

4752

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Mary Esther Blair, Complainant

vs.

Leonard James Blair, 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 Mary Esther Blair is forever divorced from the said Leonard James Blair 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 two minor children, Margaret Ann Blair and Leonard Ray Blair, subject to the right of the Respondent to visit them at reasonable times and have them visit him at reasonable times and for reasonable periods. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Respondent pay to the Complainant the sum of Twenty (\$20.00) Dollars per week for the support and maintenance of the minor children. It is further ordered that the Respondent will provide for the clothing needs and medical care of the minor children.

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 Mary Esther Blair the Complainant pay the cost herein to be taxed, for which executed may issue.

This 30 day of October 1959 [Signature] 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

Mary Esther Blair

Complainant

vs.

Leonard James Blair

Respondent

DIVORCE DECREE

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 Mary Esther Blair and Lillian Davison

a witness in behalf of Mary Esther Blair in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Mary Esther Blair is

, Complainant

and Leonard James Blair is

Respondent

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

Witness 30 day of Oct

, 1959

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Mary Esther Blair

Complainant

VS.

Leonard James Blair

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Mary Esther Blair

Lillian Davison

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Mary Esther Blair

COMPLAINANT

vs.

Leonard James Blair

RESPONDENT

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Mary Esther Blair and Lillian Davison

witnesses named in the requirement for Oral Examination, on the 29 day of Oct.

19 59, at the office of Wilters & Brantley

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

truth, the whole truth, and nothing but the truth, the said Mary Esther Blair and

Lillian Davison

doth depose and say as follows:

My name is Mary Esther Blair, and I am the Complainant in this cause of action and Leonard James Blair is the Respondent. We are both over the age of 21 years and residents of Baldwin County, Alabama. We were married in Conecuh County, Alabama, on June 1, 1930, and lived together as husband and wife until October 12 of this year. On October 12 of this year, the Respondent did curse, threaten and abuse me and threatened to do me great bodily harm which would necessarily endanger my life and health. The conduct of the Respondent was such as to me every reasonable apprehension to believe and I did actually believe that if I continued to live with him, he would do actual violence to my person, which necessarily endanger my life and health.

We still have two minor children, Margaret Ann Blair age 13 and Leonard Ray Blair, age 10, who are now living with me. The Respondent and I have entered into a separation agreement whereby he has agreed to allow me to have the care, custody and control of the children and pay me the sum of \$20.00 a week for their support and maintenance. I am a suitable and fit person to have the care, custody and control of the minor children.

Mary Esther Blair

My name is Lillian Davison and I am the daughter of the Complainant and Respondent. I know that mother and daddy have not gotten along well and they have had many quarrels and arguments and I know they had one especially on October 12th of this year. I think it is to their best interest and for their two minor children that they be separated. My mother is a fit and proper person to have the care, custody and control of my brother and sister.

Lillian Davison

ORAL EXAMINATION

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 29 day of Oct., 1959

_____ (L. S.)

| | |
|------------------------------------|------------|
| No. _____ | Page _____ |
| THE STATE OF ALABAMA | |
| BALDWIN COUNTY | |
| IN CIRCUIT COURT, IN EQUITY | |
| Mary Esther Blair | |
| COMPLAINANT | |
| vs. | |
| Leonard James Blair | |
| RESPONDENT | |
| ORAL DEPOSITION | |
| Filed <u>FILED</u> | 19 _____ |
| <u>OCT 30 1959</u> | |
| <u>ALICE J. DUCK, Register</u> | Register. |
| RECORDED IN | Record |
| Vol. _____ | Page _____ |
| _____, Register. | |

Mary Esther Blair

vs.

Leonard James Blair

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,
answer and waiver of respondent and testimony of Mary Esther Blair and
Lillian Davison, and separation agreement

and in behalf of Defendant upon

Walter B. Buntley
by Gary W. White
attorney for comp

Alice J. Duck

Register.

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No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Mary Esther Blair

VS.

Leonard James Blair

Note of Testimony

Filed in Open Court this

day of **FILED**, 19
OCT 30 1959

ALICE J. DUCK, Register Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon LEONARD JAMES BLAIR to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by MARY ESTHER BLAIR as Complainant and against LEONARD JAMES BLAIR, as Respondent.

Witness my hand this the 30 day of Oct., 1959.

