

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

HELEN S. LAZZARI, Complainant

vs.

ARTHUR H. LAZZARI, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Answer~~ 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 HELEN S. LAZZARI is forever divorced from the said ARTHUR H. LAZZARI for and on account of contemplated cruelty.

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 HELEN S. LAZZARI, the Complainant, pay the cost herein to be taxed, for which executed may issue.

This 7th day of March, 1956.

Hubert M. Hill, 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

HELEN S. LAZZARI

Complainant

vs.

ARTHUR H. LAZZARI

Respondent

DIVORCE DECREE

FILED  
MAR 7 1956  
ALICE L. RUCK, Register

HELEN S. LAZZARI,  
COMPLAINANT

VS

ARTHUR H. LAZZARI,  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TESTIMONY OF HELEN S. LAZZARI, COMPLAINANT

HELEN S. LAZZARI, being first duly sworn, deposes and says,  
as follows, to-wit:

My name is HELEN S. LAZZARI, and I am bringing this suit for a divorce against my husband, ARTHUR H. LAZZARI. I am over twenty-one years old and was born and raised in Fairhope, Baldwin County, Alabama. I have lived here all my life, rather, lived in Fairhope up to the time of my marriage, when my husband and I moved to, or rather lived in, Daphne.

My husband, ARTHUR H. LAZZARI, is over the age of twenty-one years and is a resident of Baldwin County and is living in our former home, which is just outside of the corporate limits of Daphne, sometimes called Belforest.

We were married on the 2nd day of January, 1950, in Daphne, and lived together as husband and wife until he left to go overseas with the Army in 1955.

Prior to our separation, just a day before he left for overseas in March, 1955, he got very angry with me and struck me. I am a highly nervous type and I was sick from his striking me. He stayed overseas until about the 17th of January, and I thought we would try to continue to live together and save the marriage. But as soon as he got back to the States we started having words, disagreeing, and fussing. In fact, when he phoned me from New York, the Port of Debarkation, we started fussing over the telephone, and I saw that if I continued to live with him we would not get along happily together, and I feared that not only would it be a continual fight, but that he would strike me again. I had been under the doctor's care because of my physical condition and worry and knew that my health could not stand any further abuse from him. I definitely have reason to figure that he would strike me again as he had previously struck me, and this would definitely be dangerous to my life or health.

There have been no children born to this marriage, and I am asking for an absolute divorce from my husband. We have arranged the division of our property satisfactory to both parties, and I am not asking the court for any money.

Helen S. Lazzari  
HELEN S. LAZZARI

Subscribed and sworn to before me this the 2nd day of March 1956.

Lillian H. Stebbins  
COMMISSIONER

FILED  
MAR 7 1956  
CLERK OF COURT  
JUDICIAL DEPARTMENT  
MASSACHUSETTS

HELEN S. LAZZARI,  
COMPLAINANT

VS

ARTHUR H. LAZZARI,  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TESTIMONY OF CARMELITAV HURLEY, A WITNESS ON BEHALF OF COMPLAINANT.

CARMELITAE V. HURLEY, being duly sworn, deposes and says, as follows, to-wit:

My name is CARMELITAV. HURLEY. I live in Fairhope, Baldwin County, Alabama. I have been knowing HELEN S. LAZZARI for eighteen years, practically since we were little children going to school together. I know that she is now, and has been a resident of Baldwin County, and has never had any other residence. I further have known ARTHUR H. LAZZARI about eight years. I met him the year she started going with him, and I was one of the bride's maids at their wedding on January 2, 1950, and know that they lived together as husband and wife until about March, 1955.

He left for the Army, that is, joined the service on or about February, 1954, and for part of the time she went up and lived with him while he was stationed at Fort Jackson. In about March, 1955, I knew that they were having trouble, and on one or two occasions I had heard him having words with her. At that time she had been living out there at the farm, helping him run the farm when he was home, and running it herself when he was away.

Although I never saw him strike her or abuse her, I do know that there was friction between them and she was highly nervous and run down because of this. I have seen her in such a nervous state where she would just about go into hysterics because of his treatment of her. I further know that after he left for overseas, although they had had some trouble, she did her best to make a go of the marriage. She wrote him faithfully, but when he came back from overseas, they had more friction. He got home on a Tuesday and they were separated within three days from the time he got home. I know that she was sick at the time and came near as to having a collapse and was under a doctor's treatment for a long period of time, and I think that she is still under the doctor's treatment.

Since Helen and Arthur have been separated, Helen is more like her former self and is very much better physically. I feel that if she continued to live with him, it would be dangerous to her life or health.

Carmelita V. Hurley  
CARMELITTA V. HURLEY

Subscribed and sworn to before me on this the 2nd day  
of March 1956.

Lillie K. Stephens  
Commissioner

2340

FILED  
MAR 7 1956  
COURT HOUSE  
MICHIGAN

I, TILLIE K. STEPHENS, Commission acting under stipulation of the parties in the divorce suit of HELEN S. LAZZARI vs. ARTHUR H. 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, HELEN S. LAZZARI and CARMELITA V. HURLEY, 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, JR., 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 2nd day of March, 1956.

