4805

DIVORCE DECREE

MOORE PRINTING COMPANY - DAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Cora L. Davison, Complainant

vs.

Albert E. Davison, 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 Cora L. Davison is forever divorced from the said Albert E. Davison for and on account of

CRUELTY

It is further ORDERED, ADJUDGED AND DECREED that Albert E. Davison be, and he is, hereby given the Care, Custody and Control of: Barry E. Davison, Jerry Davison, Kenneth L. Davison, Ray and Kay Davison with the right of reasonable visitation by Cora L. Davison.

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 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 Albert E. Davison the Respondent pay the cost herein to be taxed, for which executed may issue.

This 17 day of October 19 60

Robert M. Hare

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

Cora L. Davison
Complainant

vs.

Albert E. Davison
Respondent

DIVORCE DECREE

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ALBERT E. DAVISON, 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 CORA L. DAVISON, as Complainant, and against Albert E. Davison, as Respondent.

Witness my hand this 4 day of January, 1960.

Alice D. Clark
Register

- -

CORA L. DAVISON	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
	)	BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
ALBERT E. DAVISON	)	
RESPONDENT	)	

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

Your Complainant, Cora L. Davison, respectfully represents unto your Honor as follows:

1.

That your Complainant and Respondent are both over the age of 21 years and bona fide resident citizens of Baldwin Bounty, Alabama, and have so resided for the past two years next preceding the filing of the bill of complaint.

2.

That your Complainant and Respondent were married to one another in Bay Minette, Alabama, on January 6, 1946, and lived together as man and wife until on to-wit, December 6, 1959.

3.

That on December 6, 1959, the Respondent cursed and abused your Complainant and slapped her about the face and body. The Complainant avers that the Respondent has slapped beat and choked her on many occasions prior to this one; that the Respondent has done such violence to your Complainant that it endangers her life and health and she verily believes that if she continues to live with him he will continue to do further violence to her.

4.

Your Complainant says that there was born to the marriage between your Complainant and Respondent five children, whose names and ages are Barry E., age 12; Jerry D., age 10; Kenneth L., age 7; Ray and Kay Davison twins age 5; that your Complainant is a fit and proper person to have the care, custody and control of these minor children; Your Complainant avers that the Respondent is not a fit andproper person to have the care, custody and control of these children; that he uses very vulgar and profane language in their presence; that he has no suitable place in which to rear the said children.

5.

That the Respondent is an abled bodied man and is presently earning a salary of approximately $344.00 take home pay per month.

6.

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

7.

That your Complainant and Respondent own a two acre tract of land with a home located on it in Stapleton, Alabama; that this property was given to them by Lee Richerdson, theComplainant's father; that they own a 1954 Ford automobile, a deepfreeze, a refrigerator, and other miscellaneous household furniture.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Albert E. Davison, party Respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under thepenalties 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, Barry E. Davison, Jerry D. Davison, Kenneth L. Davison and Ray and Kay Davison,

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 fees 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.

FILED
JAN 4 1960
ALICE J. DUCK, Register

Wilters & Brantley

BY: Delbert M Brantley
Solicitors for the Complainant

4805

Stephens

CORA L. DAVISON

COMPLAINANT

VS

ALBERT E. DAVISON

RESPONDENT

BILL OF COMPLAINT

FILED

JAN 4 1960

ALICE J. DUCK, Register

eceived 4 day of Jan 1960

d on 4 day of Jan 1960

erved a copy of the within Bill of Complaint

Albert E. Davison

service on

TAYLOR WILKINS, Sheriff

By W. A. Gill D. S.

Stephens

Sheriff claims 22 miles at

Ten Cents per mile Total $ 2.20

TAYLOR WILKINS, Sheriff

BY Gilbert

DEPUTY SHERIFF

AGREEMENT AS TO CUSTODY

OF THE CHILDREN

STATE OF ALABAMA

BALDWIN COUNTY

KNOW ALL MEN BY THESE PRESENTS, that we Cora Davison and Albert E. Davison in contemplation of divorce have reached an agreement as to the custody of their minor children and do mutually agree that Albert E. Davison shall have the care, custody and control of the children born to our marriage, namely, Barry E. Davison, Jerry Davison, Kenneth L. Davison, Ray and Kay Davison, subject to the right of reasonable visitation on the part of Cora L. Davison.

We Cora L. Davison and Albert E. Davison respectfully request the court to consider this agreement and award the custody of our children in accordance with this our mutual agreement.

