

(4564)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARGARET HALL YOUNG, Complainant

vs.

JAMES DAVID YOUNG, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 HALL YOUNG is forever divorced from the said JAMES DAVID YOUNG for and on account of

HABITUAL DRUNKENNESS

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant be, and she hereby awarded the custody and control of the five minor children, the issue of the marriage between the Complainant and the Respondent, subject to the right of the Respondent to see and visit with said minor children at all reasonable times, and the Respondent is hereby ordered to pay to the Complainant reasonable support and maintenance for the said minor children.

The Complainant having waived all her claims as to alimony and support, no order is made as to same.

It is futher 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 futher 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 futher ordered that MARGARET HALL YOUNG, the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of June 19 59

[Handwritten signature]

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 June, 1959

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MARGARET HALL YOUNG

Complainant

vs.

JAMES DAVID YOUNG

Respondent

DIVORCE DECREE

Mrs. J. Hall Young

6-8-54

*Accepted
J. Hall Young*

CERTIFICATE

I, Peggy Preston, the Commissioner appointed by the Court and named in the attached ~~commission~~, or named by agreement of the parties, in that certain cause now pending in the Honorable Circuit Court of ^{Baldwin} ~~Mobile~~ County, Alabama, Sitting in Equity, No. _____, wherein MARGARET HALL YOUNG is Complainant, and JAMES DAVID YOUNG

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as such commissioner, caused MARGARET HALL YOUNG, and ETRELLE R. HALL,

who ^{are} were made known to me, to come before me at 3:00 o'clock P.M., on May 5, 19 59, at 56 S. Conception Street Mobile, Alabama; that said witnesses were first duly sworn

by me as stated; that they were then examined by William Grayson, Solicitor for the Complainant, ~~and cross-examined by~~

Solicitor for Guardian Ad Litem & _____, and they testified in Attorney Ad Litem for

response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near might be the identical language of said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who assented to and signed same, ~~who refused to sign same, who was physically unable to sign same, or who waived the reading and signing of same,~~ in my presence and in the presence of said Solicitor for

COMPLAINANT Solicitor for and Guardian Ad Litem & _____ Attorney Ad Litem for

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof, and that the depositions are true and correct as given by the witnesses.

Witness my hand this 5th day of May 19 59

Peggy Preston
Commissioner

TESTIMONY OF MARGARET HALL YOUNG, WITNESS ON HER OWN BEHALF:

I am the Complainant in this cause and I am the wife of the Respondent. We were married to each other on February 2, 1945 in Eucedale, Mississippi. Both myself and the Respondent are each over the age of twenty-one years and both myself and the Respondent are bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There are five minor children as issue of our marriage, Kent Young, age thirteen years, Leland Young, age twelve years, Lanette Young, age twelve years and Nan Young, age seven years and Romana Young, age four years. Said children live and reside with me and I think that I am a fit and proper person to be granted their custody and control. The Respondent has become addicted to habitual drunkenness since our marriage to each other. At the time the Respondent and I were married I never knew him to drink at all and for the first six years of our marriage he never touched a drop. It seemed that once he took that first drink that he began to get worse and worse almost instantly. I encouraged the Respondent to see Doctors and everything that I could possible do to keep him from drinking without any success. It finally got to the point where he couldn't even talk intelligently and he would beat the children and do all kinds of cruel things. He would drink from the time he got up in the mornings until he either passed out or went to bed. Finally I was forced to withdraw from his bed and board because of his having become addicted to habitual drunkenness.

Margaret Hall Young

TESTIMONY OF MRS. LATRELLE HALL, WITNESS ON BEHALF OF THE COMPLAINANT.

My name is Mrs. LaTrelle Hall and I am a sister-in-law of the Complainant's. I have known the Complainant for some twenty-one years. The Complainant is the wife of the Respondent and they were married to each other on February 2, 1945 in Lucedale, Mississippi. Both the Complainant and the Respondent are bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. Both the Complainant and the Respondent are each over the age of twenty-one years. There are five minor children as issue of their marriage, Said children live and reside with the Complainant and she is a fit and proper person to be granted their custody and control. The Respondent has become addicted to habitual drunkenness since his marriage to the Complainant. I knew the Respondent during the time that he was going with the Complainant and I never saw him take a drink nor did I ever detect the smell of alcohol on his breath. I visited in the home of the Complainant and the Respondent quite often during their marriage and for the first six years as the Complainant has said the Respondent never drank to my knowledge. During the past several years, I don't believe that I have ever seen the Respondent when he had not been drinking. I have tried to talk to the Respondent at times when he would be under the influence of alcoholic beverages and he wouldn't even know what I was talking about and you could never get a sensible answer out of him. I know of my own knowledge that he has become addicted to habitual drunkenness since his marriage to the Complainant.

