

1757

ETHEL DANIELS,
Complainant,
VS.
LEO DANIELS,
Respondent.

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

FINAL DECREE

This cause coming on to be heard on this date is submitted for Final Decree on the original Bill of Complaint, Answer and testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for by her in her said Bill of Complaint; WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Ethel Daniels, and the Respondent, Leo Daniels, be and they are hereby dissolved and the said Complainant is forever divorced from the said Respondent on the ground of cruelty.

2. The Complainant and the Respondent shall not remarry, except to each other, until after the expiration of sixty days from the date of this Decree and if an appeal is taken in this cause within sixty days, they shall not remarry, except to each other, during the pendency of the said appeal.

3. The Complainant is hereby granted the permanent custody and control of the minor child, Bobby Wayne Daniels.

4. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 6th day of November, 1946.

W. H. Stare

Judge.

ETHEL DANIELS,

VS.

Complainant,

LEO DANIELS,

Respondent.

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

NOTE OF TESTIMONY

This cause is submitted for Final Decree on behalf of
the Complainant upon the following:

1. Original Bill of Complaint.
2. Answer.
3. Oral Deposition of Ethel Daniels taken before Ora S.
Nelson, as Commissioner.

Dated this 4th day of November, 1946.

R. S. Koster

Register.

J. B. Blackburn

Solicitor for Complainant.

NOTE OF TESTIMONY

ETHEL DANIELS,

Complainant,

VS.

LEO DANIELS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Witnesses:

Subscribed and sworn to before me this 1st day of November, 1906.

ETHEL DANIELS,

Complainant,

VS.

LEO DANIELS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

ANSWER

Now comes the Respondent and for answer to the Bill of Complaint filed against him in this cause says:

1. He denies each and all of the allegations of the Bill of Complaint and demands strict proof of same.
2. Respondent consents and agrees that a commissioner be appointed, testimony taken and this cause submitted for Final Decree, all without notice to him, which notice is hereby expressly waived.

Leo S. Daniels (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

I, R. S. Duck, as Register of the Circuit Court of Baldwin County, Alabama, hereby certify that Leo Daniels, 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 official seal on this the 3rd day of October, 1945.

R. S. Duck

Register of the Circuit Court of Baldwin
County, Alabama.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ETHEL DANIELS

Complainant

VS.

LEO DANIELS

Respondent

I, Ora S. Nelson

as ~~Register and~~ Commissioner

have called and caused to come before me Ethel Daniels

witness named in the Requirement for Oral Examination, on the 11th day of October 1945, at the office of J. B. Blackburn in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Ethel Daniels doth depose and say as follows:

My name is Ethel Daniels. I am over twenty-one years of age and a resident of Baldwin County, Alabama. Leo Daniels is over twenty-one years of age and a resident of Baldwin County, Alabama.

I was lawfully married to Leo Daniels in Bay Minette, Alabama on June 3, 1944 and we lived together as man and wife in Bay Minette, Alabama until Sunday night, August 27, 1944 when we separated. At that time I was pregnant and the Defendant became angry with me and beat me for a considerable time with his belt and with his fist. My body and face were bruised and because of these acts on the part of the Defendant I was put in fear of being severely injured or done great bodily harm if I tried to continue to live with him. I separated from him and have not lived with him since the said date.

I am the mother and Leo Daniels is the father of Bobby Wayne Daniels, a boy now eight months old who is in my custody and under my control. He has always lived with me. I am in all respects a fit and proper person to have the permanent custody and control of the said minor child.

Ethel Daniels

ORAL EXAMINATION.

I, Ora S. Nelson, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to her and she signed the same in the presence of myself and J. B. Blackburn at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 11th day of October, 194 5.

Ora S. Nelson (L. S.)
Commissioner.

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
<u>Ethel Danila</u>	Complainant
<u>Leo Danila</u>	vs. Respondent.
Oral Deposition	
Filed <u>Nov 6</u> , 194 <u>5</u>	Recorded in _____
<u>R. S. Blackburn</u> , Register.	Vol. _____ Page _____
	<u>R. S. Blackburn</u> , Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Oratrix, Ethel Daniels, presents this Bill of Complaint against Leo Daniels, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix and the Respondent are each over twenty-one years of age and residents of Baldwin County, Alabama.

2. Your Oratrix and the said Respondent were lawfully married in Bay Minette, Alabama on June 3, 1944 and lived together as man and wife in Baldwin County, Alabama until August 27, 1944 when they separated. Just before the said separation, the Respondent, Leo Daniels, became angry with your Oratrix and beat her with his belt and fist and bruised her face and body. Because of the said threats and the acts on the part of the said Respondent, your Oratrix was put in fear of being severely injured or done great bodily harm if she tried to continue to live with the said Respondent. She immediately separated from him and has not lived with him since the said date.

3. Your Oratrix is the mother and the Respondent is the father of Bobby Wayne Daniels, a boy who is now in the custody and under the control of your Oratrix, who is, in all respects, a fit and proper person to have the permanent custody and control of the said child.

PRAYER FOR PROCESS

Your Oratrix prays that the usual process of this Honorable Court forthwith issue to the Respondent requiring him to appear and answer, plead to or demur to the Bill of Complaint filed against him in this cause within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Oratrix prays for the following separate and several relief:

1. That the bonds of matrimony now existing between your Oratrix and the said Respondent be dissolved and that she be divorced from him on the ground of cruelty.

2. That your Oratrix be given and granted the permanent custody and control of the minor child, Bobby Wayne Daniels.

3. Your Oratrix further prays for such other, further and general relief as she may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Oratrix

1957

BILL OF COMPLAINT

RECORDED

ETHEL DANIELS,

COMPLAINANT

VS

LEO DANIELS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED September 20, 1945.

R. S. Wick
Register

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO Ora S. Nelson

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Ethel Daniels

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Ethel Daniels

is Complainant and Leo Daniels

is Defendant, on oath to be by you administered, upon Ethel Daniels

to take and certify the deposition of the witness and return the same to our Court, with all Convenient speed, under your hand.

Witness 11th day of October, 1945.

R. S. Much REGISTER

Commissioner's Fee \$

Witness' Fees, \$

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ETHEL DANIELS

Complainant

vs.

LEO DANIELS

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

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