

(4554)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARGARET SAPP

Complainant

vs.

GERALD SAPP

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEEDS AND COSTS~~ 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 Margaret Sapp is forever divorced from the said Gerald Sapp for and on account of Cruelty

It is further, ordered, adjudged and decreed that Gerald Sapp be and is hereby awarded the care, custody and control of Gerald Edward Sapp and Judy Sandra Sapp. It is further, ordered, adjudged and decreed that Gerald Sapp pay Margaret Sapp the sum of SEVENTY-FIVE (\$75.00) DOLLARS per week support money.

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 Respondent Gerald Sapp the Respondent pay the cost herein to be taxed, for which executed may issue.

This 21st day of April 1959

J. Hubert M. Hall

Judge Circuit Court, In Equity.

I, Alice J. Duck

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

Margaret Senn

Complainant

vs.

Gerald Senn

Respondent

DIVORCE DECREE

FILED

APR 21 1950

ALICE J. DUCK, CLERK
REGISTER

SEPARATION AGREEMENT

STATE OF ALABAMA X
BALDWIN COUNTY X

This agreement made and entered into on this the 21st day of April, 1959, by and between Margaret Sapp and Gerald Sapp.

WHEREAS, the parties hereto have been husband and wife for a period of fourteen years and as a result of such union have two children namely, Gerald Edward Sapp, age eleven, a boy, and Judy Sandra Sapp, a girl age eight years; and

WHEREAS, said parties have definitely concluded that under conditions now existing it is impractical for them to live together as man and wife.

NOW, THEREFORE, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to a complete separation under the express terms and conditions:

1. The said parties would entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate or otherwise act in any way so as to embarrass or humiliate the other party.

2. That Gerald Sapp shall have the custody, control and care of their minor children, Gerald Edward Sapp and Judy Sandra Sapp, and that Margaret Sapp shall have the right to visit and have the said children visit her at reasonable times and for reasonable periods.

3. That the said Gerald Sapp shall pay to Margaret Sapp the sum of SEVENTY-FIVE (\$75.00) DOLLARS weekly for her support.

This agreement has been made and executed by the parties hereto on the date and day herein first above set forth, in good faith, with full understanding of all its provisions and with the mutual promise on the part of each to comply therewith faithfully and completely.

Margaret Sapp
Margaret Sapp
Gerald Sapp
Gerald Sapp

WITNESSES:

Henry F. Crumley
Verda Mae McKinley

FILED
APR 21 1959
ALICE J. DUCK, CLERK
REGISTER

SEPARATION AGREEMENT

MARGARET SAPP,

COMPLAINANT,

VS.

GERALD SAPP,

RESPONDENT.

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

FILED

APR 21 1959

Register

FILED

APR 21 1959

ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Mary J. Brantley

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

Margaret Sapp and Verda Mae ~~McKinley~~

a witness in behalf of Margaret Sapp in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Margaret Sapp

, Complainant

and Gerald Sapp

Respondent

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

Witness 21st day of April

, 1959

Oliver J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

APR 21 1959

WITNESSES: JUCK, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Margaret Sapp

COMPLAINANT

vs.

Gerald Sapp

RESPONDENT

I, Mary J. Brantley

as Register and Commissioner

have called and caused to come before me Verda Mae Sapp

witness named in the requirement for Oral Examination, on the 21st day of April

1959, at the office of Walters and Brantley

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Verda Mae McKinley

doth depose and say as follows:

WITNESS FOR COMPLAINANT:

My name is Verda Mae McKinley. I know the Complainant and Respondent. I know that they were married at Winterhaven, Florida, on January 20, 1945, and lived together thereafter as man and wife. I know that the Complainant in now a resident of the State of Florida and that the Respondent, Gerald Sapp is a resident of Baldwin County, Alabama. I know that They have two children, Gerald Edward Sapp and Judy Sandra Sapp, the boy being 11 years old and the girl 8. I know that both the Complainant and Respondent are fit and proper persons to have the care and control of these children but that they have agreed that he, the Respondent, shall have their care and custody.

Verda Mae McKinley
Witness

I, Nancy J. Brantley as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness _____ and read over to her and she signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof 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 21st day of April, 1959.

Nancy J. Brantley (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

_____ vs. _____

_____ COMPLAINANT

_____ RESPONDENT

ORAL DEPOSITION

Filed APR 21 1959 19 _____

FILED

ALICE L. DYER, REGISTER Register.

RECORDED IN _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Margaret Sapp

COMPLAINANT

vs.