Mrs. LaTrelle P. Hall

FILED

MAY 2 1959

ALICE J. DUCK, CLERK
REGISTER

MARGARET HALL YOUNG,
Complainant,

-vs-

JAMES DAVID YOUNG,
Respondent.

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

NO. _____

TO THE HONORABLE JUDGES OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they were married to each other on February 2, 1945 in Lucedale, Mississippi. Both the Complainant and the Respondent are each over the age of twenty-one years and both the Complainant and the Respondent are bona-fide resident citizens of the State of Alabama. There are five minor children as issue of their marriage, Kent Young, age thirteen years, Deland Young, age twelve years, Lanette Young, age twelve years, Nan Young, age seven years and Romona Young, age four years. Said children live and reside with the Complainant and she is a fit and proper person to be granted their custody and control.

TWO

The Respondent has become addicted to habitual drunkenness since his marriage to the Complainant.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said James David Young, party-respondent hereto, and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

4564

Margaret Hall Young
vs.
James David Young

Bill of Complaint

FILED

MAY 2 1930

ALICE J. DUCK, CLERK
REGISTERED

COPIES FOR COMPTROLLER

THE STATE OF CALIFORNIA
COUNTY OF ALBANY
I, ALICE J. DUCK, Clerk of the County of Albany, do hereby certify that the within and foregoing is a true and correct copy of the original as the same appears from the records of the County of Albany, California.

ALICE J. DUCK, CLERK

MARGARET HALL YOUNG Complainant

No. Vs.

JAMES DAVID YOUNG Defendant

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

ANSWER AND WAIVER

Comes the defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

I further agree that Peggy Preston, may take the testimony in this cause without the issuance of a commission.

James David Young Defendant

Complainant agrees that Peggy Preston, may take the testimony in this cause as commissioner, without issuance of a commission.

Margaret Hall Young Complainant

NOTE: The space below is intended for "Agreements Between the Parties".

Respondent agrees that the Complainant should be granted the custody and control of their minor children, subject to his right to see and visit with said minor children at all reasonable times.

Respondent agrees that a reference should be held to determine the amount of support and maintenance the Respondent should pay to the Complainant for the support of the minor children.

Complainant releases the Respondent from all claims of alimony and support and Complainant agrees to pay her Attorney of Record's legal fees and to pay the Court costs herein.

This agreement is not to be binding upon the parties hereto unless signed by both parties.

Margaret Hall Young COMPLAINANT.

James David Young DEFENDANT.

STATE OF Alabama COUNTY OF Mobile

I, Peggy S. Pesta, a NOTARY PUBLIC in and for said State and County, do hereby certify that James David Young, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, he executed the same voluntarily on the day same bears date.

Witness my hand and seal this 5th day of May, 1959, Peggy S. Pesta NOTARY PUBLIC

Filed FILED STATE OF Alabama COUNTY OF Mobile

Register ALICE J. DUCK, CLERK REGISTER

No. _____

Vs.

ANSWER AND WAIVER

Filed, 5-6, 1959

*Ans. J. Newberry
Register*

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RECEIVED

MARGARET HALL YOUNG

No. VS.

Entered on _____
Min. Book No. _____ Entry _____
W. Elsworth Haughton, Register

JAMES DAVID YOUNG

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

1. Bill of Complaint
2. Answer, Waiver and Agreement
3. Testimony of Margaret Hall Young and of Mrs. LaTrelle R. Hall, witness on behalf of the Complainant.

FILED

FILED,

MAY 2 1933

Register

ALICE J. DICK, CLERK REGISTER

Alice J. Dick

William J. Young
Solicitor for Complainant

FOR RESPONDENT

.....
Solicitor—For Respondent

4564

XXXXXXXXXX

FILED IN EVIDENCE TO THE PUBLIC...
The undersigned is the holder of the...
and is hereby submitted to the...
of the... of the...

111

No.

MARGARET HALL YOUNG

Vs.

JAMES DAVID YOUNG

**ORDER OF SUBMISSION
NOTE OF EVIDENCE**

Filed *05. 3. 59*

W. J. ...
Register

Ent. Min. No. Entry