

41043

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ALENE DAW

Complainant

vs.

W. C. DAW

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confession 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 Alene Daw is forever divorced from the said W. C. Daw for and on account of Cruelty.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that the Complainant, Alene Daw, shall have the care, custody and control of the minor child, Shirlee Ann Daw, age about eighteen months.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Respondent, W. C. Daw, shall pay to the Complainant, Alene Daw, the sum of Ten (\$10.00) Dollars per week as maintenance and support of the said minor child, Shirlee Ann Daw, age about eighteen months.

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 Alene Daw the Complainant pay the cost herein to be taxed, for which executed may issue.

This 4th day of June 1957

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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

ALICIA DAY

Complainant

vs.

W. C. DAY

Respondent

DIVORCE DECREE

FILED
JUN 4 1957
ALICE J. DUCK, Register

ALENE DAW

vs.

W. C. DAW

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, _____
Testimony of Alene Daw and Janie Eryers.

and in behalf of Defendant upon Answer and Waiver

C. J. ...

Alene Daw
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ATTEST ONLY

vs.

NOTE OF TESTIMONY

Filed in Open Court **FILED**

day of **JUN 4**, 1957, 194

ALICE J. DUCK, Register
Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS WILSON

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 Alene Daw and Janie Bryana

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

and W. C. Daw, Complainant

Respondent

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

Witness 4 day of June, 1957

W. J. [Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

ALENE DAW

Complainant

VS.

W. C. DAW

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Alene Daw and Janie Bryars

witnesses named in the Requirement for Oral Examination, on the 31st day of May 1957, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Alene Daw and Janie Bryars doth depose and say as follows:

That my name is Alene Daw, I am over the age of 21 and a resident of Baldwin County, Alabama and have been all my life. The Respondent is over the age of 21 and has been a resident of Baldwin County, more than two years next preceding. We were married on June 26, 1954 at Lucedale, Mississippi and lived together until on or about October 15, 1956 at which time the separation occurred. For more than a year the Respondent has been drinking and while in that condition would beat and strike me when he came home. This has gone on until I could not take any more of it because lately he also threatened my life or health and on the occasion of the separation when he was drinking he beat me about the head and face so that I did become in fear of my life or health and I did not live with him anymore as his wife. There was born as fruits of our marriage one child Shirlye Ann Daw age about ten months. I have had her care, custody and control since birth and respectfully submit to this Honorable Court that I am a fit, suitable and proper person to have her care, custody and control. I have entered into an agreement with the Respondent W. C. Daw to accept \$10.00 a week as a reasonable support for Shirlye Ann Daw and he has agreed to pay this amount for such purpose. I know that we will never live together again as husband and wife and respectfully ask for a divorce and for the custody and control of our baby Shirlye Ann Daw.

Alene Daw

That my name is Janie Bryars, I know both parties to this cause. They are both over the age of 21 and have been residents of Baldwin County, Alabama more than two years next preceding. They were married at Lucedale, Mississippi on June 26, 1954 and lived together as husband and wife in Baldwin County, Alabama until their separation which occurred on or about October 15, 1956. The cause being the fact that the Respondent would, when drinking become abusive and violent toward his wife Alene Daw and on these occasions he would strike her about her face and head placing her in fear of her life or health. On the last occasion about October 15th the Respondent struck and beat her so severely that she became in fear of her life and health and has been afraid to live with him since that occasion. I respectfully submit that she is a fit suitable and proper person to have the care custody and control of the infant Shirlye Ann Daw age about ten months, fruits of their marriage. I do not believe they will live together again as husband and wife. I understand that they have entered into an agreement as to support.

Janie Bryars

ORAL EXAMINATION.

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 31st day of May, 1957.

Lois Wilson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ALBION DAVIS

vs. Complainant

W. C. DAVIS

Respondent.

Oral Deposition

Filed _____, 195____

FILED

Recorded 937

ALBION DAVIS, Register

Vol. _____ Record _____

Register _____

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon W. C. DAW, 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 ALENE DAW as Complainant and against W. C. DAW, as Respondent.

WITNESS my hand this the _____ day of _____, 1957.

Register.

ALENE DAW
COMPLAINANT
VS
W. C. DAW
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
CASE NO. _____

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA:

Your Complainant, Alene Daw, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and has been more than two years next preceding; The Respondent is over the age of 21 and a resident of Baldwin County, Alabama and has been more than two years next preceding.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi on June 26, 1954 and lived together as husband and wife in Baldwin County, Alabama until October 15, 1956.

3.

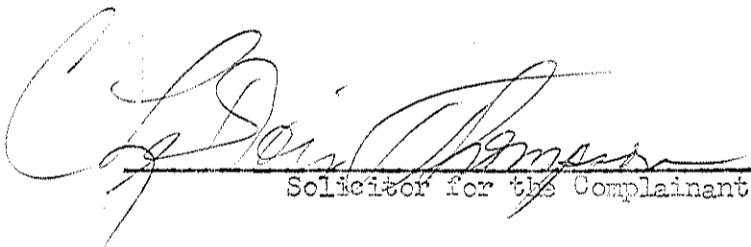
That on October 15, 1956, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

There was born as fruits of this marriage one child, Shirly Ann Daw, age about 18 months, that the said mother of said child is a suitable, fit and proper person to have the care, custody and control of said child; and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said W. C. Daw, 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 hearing hereof your Honor will enter an order and decree granting to both parties an absolute decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent and that a decree be made awarding the Complainant, who now has the care, custody and control of the infant child, Shirly Ann Daw, age about 18 months, the care custody and control of said child pending further orders of this Court; 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.

770.4043

ALLEN DAW

COMPLAINANT

VS

W. C. DAW

RESPONDENT

BILL OF COMPLAINT

FILED
JUN 4 1957
ALICE L. BUCK, Register

ALENE DAW
COMPLAINANT
VS
W. C. DAW
RESPONDENT

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

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice 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.

W. C. Daw

STATE OF ALABAMA
COUNTY OF BALDWIN

I, C. L. Davis Thompson, a Notary Public, in and for said County, in said State, hereby certify that W. C. Daw, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 31st day of May, 1957.

C. L. Davis Thompson
Notary Public

ALBIE DAW

COMPLAINANT

VS

W. C. DAW

RESPONDENT

ANSWER AND WAIVER

FILED

JUN 4 1957

ALICE L. BUCK, CLERK

STATE OF ALABAMA
BALDWIN COUNTY

BE IT HEREBY AND HEREINAFTER agreed that the parties to this agreement in contemplation of a decree of the Circuit Court of Baldwin County, Alabama granting a petition of divorce to Alene Daw do by this agreement provide for the maintenance and support of the infant child Shirly Ann Daw, fruits of their marriage; the said Alene Daw agreeing that Ten (\$10.00) Dollars a week is a reasonable sum for maintenance and support for the said child in accordance with the station of life of its father, W. C. Daw, who does by these present agree that the sum is reasonable and that he will provide the said sum of Ten (\$10.00) Dollars each week as maintenance and support for the said child.

Alene Daw
W. C. Daw

EXECUTED IN THE PRESENCE OF:

W. C. Daw
Alene Daw

44093

Handwritten text, mostly illegible due to fading and bleed-through from the reverse side of the page.

ALENE DAW
COMPLAINANT
VS
W. C. DAW
RESPONDENT

SUPPORT AGREEMENT

FILED
JUN 4 1957
ALICE J. DICK, Register