

937

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

BEATRICE WALKER Complainant

VS

CHARLES M. WALKER Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree ~~Pro Conesso~~ ~~or~~ Answer of Respondent 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 Beatrice Walker is forever divorced from the said

Charles M. Walker

for and on account of Extreme Cruelty

It is further ordered, adjudged and decreed that the Complainant, Beatrice Walker, be, and she hereby is, awarded the exclusive care, custody and control of Mary A. Walker, Coleen L. Walker and Nellie J. Walker, minor children of the parties.

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 again marry except to each other during the pendency of said appeal.

It is further ordered that Beatrice Walker and Charles M. Walker be, and they/are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Beatrice Walker the Complainant pay the cost herein to be taxed, for which execution may issue.

This 18th day of May 1943

F. W. 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. 937 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

BEATRICE WALKER
vs. Complainant.

CHARLES M. WALKER
Respondent.

DIVORCE DECREE

[Faint, illegible text, likely bleed-through from the reverse side of the page]

BEATRICE WALKER,
Complainant,

vs.

CHARLES M. WALKER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANSWER TO BILL

Comes now, Charles M. Walker, the above named Respondent and for answer to the Bill of Complaint, admits that Complainant and Respondent are over the age of twenty-one years and residents of Baldwin County, Alabama; that they were married as averred in said bill and are the parents of the children set out in said bill but denies each and every other allegation in said bill contained and demands strict proof thereof.

Respondent agrees that testimony may be taken and this cause submitted without further notice to him, all notice and cross-examination of the witnesses being hereby expressly waived.

Charles M. Walker

Respondent

BEATRICE WALKER,
Complainant,

vs.

CHARLES M. WALKER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

PART ONE

Your Complainant respectfully shows to the Court that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing at Foley therein and that the Respondent, Charles M. Walker, is also over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama.

PART TWO

1. Complainant further avers that she was lawfully married to the Respondent in Crenshaw County, Alabama, on the 6th day of February, 1921, and has resided in Baldwin County, Alabama, Nineteen years last past and ever since said marriage has conducted herself towards Respondent as a faithful and obedient wife.

2. That five children have been born of the marriage between Complainant and Respondent, Woodrow F. Walker, now aged twenty years, Walter G. Walker, now aged eighteen years, Mary A. Walker, now aged sixteen years, Coleen L. Walker, now aged fourteen years and Nellie J. Walker, now aged eleven years; that all of said children are at home with and in the custody and control of your Complainant and Complainant avers that she is able to support and maintain and educate those children who are too young to support themselves and that she is a fit and proper person to have the care, custody and control of said minor children and that, by reason of the facts hereinafter set forth, the Respondent is not a fit and suitable person to have the custody and control of said minor children.

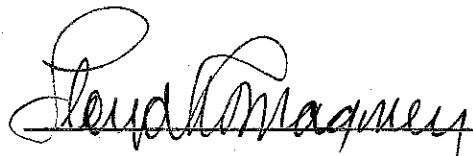
3. That since the marriage between your Complainant and the Respondent, the Respondent has become addicted to the use of intoxicating liquor to such an extent that he is now a habitual drunkard and for a number of years past, Respondent has also been guilty of extreme cruelty towards your Complainant and has many times struck and beat her and threatened to kill her and has abused and threatened the children to such an extent that your Complainant's health has been affected and she is afraid that the Respondent will do her and her children great bodily injury and because of such treatment, she and the children have separated from the Respondent and can no longer live with him.

PRAYER FOR PROCESS

Wherefore, your Complainant prays that your Honor will grant to her the writ of summons of the State of Alabama directed to the Respondent, Charles M. Walker, commanding him to appear before this Honorable Court within the time required by law, and answer, demur or plead to, this Bill of Complaint and abide such order and decree as may be entered therein; your complainant shall ever pray & c.

