

4150

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Myrtle Lorine Black, Complainant

vs.

Hobbbard H. Black, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ 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 Myrtle Lorine Black is forever divorced from the said Hobbbard H. Black for and on account of

~~Cruelty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Complainant be and she is hereby awarded the care, custody and control of the minor children, Hobbbard David Black, Samuel Lee Black, Jimmy Paul Black, Robin Dale Black, Bertha Ann Black, Linda Louise Black, subject to the right of the Respondent to visit them at reasonable time and places, and to have them visit him for reasonable periods of time.~~

~~IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Respondent pay to the Complainant the sum of Thirty (\$30.00) Dollars per week for the maintenance and support of the minor children,~~

It is further ordered, adjudged and decreed by the Court that the Respondent pay to Wilters & Brantley, as Solicitors for the Complainant the sum of \$75.00 as a reasonable Attorney's fee.

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

This 28th day of October 1959

Hubert M. Hall 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.

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THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Myrtle Lorine Black

Complainant

vs.

Hobbar H. Black

Respondent

DIVORCE DECREE

FILED

OCT 28 1959

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon HOBARD H. BLACK sto 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 MYRTLE LORINE BLACK, as Complainant and against Hobbard H. Black, as Respondent.

Witness my hand this the 28 day of October, 1959.

Alice J. Duck
Register

MYRTLE LORINE BLACK)	
)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA,
)	
VS)	IN EQUITY
)	
HOBARD H. BLACK)	
)	
RESPONDENT)	

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

Your Complainant, Myrtle Lorine Black, respectfully represents unto your Honor as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age and bona fide residents citizens of Baldwin County, Alabama.

2.

That your Complainant and Respondent were married at Loxley, Alabama, on December 19, 1947, and lived together as husband and wife in Baldwin County, Alabama, until on October 26, 1959.

3.

That on October 26, 1959, the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent six children Hobbard David Black, age 8, Samuel Lee Black, age 6, Jimmy Paul Black age 5, Robin Dale Black, age 4, Bertha Ann Black, age 3, Linda Louise Black, age 2; That your Complainant is the suitable, fit and proper person to have the care, custody and control of these minor children.

5.

That the Respondent is an able bodied man and is presently earning a substantial salary.

6.

That the Complainant has employed the firm of Wilters & Brantley to represent her in this matter of divorce and has no means of paying them for their services.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Hobbard H. Black, party Respondent to this cause of action, 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 on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting her the right to remarry; that your Complainant be awarded the care, custody and control of the minor children, Hobbard David Black, Samuel Lee Black, Jimmy Paul Black, Robin Dale Black, Bertha Ann Black, and Linda Louise Black; your Complainant further prays that Your Honor will order the Respondent to pay the Complainant support money for his minor children; Your Complainant further prays that the Court will ascertain a reasonable attorneys fee to be paid the firm of Wilters & Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceeding; That your Honor will award to the Complainant such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Wilters & Brantley

FILED

OCT 28 1959

ALICE J. DUCK, Register

BY: 
Attorneys for Complainant

4750

MYRTLE LORINE BLACK
COMPLAINANT

VS

HOBARD H. BLACK
RESPONDENT

BILL OF COMPLAINT

FILED

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ALICE J. DUCK, Register

AGREEMENT

In Contemplation of divorce, we, Myrtle Lorine Black and Hobbard H. Black, husband and wife, do mutually agree as follows:

1.

That Myrtle Lorine Black shall have the care, custody and control of the minor children born to this union, who are: Hobbard David Black; Samuel Lee Black; Jimmy Paul Black; Robin Dale Black; Bertha Ann Black; and Linda Louise Black. ~~Hobbard~~ Hobbard H. Black shall have the right of reasonable visitation; that he can visit with said children and have them visit with him at all reasonable times and places.

2.

It is mutually understood and agreed that Hobbard H. Black shall pay Myrtle Lorine Black the sum of \$30.00 per week for the support and maintenance of said children.

3.

It is further understood and agreed that all the household furniture now owned by the parties to this agreement shall be the property of Myrtle Lorine Black.

IN WITNESS WHEREOF, we have hereunto set our hands and seals in duplicate this the 28th day of October, 1959.