Alvin J. Duck
Register

| | | |
|---------------------|---|--------------------------|
| MARY ESTHER BLAIR |) | |
| |) | IN THE CIRCUIT COURT OF |
| COMPLAINANT |) | BALDWIN COUNTY, ALABAMA, |
| VS |) | IN EQUITY |
| LEONARD JAMES BLAIR |) | |
| RESPONDENT |) | |

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

Your Complainant, Mary Esther Blair, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and the Respondent were married in Conecuh County, Alabama, on June 1, 1930, and lived together as husband and wife until on to-wit, October 12, 1959.

3.

That on, to-wit, October 12, 1959, and on various occasions prior thereto, 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 do actual violence to her person, which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent two children Margaret Ann Blair, age 13 and Leonard Ray Blair, age 10, who are now and have been all of their lives with their mother, the Complainant; that your Complainant is a suitable, fit and proper person to have their care, custody and control.

5.

That the Complainant and the Respondent did this day enter into a separation agreement and a copy is attached hereto and marked Exhibit "A", and made a part of this Complaint as if herein fully set out.

WHEREFORE, the premises considered, the Complainant prays that Your Honor will by proper process make the said Leonard James Blair 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 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; that your Complainant be awarded the permanent care, custody and control of the minor children, Margaret Ann Blair and Leonard Ray Blair; Your Complainant further prays that the attached separation agreement be made a part of the decree; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED
OCT 30 1959
ALICE J. DUCK, Registrar

Wilters & Brantley

BY *Samuel Wilters Jr.*
Solicitors for the Complainant

4752

MARY ESTHER BLAIR

COMPLAINANT

VS

LEONARD JAMES BLAIR

RESPONDENT

BILL OF COMPLAINT

FILED

OCT 30 1959

ALICE J. DUCK, Register

| | | |
|---------------------|---|--------------------------|
| MARY ESTHER BLAIR |) | |
| |) | IN THE CIRCUIT COURT OF |
| COMPLAINANT |) | BALDWIN COUNTY, ALABAMA, |
| |) | |
| VS |) | IN EQUITY |
| |) | |
| LEONARD JAMES BLAIR |) | |
| |) | |
| RESPONDENT |) | |

This agreement made and entered into on this the 30th day of October 1959, by and between Mary Esther Blair, hereinafter called the Complainant and Leonard James Blair, hereinafter called the Respondent, WITNESSETH:

WHEREAS, the parties hereto have been husband and wife for a period of 29 years and as a result of such union have two minor children, Margaret Ann Blair, age 13, and Leonard Ray Blair, age 10; 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 anyway harrass, threaten, intimidate or otherwise act in any way so as to embarrass or humiliate the other party.

2. The Complainant shall have the custody, control and care of the said children, and that the Respondent shall have the right to visit and have the said children to visit him at reasonable times and for reasonable periods.

3. The Respondent shall pay to the Complainant the sum of TWENTY (\$20.00) DOLLARS per week, beginning October 31, 1959, for the support and maintenance of the minor children. The Respondent will provide for the minor children's clothing needs and medical care.

This agreement has been made and executed by the parties hereto on the day and date 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.

WITNESSES

Henry J. Walters, Jr.
Evelyn Watts

Mary Esther Blair
Leonard J. Blair

FILED

OCT 30 1959

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MARY ESTHER BLAIR

COMPLAINANT

VS

LEONARD JAMES BLAIR

RESPONDENT

AGREEMENT

FILED

OCT 30 1959

ALICE J. DUCK, Register

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|---------------------|---|--------------------------|---|
| MARY ESTHER BLAIR |) | IN THE CIRCUIT COURT OF | © |
| COMPLAINANT |) | BALDWIN COUNTY, ALABAMA, | |
| VS |) | IN EQUITY | |
| LEONARD JAMES BLAIR |) | | |
| RESPONDENT |) | | |

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 contained therein, 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.

Leonard J. Blair

STATE OF ALABAMA
BALDWIN COUNTY

I Gay J. Wetters, Jr., a Notary Public, in and for said County, in said State, hereby certify that Leonard James Blair, whose name is signed to the foregoing instrument, 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 30th day of October, 1959.

FILED

OCT 30 1959

ALICE J. DUCK, Register

Gay J. Wetters, Jr.
Notary Public, Baldwin County, Ala.

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MARY ESTHER BLAIR

COMPLAINANT

VS

LEONARD JAMES BLAIR

RESPONDENT

ANSWER AND WAIVER

FILED

OCT 30 1959

ALICE J. DUCK, Register