Tillie K. Stephens  
Commissioner





HELEN S. LAZZARI,  
 COMPLAINANT  
 VS  
 ARTHUR H. LAZZARI,  
 RESPONDENT

IN THE CIRCUIT COURT OF  
 BALDWIN COUNTY, ALABAMA  
 IN EQUITY

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

Comes HELEN S. LAZZARI, by this, her Bill of Complaint presented against ARTHUR H. LAZZARI, and respectfully shows:

1. That complainant is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, and has been such for more than three years next preceding the filing of this her Bill of Complaint.
2. That ARTHUR H. LAZZARI, the respondent, is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and is now residing in Belforest.
3. That complainant and respondent were lawfully married January 2, 1950, in Daphne, Baldwin County, Alabama, and lived together as husband and wife until about March, 1955, when they separated.
4. That the respondent committed actual violence upon the person of his wife, this complainant, attendant with danger to her life or health, by striking her, in March, 1955, and from his conduct she has reasonable apprehension of such further violence to her person attendant with danger to her life or health.
5. That there have been no children born to this marriage.

THE PREMISES CONSIDERED, your complainant prays that this Honorable Court will make the said ARTHUR H. LAZZARI a party respondent to this cause by appropriate process, requiring him to plead, answer or demur within the time prescribed by law.

Complainant further prays that, upon a hearing of this cause, the Court will render a decree forever divorcing her from the said ARTHUR H. LAZZARI, allowing her to resume her maiden name, and granting her such other, further or different relief as to Equity may seem meet.

RICKARBY & RICKARBY

BY

  
 E. G. Rickarby, Jr.  
 Solicitor for Complainant

300

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

YTHUCE WX

COMPLAINANT

VS

RESPONDENT

THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN AND TO WHICH PARTIES TO THE FOREGOING CASES HAVE APPEARED AND CONSENTED TO THE FILING OF THIS BILL OF EQUITY.

I, the undersigned, being duly qualified and sworn, do hereby certify that the foregoing is a true and correct copy of the original bill of equity filed in the Circuit Court of Baldwin County, Alabama, on this 6th day of March, 1956.

**FILED**  
**MAR 6 1956**  
**ALICE I. DUCK, Register**

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

**ARTHUR H. LAZZARI,**  
RESPONDENT  
**HELEN S. LAZZARI,**  
COMPLAINANT

3739  
RECORDED

REGISTER & CLERK  
*[Signature]*  
SOLICITOR FOR COMPLAINANT  
E. O. MICKELTHAP, JR.

HELEN S. LAZZARI,  
COMPLAINANT  
VS.  
ARTHUR H. LAZZARI  
RESPONDENT

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 Carmelita V. Hurley.

FILED

MAR 6 1936

ALICE L. BOCK, Register

RICKARBY AND RICKARBY

BY



E. G. RICKARBY, JR.  
Solicitor for Complainant

HELEN S. LAZZARI,

COMPLAINANT

VS

ARTHUR H. LAZZARI,

RESPONDENT

RECORDED

HELEN S. LAZZARI,

COMPLAINANT

VS

ARTHUR H. LAZZARI,

RESPONDENT

NOTE OF EVIDENCE

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

RECEIVED AND OPENED

1927  
J. H. LAZZARI

COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

VS

ARTHUR H. LAZZARI,

RESPONDENT

HELEN S. LAZZARI,  
COMPLAINANT  
VS  
ARTHUR H. LAZZARI,  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER AND WAIVER

Comes the respondent, ARTHUR H. 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.

Arthur H. Lazzari  
ARTHUR H. LAZZARI, Respondent

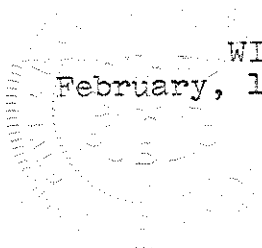
STATE OF ALABAMA  
BALDWIN COUNTY

I, FRANK WOREL JR., a Notary Public in and for said County in said State, hereby certify that ARTHUR H. 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 the contents.

WITNESS my hand and official seal this the 23rd day of February, 1956.

Frank Worrel  
Notary Public, Baldwin County, Alabama

Notary Public, State of Alabama at Large  
My commission expires Oct. 2, 1957.  
Bonded by The Employers Liability Assurance Corporation





ELLIOTT G. RICKARBY  
(DECEASED)

LAW OFFICES  
**RICKARBY & RICKARBY**  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

March 6, 1956

Mrs. Alice Duck  
Clerk of the Circuit Court  
Baldwin County  
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Helen S. Lazzari  
vs  
Arthur H. Lazzari  
Divorce Suit  
Our File: 3637

With this we are handing you original bill, answer  
and waiver, testimony and note of testimony in the  
above styled cause, and our check for \$15.00 to  
cover costs.

Please let me have decree on this as soon as possible,  
and oblige.

Yours very truly,



EGR/ts  
Encl.

cc: Mrs. Helen S. Lazzari