Albert E. Davison
Albert E. Davison

Cora L. Davison
Cora L. Davison

I, Irene B. Hedge, a Notary Public, in and for said County, in said State, hereby certify that Cora L. Davison, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 12th day of October, 1960.

Irene B. Hedge
Notary Public, State of Alabama at Large

I, _____, a Notary Public, in and for said County, in said State, hereby certify that Albert E. Davison, 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 14 day of October, 1960.

C. Dixon Thompson
Notary Public,

Cora L. Davison,

Complainant

VS

Albert E. Davison,

Respondent

AGREEMENT

CORA L. DAVISON	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY
ALBERT E. DAVISON	X	
RESPONDENT	X	

Comes the Respondent in the above styled cause and demurs to said complaint filed therein and to each phase separately and severally as follows:

-1-

That said complaint fails to state a cause of action.

-2-

That Count four of said complaint is multifarious.

-3-

That Count seven of said complaint fails to allege in detail the description of said property as required by law.

THOMPSON & WHITE

By: [signature]
Solicitors for the Respondent

Copy served on Walters & Brantley
Jan 11/59
[signature]

CORA L. DAVISON COMPLAINANT VS ALBERT E. DAVISON RESPONDENT	)( )( )( )( )( )( )( )( )( )(	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

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

Comes Albert E. Davison and respectfully represents unto your Honor as follows:

-1-

That your Complainant and Respondent are both over the age of 21 years and bona fide resident citizens of Baldwin County, Alabama, and have so resided for the past two years next preceding the filing of the bill of complaint.

-2-

That your Complainant and Respondent were married to one another in Bay Minette, Alabama, on January 6, 1946, and lived together as man and wife until on to-wit, December 6, 1959.

-3-

That on or about September 2, 1960, Cora L. Davison, complainant in the foregoing cause abandoned the following named children fruits of the marriage between the parties whose names and ages are: Barry E., age 12; Jerry D., age 10; Kenneth L., age 7; Ray and Kay Davison twins age 5; leaving them scattered in the community and that your respondent, Albert E. Davison was so informed and returned from his employment with the Air Force under Civil Service to find the said children abandoned, two of the children in one home and three of the children in another home and no one present having the legal care, custody or control of the said infant children. And further that your petitioner is informed that the said Cora L. Davison expressed herself as having no intention of returning to care for the said children who had been abandoned without cause by the said Cora L. Davison.

WHEREFORE, your petitioner respectfully prays that this Honorable Court will grant to him the care, custody and control of the said infant children pending further action of this Honorable Court on the matter of divorce presently before this Court.

Albert E Davison
Respondent

THOMPSON & WHITE

BY: _____
Attorneys for Respondent

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Albert E. Davison, who is known to me and who being duly sworn deposes and says that the facts alleged in the foregoing complaint are true and correct to the best of his knowledge, information and belief.

_____
Notary Public, Baldwin County, Alabama

FILED
SEP 19 1988
ALICE L. DUCK, CLERK REGISTER

CORA L. DAVISON	X	IN THE CIRCUIT COURT OF
Complainant	X	BALDWIN COUNTY, ALABAMA
vs	X	IN EQUITY.
ALBERT E. DAVISON	X	CASE NO._____
Respondent	X	

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

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

The Respondent waivesnotice 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.

Albert E. Davison

STATE OF ALABAMA
BALDWIN COUNTY

I, C. Dixon Thompson, a Notary Public in and for said County, in said State, hereby certify that Albert E. Davison 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 14 day of October, 1960.

C. Dixon Thompson
Notary Public, Baldwin County, Alabama

FILED
OCT
ALICE L. DUCK, CLERK
REGISTER

8581—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Cora L. Davison

vs.

Albert E. Davison

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 Cora L. Davison and Lucille Chastang

Sollie M Brantley

and in behalf of Defendant upon

Register.

m

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Cora L. Davison

VS.

Albert E. Davison

Note of Testimony

Filed in Open Court this

FILED
OCT 12 1950
DUCK, CLERK
REGISTER

day of , 19

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: June B. Hedge

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

Cora L. Davison & Lucille Chastang

a witness in behalf of Cora L. Chastang in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Cora L. Davison

, Complainant

and

Albert E. Davison

Respondent

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

Witness 12 day of October , 19 60

Register

Commissioner's Fee, $

Witness' Fees, $

NO. .....

STATE of ALABAMA
Baldwin County

CIRCUIT COURT

Cora L. Davison

Complainant

vs.

