(3826)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VERA DEHL HAMILTON, Complainant

vs.

JOHN H. HAMILTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ XXXXXXXXXXXXXX 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 VERA DEHL HAMILTON is forever divorced from the said JOHN H. HAMILTON for and on account of CRUELTY. It is further ORDERED, ADJUDGED AND DECREED that the Complainant shall have care, custody and control of the minor child, Marion Gail Hamilton; that Complainant shall have all personal and real property owned by the parties; and, Respondent shall pay to Complainant $30.00 per week as and for support and maintenance of said minor child. The stipulated agreement entered into by and between the parties, and made a part hereof, is hereby confirmed.

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 John H. Hamilton the Respondent pay the cost herein to be taxed, for which executed may issue.

This 19th day of July 1956

Hubert M. Stone

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. 3826 Page

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

VERA DEHL HAMILTON

Complainant

vs.

JOHN H. HAMILTON

Respondent

DIVORCE DECREE

FILED

JUL 20 1956

ALICE J. DUCK, Register

VERA DEHL HAMILTON,	: :	IN THE CIRCUIT COURT OF
Complainant	: :	BALDWIN COUNTY, ALABAMA
vs.	: :	IN EQUITY
JOHN H. HAMILTON,	: :	
Respondent	: :	

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof separately and severally says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.

2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and date of separation but denies all other allegations of this paragraph and demands strict proof of the same.

3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Bill of Complaint in this cause and waives further service of the same. The Respondent also waives notice of taking of testimony in this cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

John H. Hamilton
John H. Hamilton
Respondent

WITNESSED BY:
Merle D. Cobb

Sworn to and subscribed to before me this the 30th day of June, 1956.

Elizabeth M. Bailey
Notary Public, State of Alabama
at Large

3826

ANSWER AND WAIVER

VERA DEHL HAMILTON,

Complainant

vs.

JOHN H. HAMILTON

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

VERA DEHL HAMILTON, Complainant	:	IN THE CIRCUIT COURT OF
	:	BALDWIN COUNTY, ALABAMA
vs.		
JOHN H. HAMILTON,	:	IN EQUITY
Respondent	:	

S T I P U L A T I O N

It is hereby stipulated and agreed by and between the parties hereto as follows:

1. That the Complainant shall have the full care, custody and control of their minor child, Marian Gail Hamilton, and the Respondent shall have the right to visit such child at reasonable and proper times.

2. It is further stipulated and agreed between the parties that the Complainant shall have all personal and real property owned by the parties except those items of personal nature to the Respondent.

3. It is further stipulated and agreed between the parties that the Respondent shall pay to the Complainant as and for support of the said minor child a sum in the amount of $30.00 per week, with the first payment to become due and payable on July 7, 1956.

Dated this the 30th day of June, 1956.

Vera Dehl Hamilton
Vera Dehl Hamilton

John H. Hamilton
John H. Hamilton

WITNESSED BY:

Reeda D. Cobb

Sworn to and subscribed before me
this 30th day of June, 1956.

Lucille M. Bailey
Notary Public, State of Alabama
at Large

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VERA DEHL HAMILTON,

Complainant

vs.

JOHN H. HAMILTON,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

STIPULATED AGREEMENT

FILED
JUL 16 1956
ALICE J. BUCK, Registrar

STATE OF ALABAMA)
)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John H. Hamilton to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Vera Dehl Hamilton as Complainant against John H. Hamilton, as Respondent.

Witness my hand this the 18 day of July, 1956.

Register

VERA DEHL HAMILTON,	: :	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Complainant	: :	IN EQUITY
vs.	: :	
JOHN H. HAMILTON,	: :	
Respondent	: :	

Comes your Complainant, Vera Dehl Hamilton, and files this her Bill of Complaint for divorce against John H. Hamilton, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the ages of twenty-one years and are bona fide residents of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That your Complainant and the Respondent were married on, to-wit, December 19, 1935 in Mobile, Alabama and lived together as man and wife until, on, to-wit, May 28, 1956, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on May 28, 1956 and at

times prior to that the Complainant states that the Respondent from his manner and conduct towards her gave reasonable apprehension of committing violence on her person and from his manner and conduct towards her she is reasonable certain that he will commit such violence upon her person, attended with danger to her life and health.

