

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LEAH CALVERT, Complainant

vs.

CECIL S. CALVERT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal service 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 Leah Calvert is forever divorced from the said Cecil S. Calvert for and on account of Cruelty

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, LEAH CALVERT, be and she is hereby awarded the permanent care, custody and control of the minor children born to the union of said parties, namely, HAROLD DENNIS CALVERT, a boy now about 8 years old, and KELLY CLAY CALVERT, a boy now about 7 years old; Respondent is hereby given the right to visit said children at all reasonable times.

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 Leah Calvert the Complainant pay the cost herein to be taxed, for which executed may issue.

This 13th day of November 1956

J. Hubert M. ... 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

NOV 13 1956

ALICE H. DUCK, Register

STATE OF ALABAMA, BALDWIN COUNTY

LEAH CALVERT	§	
Complainant	§	IN THE CIRCUIT COURT OF
vs.	§	BALDWIN COUNTY, ALABAMA
CECIL S. CALVERT,	§	IN EQUITY.
Respondent.	§	

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, LEAH CALVERT, humbly complaining of the Respondent, CECIL S. CALVERT, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Leah Calvert and the Respondent, Cecil S. Calvert, are each over the age of twenty-one years and reside in Robertsdale, Baldwin County, Alabama, and each has been a bona fide resident of said State and County for more than five years next preceding the filing of the Bill of Complaint.

SECOND: That your Complainant and Respondent were married on July 19, 1947, Lucedale, Mississippi.

THIRD: Your Complainant avers and charges that the Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that she will commit an actual violence upon her person, attended with danger to her life and health; the last of such threats did occur on July 15, 1956, and as a result of said threats Complainant and Respondent have not lived together since that time as husband and wife.

FOURTH: That there was born to the union of the Complainant and Respondent two children, namely, Harold Dennis Calvert, a boy, now about eight years old, and Kelly Clay Calvert, a boy, now about seven years old. That these children are now in the custody of the Complainant, their mother; Complainant further avers that she is a fit and proper person to be awarded the permanent care, custody and control of the said minor children.

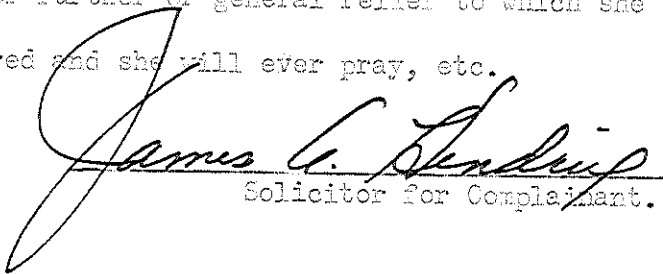
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Cecil S. Calvert be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage. The Complainant prays that in ~~and by virtue of the said decree she will be awarded the custody of the minor~~ children born to the union of the said parties, subject to the further orders of this Honorable Court.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.


Solicitor for Complainant.

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT IN EQUITY.

Leah Calvert Complainant

vs.

Cecil S. Calvert Defendant

Motion is hereby made for a Decree Pro Confesso against Cecil S. Calvert

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 12 day of November 19 56

James P. Hendrix
Solicitor.

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Leah Calvert

vs.

Cecil S. Calvert

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

FILED

Filed NOV. 13. 1956 19

ALICE J. DUCK, Register

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

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CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

Leah Calvert
Complainant,
Vs.
Cecil S. Calvert
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

Cecil S. Calvert

by the Sheriff of Baldwin County, on the 10 day of October

~~194~~ 1956.

And it further appears to the Register, that that the said _____

Cecil S. Calvert

_____ the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of James A. Hendrix Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said _____

Cecil S. Calvert

This 12 day of November, ~~194~~ 1956.

Alice J. Deaky
Register.

No. _____

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

Leah Calvert

Complainant,

Vs.

Cecil S. Calvert

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this _____ day of _____

194

FILED

NOV 13 1956

ALICE J. DUCK, Register

Register.

Leah Calvert

vs.

Cecil S. Calvert

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, motion for Decree Pro Confesso on personal service, Decree Pro Confesso on personal service and the testimony of Leah Calvert and Marved Flowers as set out in the oral deposition.

and in behalf of Defendant upon

James S. Hendrix

Alice J. Deek Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Leah Calvert

vs.

Cecil S. Calvert

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: GERTRUDE M. BANKESTER

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

LEAH CALVERT AND MARY ED. FLOWERS

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

LEAH CALVERT IS

Complainant

and CECIL S. CALVERT IS

Respondent

on oath, to be by you administered, upon them to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness ~~not~~ 12th day of November, 1956

Alice J. Duck Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Complainant _____

VS.

Defendant _____

COMMISSION TO TAKE DEPOSITION

NOV 13 1956

COMMISSIONER:
ALICE J. MCCA, Register

WITNESSES:

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ORAL DEPOSITION

THE STATE OF ALABAMA)
Baldwin County)

Circuit Court of Baldwin County, Alabama
(In Equity)

LEAH CALVERT Complainant

VS.

CECIL S. CALVERT Respondent

I, Gertrude M. Bankester, as Commissioner, have called and

caused to come before me Leah Calvert and Maryed

Flowers, witnesses named in the Requirement for Oral

Examination, on the 10th day of November, 1956, at the office of James A. Hendrix

in Robertsedale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Leah Calvert

and Maryed Flowers, doth depose and say as fol-

lows:

My name is Leah Calvert. I am over twenty-one years old and have lived in Robertsedale, Baldwin County, Alabama, all my life; Cecil S. Calvert is over twenty-one years old and lives in Robertsedale, Baldwin County, Alabama. Cecil and I were married on July 19, 1947 at Lucedale, Mississippi. Cecil has made many threats of doing me bodily harm and I am inconvenienced that should I continue to live with him he will commit an actual violence on my person, which would endanger my life and health; the last of such threats did occur on July 15, 1956 and as a result of said threats Cecil and I have not lived together since that time as husband and wife. Cecil and I had two children, namely, Harold Dennis Calvert, a boy, now about eight years old, and Kelly Clay Calvert, a boy, now about seven years old; both of said children are now in my custody and I feel that I am a fit and proper person to be awarded the permanent care, custody and control of said minor children.

Leah Calvert

Leah Calvert is my sister. Both she and Cecil S. Calvert are over twenty-one years old and have lived in Robertsedale, Baldwin County, Alabama, all of their lives. They were married on July 19, 1947 in Lucedale, Mississippi. I have heard Cecil threaten Leah on many occasions, and if such threats were carried out and I am reasonably inconvenienced that should they continue to live together he would commit actual violence on her person which would endanger her life and health; to my knowledge the last of such threats did occur on about July 15, 1956 and as a result of said threats they have not lived together since that time as husband and wife. They had two children, namely, Harold Dennis Calvert, a boy, now about eight years old, and Kelly Clay Calvert, a boy, now about seven years old. These children are now in the custody of Leah Calvert, their mother, and I feel that she is a very fit and proper person to be awarded the permanent care, custody and control of these minor children.

Maryed Flowers

3887

I, Gertrude M. Bankester, as Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself Gertrude M. Bankester and James A. Hendrix, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or 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 17th day of November, 1956.

Gertrude M. Bankester (L.S.)

FILED

NOV 13 1956

ALICE J. DUCK, Register