

(3264)

DIVORCE DECREE

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

CHESTER R. BUCKNER, Complainant

vs.

NADINE BUCKNER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conso~~ on ANSWER and WAIVER 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

CHESTER R. BUCKNER is forever divorced from the said NADINE BUCKNER for and on account of

Voluntary Abandonment

Upon consideration of the written agreement entered into between the complainant and respondent touching the custody and support and maintenance for the minor children of the marriage, it is further ordered and decreed by the Court; That the said Written agreement is hereby ratified and approved, and the care control and custody of the minor children, Gregory R. Buckner, Evie Ruth Buckner and Ernest Poyd Buckner are awarded to the mother the respondent Nadine Buckner; That the Complainant the father pay over to the respondent Nadine Buckner the sum of Sixty Dollars on or before the fifth day of each and every month for the support and maintenance of said minor children of the marriage.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 31 day of May, 1954

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.

No. *37614* Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

CHESTER R. BUCKNER

Complainant

vs.

NADINE BUCKNER.

Respondent

DIVORCE DECREE

FILED

JUN 1 1954

ALICE L. BUCK, Register

The State of Alabama, { Circuit Court of Baldwin County, Alabama
Baldwin County. (In Equity)

CHESTER R. BUCKNER

Complainant

VS.

NADINE BUCKNER

Respondent

I, Dixie A. Peterson

as Register and Commissioner

have called and caused to come before me Chester R. Buckner

Wynema Burnette

witnesses named in the Requirement for Oral Examination, on the 29 day of May, 1954

1954, at the office of Dixie A. Peterson

in Foley, Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Chester R. Buckner and Wynema Burnette doth depose and say as follows:

My name is Chester R. Buckner. I am a resident of Baldwin County, Alabama, and have been a bona fide resident of the State of Alabama for more than one year preceding the filing of this suit for divorce. I am over the age of twenty-one years. Nadine Buckner is over the age of twenty-one years and has been a bona-fide resident of Baldwin County, Alabama for several years and is now. Nadine Buckner and I was married February 14th, 1948 at Dadeville, Alabama. We have three children, Gregory R. Buckner, born February 3, 1949, Evie Ruth Buckner, born January 1, 1950, and Ernest Boyd Buckner, born August 15, 1952.

In March of 1953, Nadine Buckner took our children and voluntarily abandoned me without fault in anyway on my part, since which time we have not lived together or in anyway recognized each other as husband or wife.

Last month Nadine and I made an agreement in respect to the care control, custody and support and maintenance of our children which said agreement is made a part of the complainant and marked as Exhibit A. I think the agreement is a reasonable agreement and am willing to abide by the terms therein.

Chester R. Buckner

My name is Wynema Burnette, I am a resident of Foley, Alabama. I am over the age of Eighteen years. Last March a year ago my sister Nadine Buckner left her husband Chester R. Buckner and came home and lived with us. She did not give us any reason for leaving him and has refused to go back and live with him since then. I know of my own knowledge that they have not lived together or in anyway recognized each other as husband and wife since she left him.

Wynema Burnette

ORAL EXAMINATION

I, Dixie A. Peterson, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down by me in writing in the words of the witness as and read over to them and they signed the same in the presence of myself Dixie A. Peterson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness as 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 29 day of May, 1954.

Dixie A. Peterson (L. S.)

No. 3264 Page -----

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

Chester R. Buckner

vs. Complainant

Nadine Buckner

Respondent

Oral Deposition

Filed -----, 1954

FILED

Register

Recorded

Record

Vol. ----- Page -----

, Register

CESTER R. BUCKNER)
Complainant)
VS)
NADINE BUCKNER)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the respondent in the above styled cause and accepts service of a bill of complaint hereto in this cause: waives notice of the filing of interrogatories in this cause and consents that the same may be taken and the same may be taken and the cause submitted for final decree.

1. She admits the allegations contained in paragraph one of said bill of complaint.

2. She admits allegations contained in paragraph two of said bill of complaint.

3. She denies the allegations contained in paragraph three of said bill of complaint and demands strict proof thereof.

4. The respondent for answer to paragraph four avers that said agreement is a just and fair agreement and prays that should the Court grant the complainant the divorce, that said agreement be incorporated in said decree and made a part thereof.

Nadine Buckner
Respondent

Elgie A. Peterson
Witness

Wynema Burnette
Witness

RECORDED
IN THE CIRCUIT COURT OF
OF DALLWIN COUNTY, ALABAMA
IN EQUITY

CHESTER R. BUCKNER
Complainant

VS

NADINE BUCKNER
Respondent

ANSWER AND WAIVER

FILED
MAY 31 1954
ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

THIS AGREEMENT, made and entered into on this the first day of May, 1954, by and between Nadine Buckner hereinafter referred to as the party of the First part, and Chester Buckner hereinafter referred to as the party of the second part.

WITNESSETH:

Whereas, the parties hereto have been husband and wife since February 14th, 1948, and as a result of such union have have three minor children, Gregory R. Buckner born February 3, 1949, Evie Ruth Buckner, born January 1, 1950, and Ernest Boyd Buckner, born August 15, 1952; and

Whereas, the parties have been separated and living apart for over a year and have definitely concluded that it is impractical for them to live together as man and wife; and

Whereas, the party of the second part is contemplating bringing an action for divorce and it is the desire of the parties hereto to settle the matter of the care, control, custody and support and maintenance of the said minor children, without litigation.