Albert E. Davison

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

June B. Hedge

WITNESSES:

Cora L. Davison
Lucille Chastang

CORA L. DAVISON	I	
COMPLAINANT	I	IN THE CIRCUIT COURT OF
VS	I	BALDWIN COUNTY, ALABAMA
ALBERT E. DAVISON	I	IN EQUITY
RESPONDENT	I	CASE NO. 4805
	I	

DECREE

This cause coming on to be heard is submitted on the verified petition of Albert E. Davison, respondent in the above styled cause, praying this Court to award the care, custody and control of the minor children of the parties hereto to Albert E. Davison, respondent in said cause because Cora L. Davison, complainant in said cause had abandoned said children leaving two in one place and three in another and had since said abandonment concealed herself so that her whereabouts was unknown; all of which being considered and understood by the Court and the Court being of the opinion that the said children had been abandoned, and that the welfare of the said children being considered by the Court it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That pending further orders of this Court the care, custody and control of the said children Barry E., age 12; Jerry D., age 10; Kenneth L., age 7; Ray and Kay Davison twins age 5, minor children to the parties to this cause be and are hereby awarded to Albert E. Davison, and,

2. That pending further orders of this Court all persons are hereby expressly forbidden to interfere with the custody of the said children as herein determined.

DONE AND ORDERED this the 19th day of September, 1960.

_____
Circuit Judge

ORAL DEPOSITION

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Cora L. Davison COMPLAINANT

vs.

Albert E. Davison RESPONDENT

I, June B. Hedge

as Register and Commissioner Bay Minette, Alabama, Baldwin County,

have called and caused to come before me Cora L. Davison & Lucille Chastang

witness ES named in the requirement for Oral Examination, on the 12 day of October 19 60, at the office of Wilters and 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 Cora L. Davison & Lucille Chastang doth depose and say as follows:

My name is Cora L. Davison. I am over the age of twenty-one years, and Albert E. Davison is over the age of twenty-one years, and we are both resident citizens of Baldwin County, Alabama and have so resided for the past twenty years. Albert and I were married to one another in Bay Minette, Alabama on January 6, 1946 and lived together as man and wife until December 6, 1959. On this date, Albert beat me about my face and body so that he put me in fear of my life. At this time, I left him. I returned to live with him and did live with him from March until September of 1960. At that time he threatened to kill me and because I believe he would carry out his threats, I left him and have not returned to date. I am convinced that if I continued to live with Albert, that he will either kill or do me great bodily harm.

I have entered into an agreement with Albert E. Davison wherein I agree to allow him to have care, custody and control of the children born to our marriage, whose names and ages are as follows: Barry E. Davison, age 13, Jerry Davison, age 10, Kenneth L. Davison, age 8, Ray and Kay Davison, age 6, and I believe it would be to the best interest of these children that he have care, custody and control at this time. We have heretofore entered into an agreement concerning the property we own and there is none to be divided by your Honor's decree.

Cora L. Davison
Cora L. Davison

My name is Lucile Chastang. I am the sister of Cora L. Davison. I know that Cora married Albert E. Davison on January 6, 1946 and that both Cora and Albert live in Baldwin County and have lived her for the past five years. That they are both over the age of twenty-one years, and that there were five children born to their marriage whose names and ages are: Barry E. Davison, age 13, Jerry Davison, age 10, Kenneth L. Davison, age 8, Ray and Kay Davison, age 6.

Lucille Chastang

ORAL EXAMINATION

I, June B. Hedge 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 Tolbert M. Brantley 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 12th day of October, 19 60.

June B. Hedge (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Cora L. Davison
COMPLAINANT

vs.

Albert E. Davison
RESPONDENT

ORAL DEPOSITION

Filed FILED, 19 OCT 17 1960, Register.

Record

JUDGE J. DURRETT, REGISTER
RECORDED IN

Vol. _____ Page _____

_____, Register.

CORA L. DAVISON	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA
ALBERT E. DAVISON	)	IN EQUITY
RESPONDENT	)	CASE NO. 4805
	)	

DECREE

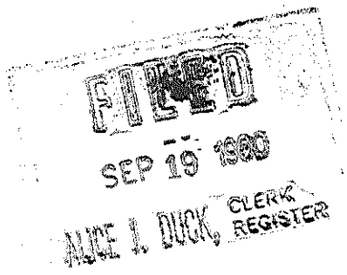
This cause coming on to be heard is submitted on the verified petition of Albert E. Davison, respondent in the above styled cause, praying this Court to award the care, custody and control of the minor children of the parties hereto to Albert E. Davison, respondent in said cause because Cora L. Davison, complainant in said cause had abandoned said children leaving two in one place and three in another and had since said abandonment concealed herself so that her whereabouts was unknown; all of which being considered and understood by the Court and the Court being of the opinion that the said children had been abandoned, and that the welfare of the said children being considered by the Court it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That pending further orders of this Court the care, custody and control of the said children Barry E., age 12; Jerry D., age 10; Kenneth L., age 7; Ray and Kay Davison twins age 5, minor children to the parties to this cause be and are hereby awarded to Albert E. Davison, and,

2. That pending further orders of this Court all persons are hereby expressly forbidden to interfere with the custody of the said children as herein determined.