PRAYER FOR RELIEF

Your Complainant further prays that upon a final hearing of this cause, your Honor will grant to her, an absolute decree of divorce from the Respondent and award to her the exclusive care, custody and control of the minor children of the parties and that she may have such other and further relief in the premises as may be just and equitable.



Solicitor for Complainant

VS.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
and Testimony of Beatrice Walker. and Woodrow F Walker.

and in behalf of Defendant upon _____

Register Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO EDITH HOWELL

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 BEATRICE WALKER AND WOODROW F. WALKER

as witnesses in behalf of Complainant in a cause pending in our Circuit

Court of Baldwin County, of said State, wherein BEATRICE WALKER is

Complainant

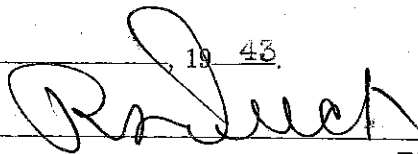
and CHARLES M. WALKER is

Defendant,

on oath to be by you administered, upon Oral Interrogatories

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

Witness 13th day of May, 1943.



REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

BEATRICE WALKER,
Complainant,

vs.

CHARLES M. WALKER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION

TESTIMONY OF BEATRICE WALKER

My name is Beatrice Walker and I am the Complainant in this action for divorce. I was married to the Respondent, Charles M. Walker in Crenshaw County, Alabama, on the 6th day of February, 1921, and we moved to Baldwin County about nineteen years ago and have lived here ever since.

Five children have been born to us, Woodrow F. Walker, aged 20 years, Walter G. Walker, now aged 18 years, Mary A. Walker, now aged 16 years, Coleen L. Walker, now aged 14 years and Nellie J. Walker, now aged 11 years.

My husband has always been, more or less, addicted to the use of intoxicating liquor but of recent years, has become very much worse and now he is a habitual drunkard.

When he is drinking, he is most abusive, not only to me but to the children. He has many times struck, beat me, threatened to kill me with a gun and with a knife but I have put up with him because of the children and now they are getting old enough to help me, in fact my son, Woodrow, is supporting the family at the present time and I am also able to work and earn money and we no longer need any assistance from my husband and his abuse has become so bad that I have become afraid of him and afraid that he will do serious injury to me or some of the children.

With the help of my boys and what I can earn, I am well able to support and educate the younger children and ask that I be granted the exclusive care, custody and control of them and a divorce from the Respondent.

Beatrice Walker

TESTIMONY OF WOODROW F. WALKER

My name is Woodrow F. Walker and I am the son of Beatrice Walker and Charles M. Walker.

I live with my mother and help her with her support and that of my younger brothers and sisters.

My father is a man who drinks to excess and who is very abusive to my mother and to all of the children. Just a little while ago I had to take a knife away from him which he was trying to cut my mother and he is continually threatening her, abusing her, striking her or any of the children who get near him until it has become impossible for us to live with him.

My mother has always taken good care of her family and is able to bring up and educate the younger children and I am willing to help her do so and feel that we would all be better off if she were given a divorce from my father.

Woodrow F. Walker

CERTIFICATE

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Edith Howell, by virtue of the attached Commission, the Commissioner to take the testimony of Beatrice Walker and Woodrow F. Walker, do hereby certify that I caused said witnesses to come before me, in my office in Foley, Alabama, on the 14th day of May, 1943, and after said witnesses had been duly sworn, their testimony was taken down by me in shorthand and later reduced to typewriting, read and signed by said witnesses.

That I am not of counsel or of kin to any of the parties to this proceeding nor in any manner interested in the result thereof.

IN WITNESS WHEREOF: I have hereunto set my hand this 14th day of May, 1943.

Edith Howell
Commissioner

RECORDED

No. 937.

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Beatrice Walker.

VS.

Charles M Walker,

NOTE OF TESTIMONY

Filed in Open Court this 17th

day of May, 194 3

R. Duck

Register.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BEATRICE WALKER,

Complainant,

vs.

CHARLES M. WALKER,

Respondent.

ANSWER TO BILL

Filed

May 13, 1943