Hobbard H. Black (SEAL)

Myrtle Lorine Black (SEAL)

Witness:

Robert M. Brant

FILED

OCT 28 1959

ALICE J. DUCK, Register

MYRTLE LORINE BLACK

COMPLAINANT

VS

HOBARD H. BLACK

RESPONDENT

AGREEMENT

FILED

OCT 28 1959

ALICE J. DUCK, Register

MYRTLE BORINE BLACK
COMPLAINANT
VS
HOBBARDH. BLACK
RESPONDENT

()
IN THE CIRCUIT COURT OF
)
BALDWIN COUNTY, ALABAMA,
)
IN EQUITY
)
)
)

Now comes the Respondent, 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, marriage and children, 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.

Hobbarad H Black

STATE OF ALABAMA
BALDWIN COUNTY

I, Allen M Brantley, a Notary Public, in and for said County, in Said State, hereby certify that Hobbarad H. Black, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 28 day of October, 1959.

FILED
OCT 28 1959

Allen M Brantley
Notary Public, Baldwin County, Ala.

ALICE J. DUCK, Register

MYRTLE LORINE BLACK

COMPLAINANT

VS

HOBARD H. BLACK

RESPONDENT

ANSWER AND WAIVER

FILED

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ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Myrtle Lorine Black and Laura Wilson

a witness in behalf of _____ Complainant _____ in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Myrtle Lorine Black is

_____, Complainant

and Hobbard H. Black is

Respondent

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

Witness 25 day of October

, 195 9

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Myrtle Lorine Black

Complainant

VS.

Hobbar H. Black

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Myrtle Lorine Black

Laura Wilson

Myrtle Lorine Black

THE STATE OF ALABAMA
Baldwin County

vs.

Hobbard H. Black

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, agreement, and testimony of Myrtle Lorine Black and Laura Wilson

and in behalf of Defendant upon ~~answer and waiver~~

*Walter & Bentley
by Kay J. Walters
atty for Comp*

Alvin J. Duck
Register.

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Myrtle Lorine Black

VS.

Hobbar H. Black

Note of Testimony

Filed in Open Court this _____

day of _____, 19____

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Myrtle Lorine Black COMPLAINANT

vs.

Hobbard H. Black RESPONDENT

I, Evelyn Watts

as ~~Register and~~ Commissioner

have called and caused to come before me Myrtle Lorine Black and Laura Wilson

witness es named in the requirement for Oral Examination, on the 28th day of October
19 59, at the office of Wilters & Brantley
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 Myrtle Lorine Black and
Laura Wilson

doth depose and say as follows:

My name is Myrtle Lorine Black. I am the Complainant and the Respondent is Hobbard Black. We are both over the age of 21 years and residents of Baldwin County, Alabama, and have been ever since we were married. We were married December 19, 1947, and have six children, who are Hobbard David Black, age 8, Samuel Lee Black, age 6; Jimmy Paul Black, age 5; Robin Dale Black, age 4; Bertha Ann Black, age 3; Linda Louise Black, age 2.

The past Monday October 26th, the Respondent cursed, threatend and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health. His conduct gave me every reasonable apprehension to believe and I do actually believe that if I continue to live with him he will carry out these threats which would necessarily endanger my life and health. I am a suitable, fit and proper person to have the care, custody and control of these children. It has been necessary for me to hire a lawyer and I have hired the firm of Wilters & Brantley to handle this proceeding for me and I am unable to pay this. We have entered into a separation agreement which is attached to the Bill of Complaint.

Myrtle Lorine Black

Myname is LauraWilson and I am the sister of Myrtle Lorine Black. I have lived close to both she and Hobbard Black during their married life and I know that they have had considerable amount of trouble and they have not gotten along well at all. I think it is to the best interest of both of them and the children that they be separated. Myrtle Lorine Black is a suitable and proper person to have the care, control and custody of their children.

Laura Wilson

I, Evelyn Watts 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 es and read over to them and they signed the same in the presence of myself and Harry J. Wilters Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 28th day of October, 1959.

Evelyn Watts (L. S.)

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THE STATE OF ALABAMA,			
BALDWIN COUNTY			
IN CIRCUIT COURT, IN EQUITY			
Myrtle Lorraine Black		COMPLAINANT	
vs.			
Hobbarad H. Black		RESPONDENT	
ORAL DEPOSITION			
Filed	FILED	19	
	OCT 28 1959		
	Alice J. Duck, Register	Record	
	RECORDED IN		
Vol. _____	Page _____	Register	