DONE AND ORDERED this the 19th day of September, 1960.

Hubert M. Stone
Circuit Judge



Cora L. Davison (Tingle)		
Complainant		IN THE CIRCUIT COURT OF
vs.		BALDWIN COUNTY, ALABAMA
Albert E. Davison,		IN EQUITY
Respondent		CASE NO. 4805½

Comes now, Cora L. Davison (Tingle), your Petitioner, and shows unto the Court that on the 17th day of October, 1960, your Honor entered a decree granting her a divorce from Albert E. Davison for and on account of Cruelty. That as a part of this order, Your Honor gave Albert E. Davison the care, custody and control of the minor children born to this union who are: Barry E. Davison, Jerry Davison, Kenneth L. Davison, Ray Davison and Kay Davison, and gave your Petition, Cora L. Davison (Tingle) the right of reasonable visitation.

Since the time of this decree, Cora L. Davison (Tingle) has attempted to visit with these children on several occasions, that Albert E. Davison has willfully refused to allow her to visit these children except for one visit at the time of the aforesaid decree.

PREMISES CONSIDERED, The Petitioner prays that Your Honor will, by proper process, make Albert E. Davison Party Respondent to this cause, directing him to plead, answer or demur to this Petition at the time and under the penalties prescribed by law.

Your Petitioner prays that Your Honor will, upon a hearing of this Petition, ammend said decree in such a manner as to fix the dates and times of the visits with the aforesaid children, and cause the said Albert E. Davison to abide by said decree. Your Petitioner prays for such other, further and general relief to which she may be in equity entitled to receive.

Cora L. Davison Tingle
Cora L. Davidson (Tingle)

Before me, the undersigned authority, personally appeared Cora L. Davison (Tingle), who being by me first duly sworn, deposes and says, that she had read the foregoing Petition and the allegations contained therein are true and correct.

June B. Hedge
Notary Public, Baldwin County, Alabama

FILED
MAR 24 1961
ALICE J. DUCK, CLERK
REGISTER

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

No. $*) %
4805½

Circuit Court, Baldwin County

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Albert E. Davison

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Albert E. Davison, Defendant

by Cora L. Davison (Tingle), Plaintiff

Witness my hand this 24 day of March 19 61

_____, Clerk

No. 4805½ Page

The State of Alabama
Baldwin County

CIRCUIT COURT

CORA L. DAVISON (TINGLE)

Plaintiffs

vs.

ALBERT E. DAVISON

Defendants

Summons and Complaint

Filed March 24, 1961

Alice J. Duck Clerk

Wilters & Brantley
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

March 24, 1961

Taylor Wilkins Sheriff

I have executed this summons

this 4-19 1961

by leaving a copy with

Albert E Davison

Taylor Wilkins Sheriff

W. A. Talbert Deputy Sheriff

O-me

CORA L. DAVISON (TINGLE)	X	
Complainant	X	IN THE CIRCUIT COURT OF
vs	X	BALDWIN COUNTY, ALABAMA
ALBERT E. DAVISON	X	IN EQUITY NO. 4805½
Respondent	X	

Comes Albert E. Davison, respondent in the above styled cause and for answer to the petition filed in said cause shows unto this Honorable Court as follows:

-1-

He admits the allegations of said complaint as to the decree of divorce alleged therein.

-2-

He admits the allegations of said complaint as to the care, custody and control having been granted to the said Albert E. Davison.

-3-

That said care, custody and control was granted because the complainant herein had abandoned the said children without notice or advice to the said respondent herein.

-4-

He denies the allegations of said complaint as to any alleged attempts to visit said children by said complainant.

Albert E. Davison
Respondent

Before me, the undersigned authority, personally appeared Albert E. Davison, who being by me first duly sworn, deposes and says, that has read the foregoing Petition and the allegations contained therein are true and correct.

Notary Public, Baldwin County, Alabama

FILED
MAY 1 1961
ALICE J. DUCK, Register