was born to the marriage between your Complainant and the Respondent two children, Eldon Newton Ard, age 11 and Sharon Ellen Ard, age 6, who are now and have been all of their lives with their mother, the Complainant; that your Complainant is a suitable, fit and proper person to have their care, custody and control; that the Respondent is an abled bodied man and fully capable of contributing toward the support and maintenance of said children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Samuel Ard Jr., 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.

Your Complainant further prays that upon a final hearing hereof Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; That the Complainant be awarded the permanent custody, care and control of the minor children, Eldon Newton Ard and Sharon Ellen Ard; and that she be awarded such amount as your Honor shall seem meet and proper as permanent alimony and as support for the minor children; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Solicitor for the Complainant

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