Now, therefore, in consideration thereof, and the mutual agreements hereinafter made, they have mutually agreed to the following terms and conditions:

1. That the care, control, custody of the said minor children shall be in the mother, the party of the first part, except for thirty days of each year when the party of the second part shall have their care control custody and support of said minor children.

2. That the party of the second part shall pay to the party of the first part for the support and maintenance of said children the sum of Sixty Dollars on or before the Fifth day of each and every month except for a reasonable allowance for such time the children are under the care, control and custody of the party of the second part.

3. Either party may visit or have rights of visitation of said children at reasonable times and places when in the care custody and control of the other party.

4. That in event the party of the second part insists on his express determination to file for divorce, the party of the first part denies and continues to deny that the party of the second part is in anyway entitled to a divorce, but in the event upon a hearing the Court should decree a divorce, then it is agreed and understood that this agreement and all of its terms may be submitted to the Court for its approval, and shall not be executed until and unless the Court does approve the same.

This agreement has been made in good faith on the day and date hereinabove set out, with full understanding of all of its provisions and with the mutual promise on the part of each to comply therewith faithfully and completely.

Doris A. Peterson
WITNESS

Nadine Buckner
Party of the First Part

Arthur C. Epperson
WITNESS

Chester R. Buckner
Party of the Second Part

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

RECORDED

CHESTER R. BUCKNER
COMPLAINANT

VS.

NADINE BUCKNER
RESPONDET

AGREEMENT OF PARTIES.

FILED

31 1954

ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

CHESTER B. BUCKNER

vs.

NADINE BUCKNER

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, & EXHIBIT A
AGREEMENT OF PARTIES, Oral deposition of Complainant's witnesses

and in behalf of Defendant upon Answer and Waiver, agreement of parties

Arthur C. Epperson
 Solicitor for Complaint

Wesley French

Register.

No. 3961

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

CHESTER R. BUCKNER

vs.

NADINE BUCKNER

NOTE OF TESTIMONY

Filed in Open Court this

day of

, 194

Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA,
Baldwin County.

TO: DIXIE A. PETERSON

FOLEY, ALABAMA

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 Chester A. Buckner
and Wynema Burnette

as witnesses in behalf of Chester R. Buckner in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Chester R. Buckner

_____, Complainant
and _____ Nadine Buckner _____

Respondent_____

on oath, to be by you administered, upon them

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

Witness 29th day of May, 1954

Alex J. Jensen Register.

Commissioner's Fee, \$_____

Witness' Fees, \$_____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CHESTER R. BUCKNER

Complainant—

vs.

NADINE BUCKNER

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

DIXIE A. PETERSON

WITNESSES:

CHESTER R. BUCKNER

WYNEMA BURNETTE.

CHESTER R. BUCKNER)
Complainant)

VS.)

NADINE BUCKNER)
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, SITTING IN EQUITY:

Your Complainant Chester R. Buckner, respectfully represents
and shows unto your Honor:

1. That the complainant is over the age of twenty-one years
and is a resident of Baldwin County, Alabama, and has been a
bona fide resident of said State for more than one year preceding
the filing of this bill of complaint; that the respondent is over
the age of twenty-one years and is a bona fide resident of Baldwin
County, Alabama.

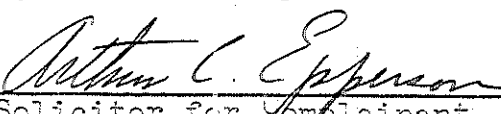
2. That your complainant and respondent were lawfully married
at Dadeville, Alabama, on or about, to-wit: February 14, 1948, and
that of this marriage there was born three children, Gregory R.
Buckner, born February 3, 1949; Evie Ruth Buckner, born January 1,
1950; and Ernest Boyd Buckner, born August 15, 1952.

3. Complainant further avers that the said respondent volun-
tarily abandoned the bed and support of the complainant for more
than one year next preceding the filing of this bill of complaint,
since which time the complainant and respondent have not lived to-
gether nor in anyway recognized each other as husband and wife.

4. Complainant and respondent have entered into an agreement
for the control, custody and support of the said minor children
of the marriage, a copy of which is hereto attached as Exhibit A
and made a part hereof, and by the terms of which agreement, Nadine
Buckner, the mother and respondent is to have the control and
custody of said children and the father the complainant is to pay
to the respondent the sum of Sixty Dollars a month for the support
of said minor children.

Complainant avers that this is a reasonable and just agreement
and prays the court that in the event a decree of divorce is granted
in this cause that the Court will decree that the parties keep and
abide by the terms of said agreement.

The premises considered, your complainant makes the said Nadine
Buckner a party respondent to this bill of complaint, and in order
that the complainant may have the relief herein prayed for may it
please your Honor to cause the State's writ of subpoena to be issued
~~directed to the said Nadine Buckner, commanding her to plead, answer,~~
or demur to this bill of complaint within the time required by law;
and that on a final hearing of this cause, that your Honor will enter
a decree divorcing your complainant from the respondent; and that
your Honor will grant such other further or different relief as unto
your Honor may seem just and proper, and your complainant will ever
pray.


Solicitor for Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

CHESTER R. BUCKNER
Complainant

VS

NADINE BUCKNER
Respondent.

+++++

BILL OF COMPLAINT

FILED

MMI 31 1954

ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

3264