THIRD:

The Complainant and Respondent have the following named minor child: Marion Gail Hamilton, aged nine years, That your Complainant is a fit and proper person to have the care, custody and control of said child. That your Complainant has no money or property with which to properly support and educate such child and that the Respondent is able to pay your Complainant such sufficient amounts to properly support and educate such child.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named John H. Hamilton be made a party Defendant to this cause by the usual writ or process, requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause that your Honor will award your Complainant custody and control of her minor child herein named and will order and decree that the Respondent shall pay to your Complainant a reasonable sum as and for the support of said child. That Your Honor will also grant unto the Complainant an absolute divorce from said Respondent and will decree that the parties be allowed to remarry if they see fit and that the Respondent is not to harass your Complainant in any way or means. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Vera Dahl Hamilton
Complainant

Sworn to and subscribed before
me this the 30th day of June, 1956.

Samuel M. Bailey
Notary Public, State of Alabama at Large

BILL OF COMPLAINT

VERA DEHL HAMILTON,

Complainant

vs.

JOHN H. HAMILTON,

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

8581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

VERA DEHL HAMILTON
Complainant

vs.

JOHN H. HAMILTON
Respondent

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 Oral Testimony

and in behalf of Defendant upon Answer and Waiver

Alice J. Drake
Register.

Leonard M. Bailey
Attorney for Complainant

No. 2826

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VERA DEHL HAMILTON

vs.

JOHN H. HAMILTON

NOTE OF TESTIMONY

Filed in Open Court this .....

day of FILED, 194

JUN 18 1956

JUSE L. BROOK, Register.

Printed by the Baldwin Times

ORAL DEPOSITION

Printed by Moore Printing Co.

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

VERA DEHL HAMILTON Complainant

vs.

JOHN H. HAMILTON Respondent

I, Melda D. Cobb

as ~~Register and~~ Commissioner

have called and caused to come before me Vera Dehl Hamilton

witness ____ named in the Requirement for Oral Examination, on the 30 day of June 1956, at the office of Ernest M. Bailey, Attorney at Law in Fairhope, Alabama, and having first sworn said Witness ____ to speak the truth, the whole truth, and nothing but the truth, the said Vera Dehl Hamilton doth depose and say as follows:

STATEMENT OF VERA DEHL HAMILTON:

My name is Vera Dehl Hamilton and the Respondent in this cause of which I am the Complainant is John H. Hamilton. We are both over the ages of twenty-one years and are bona fide residents of Baldwin County, Alabama.

On December 19, 1935 we were married in Mobile, Alabama and lived together as man and wife until May 28, 1956.

On May 28, 1956 the Respondent cursed, abused and did threaten to do violence upon my person. The Respondent has on other occasions abused and threatened to do violence to me. I am of the opinion that if we continue to live together the Respondent will commit actual violence on my person, attended with danger to my health and life.

Vera Dehl Hamilton

Vera Dehl Hamilton

ORAL EXAMINATION

I, Melda D. Cobb, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and read over to her and she signed the same in the presence of myself and Ernest M. Bailey, Attorney at Law at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom 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 29th day of June, 1956.

Melda D. Cobb (L. S.)

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The State of Alabama
Baldwin County.

In Circuit Court, In Equity

VERA DEHL HAMILTON

vs. Complainant

JOHN H. HAMILTON

Respondent

Oral Deposition

Filed FILED, 19

18 1956

Recorded in

Record

Vol. Page

Register

COMMISSION TO TAKE DEPOSITIONS B.T.-2-49-200

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Melda D. Cobb
Fairhope, Alabama

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 Vera Dehl Hamilton

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

, Complainant

and John H. Hamilton

Respondent

on oath, to be by you administered, upon Vera Dehl Hamilton

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

Witness 29th day of July, 1952.

Register.

Commissioner's Fee, $

Witness' Fees, $

No. 3826

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Vera Dehl Hamilton

Complainant

VS.

John H. Hamilton

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Melda D. Cobb

WITNESSES:

Vera Dehl Hamilton

ERNEST M. BAILEY
ATTORNEY AT LAW
221 FAIRHOPE AVE.
TELEPHONE WAVERLY 8-9759
FAIRHOPE, ALABAMA

July
17th
1956

Clerk, Circuit Court
Baldwin County
Bay Minette, Alabama

In re: Hamilton vs. Hamilton

Dear Mrs. Duck:

I am attaching herewith necessary papers in the above divorce suit. I would very much appreciate your referring this to Judge Hall for his attention.

I am leaving this day for hospitalization in Pensacola. I expect to be confined for approximately two weeks. I will be grateful for your assistance in this matter.

Very truly yours,

Ernest M. Bailey

Ernest M. Bailey
EMB:b
Enclosures