Gerald Sapp

RESPONDENT

I, Henry J. Breatley

as Register and Commissioner

have called and caused to come before me Margaret Sapp

witness es named in the requirement for Oral Examination, on the 21st day of April
19 59, at the office of Walters and Breatley
in Bay Minette, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Margaret Sapp

doth depose and say as follows:

TESTIMONY OF COMPLAINANT:

My name is Margaret Sapp. I am the Complainant and Gerald Sapp is the Respondent in the above divorce proceedings. We are both over the age of twenty-one years. I am a resident of the State of Florida but the Respondent is a resident of Baldwin County, Alabama, and has resided in Baldwin County, Alabama, ~~resided~~ for more than a year prior to this date. We were married on January 20, 1945, at Winterhaven, Florida, and lived together thereafter as man and wife. We have two children, Gerald Edward Sapp age 11, a boy, and Judy Sandra Sapp age 8, a girl. We have agreed that the Respondent shall have the care, control and custody of these two minor children, but I shall have the right of visitation at reasonable times and places and shall have them visit me. The Respondent, Gerald Sapp, has agreed and we have filed a copy of said agreement, to pay me the sum of (\$75.00) DOLLARS per week for my support. On, to-wit, April 16, 1959 and various occasions prior to this date the Respondent has threatened and abused me. He has threatened to do violence to my person which would necessarily endanger my life and health. His conduct toward me has been such that gives me every reason to believe that if I continue to live with him he would do actual violence to my person.

Margaret Sapp
Complainant

I, Mary J. Brantley as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness _____ and read over to her and she signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof 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 21st day of April, 19 59.

Mary J. Brantley (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Margaret Bacon

COMPLAINANT

vs.

Gerald Bacon

RESPONDENT

ORAL DEPOSITION

FILED

Filed APR 21 1959 19 59

ALICE J. DUCK, Register, Register.
RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons GERALD SAPP 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 MARGARET SAPP, as Complainant and against GERALD SAPP, as Respondent.

WITNESS my hand this the 21 day of April, 1959.

Alvin J. Luck
Register

MARGARET SAPP, COMPLAINANT § IN THE CIRCUIT COURT OF
VS. § BALDWIN COUNTY, ALABAMA,
GERALD SAPP, RESPONDENT § IN EQUITY. #4554

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

Your Complainant, Margaret Sapp, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is a resident of Winterhaven, Polk County, Florida, and the Respondent is a resident of Baldwin County, Alabama, that they are both over twenty-one years of age.

2.

That there was born to their union two children, whose names and ages are, Gerald Edward Sapp, a boy age 11, and Judy Sandra Sapp, a girl age 8 years.

3.

Complainant and Respondent
That/we have reached an agreement as to the custody, care and control of these children, a copy of which is filed with this complaint. The agreement is that the Respondent, Gerald Sapp, shall have the care, custody and control of Gerald Edward Sapp and Judy Sandra Sapp. The Complainant, Margaret Sapp, shall have the right to visit the children at reasonable times and places. The Complainant and Respondent are, in every respect, suitable persons to have the care, custody and control of these children, but for personal reasons it is agreed that the Respondent shall have their care and custody.

4.

That Your Complainant and Respondent were married to one another at Winterhaven, Polk County, Florida, on January 20, 1945.

5.

The Complainant represents and shows unto Your Honor that the Respondent is an able bodied man, in good health and earns a fair wage; that the Complainant is unable to work and the sum of SEVENTY-FIVE (\$75.00) DOLLARS as been agreed upon as support for the Complainant.

6.

That on to-wit, April 16, 1959, and on various occasions prior thereto the Respondent threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she does actually believe that if she continued to live with him he would do actual violence to his person which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Your Complainant prays that your Honor will by proper process make the said Gerald Sapp, 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; Your Complainant prays that as a part of said decree Your Honor will award the custody of the two minor children, Gerald Edward Sapp, a boy age 11, and Judy Sandra Sapp a girl age 8, to the Respondent, in keeping with the agreement filed with this Bill of Complaint, giving the Complainant the right of visitation at all reasonable times and places.

Your Complainant further prays that your Honor will enter a decree ordering the Respondent to pay support money in the amount of SEVENTY-five (\$75.00) DOLLARS a week in accordance with the agreement filed in this cause.

Your Complainant prays for such other, further, different or general relief as she may be in Equity and good conscience entitled to receive.

WILTERS & BRANTLEY

By: *Henry J. Wilters, Jr.*
Solicitors for Complainant

FILED

APR 21 1959

ANCE L. DUCK, CLERK
REGISTER

ANSWER AND WAIVER

MARGARET SAPP, COMPLAINANT

¶

IN THE CIRCUIT COURT OF

VS.

¶

BALDWIN COUNTY, ALABAMA.

GERALD SAPP, RESPONDENT

¶

IN EQUITY.

Now comes the Respondent, Gerald Sapp, in his own proper person, and admits the allegations contained in the Bill of Complaint filed in the above styled cause as to ages, residences and marriage, but denies all other allegations therein contained 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.

Gerald E. Sapp
Respondent

STATE OF ALABAMA

BALDWIN COUNTY

I, Ray J. Winters, Jr., a Notary Public, in and for said County, in said State, hereby certify that Gerald Sapp, whose name is signed to the foregoing answer and waiver, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 21st day of April, 1959.

Ray J. Winters, Jr.
Notary Public, Baldwin County, Alabama.

FILED

APR 21 1959

ALICE J. DICK, CLERK

MARGARET SAPP

vs.

GERALD SAPP

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 testimony of Margaret Sapp and Verda Mae McKinley

and in behalf of Defendant upon Answer and Waiver

WILTERS & BRANTLEY

[Handwritten signature]

Alice J. Luck

Register.

M

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

4554

Note of Testimony

Filed in Open Court this

day of, 19.....

Register.