

The State of Alabama, Baldwin County

Circuit Court, In Equity

Earl M. Edwards, Complainant

vs.

Katherine C. Edwards, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Confession~~ 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 Earl M. Edwards is forever divorced from the said Katherine C. Edwards ~~for her life and the life of her heirs~~

It is further ordered adjudged and decreed that the care, control and custody of the minor children of the parties to this cause be and the same hereby are in the complainant, the father, until further orders of this Court

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 Earl M. Edwards the complainant pay the cost herein to be taxed, for which execution may issue.

This 9th day of October, 1951, 19-----

Julius A. Maduberry, Jr.
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. 2729 Page 10

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Earl M. Edwards

Complainant

vs.

Katherine C. Edwards

Respondent

DIVORCE DECREE

FILED

OCT 9 1951

ARTHUR C. EPPERSON
Notary Public, Register
FOLEY, ALABAMA

Exhibit "A"

STATE OF ALABAMA

BALDWIN COUNTY

THIS AGREEMENT made and entered into by and between Katherine Edwards and Earl Edwards, husband and wife, WITNESSETH:

WHEREAS, there exists differences which up to the present moment appear irreconcilable between the parties and which prevent their living together as husband and wife, and

Whereas, the said Katherine Edwards has refused to live with the said Earl Edwards as wife and husband after repeated requests and entreaties since on to-wit, May 5th, 1951, and since said time the parties have not lived together as man and wife, and

Whereas, the parties are the parents of three minor children aged five, four, and one and onehalf years, and

Whereas it is necessary that the said children have proper care, supervision, support and maintenance, Now

Therefore, in consideration of the mutual agreements herein contained and of the promises each to the other, the parties hereby agree as follows:

That the parties shall continue to live separate and apart and the control, custody, welfare, support and maintenance of the minor children of the parties shall be in and the sole responsibility of the said Earl Edwards until such time as the parties hereto shall again live together as husband and wife,

That the said Katherine Edwards will not in any way use the credits or charge accounts to the said Earl Edwards.

That the said Katherine Edwards shall have the right to see and visit the minor children at reasonable times and places.

In the event that after a reasonable time the said Katherine Edwards still refuses to live with the said Earl Edwards as wife and mother and the said Earl Edwards files for divorce against the said Katherine Edwards, it shall be thoroughly understood that the said Katherine Edwards denies and expects to continue to deny that Earl Edwards is in any way entitled to a divorce and in event the court upon hearing, should decide that the said Earl Edwards is entitled to a divorce, then it is agreed and understood that this agreement and

and all its terms shall be submitted to the court for its approval.

It is further understood and agreed that under such conditions the court shall thereafter reserve and maintain its right in the interest of the welfare of the minor children to make such changes in reference to the custody, control and support of the children as the court may determine, after proper hearing with due notice, is in the best interest of the minor children.

The parties shall not in any way harass, threaten, intimidate, or otherwise act in any way so as to embarrass or humiliate the other party.

This agreement has been made and executed by the parties 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.

Dated this sixth day of August, 1951.

Katherine C. Edwards
Earl M. Edwards

THE STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EARL M. EDWARDS
Complainant

-VS-

KATHERINE C. EDWARDS
Respondent

I Bobby Lucile Jackson, as Register and Commissioner have caused & called to come before me Earl Edwards and Frank Hellmich, witnessess named in the requirement for Oral Examination on the 8th day of October, 1951, at the office of Bobby Lucile Jackson in Foley, Alabama and having first sworn said witnessess to speak the truth, the whole truth and nothing but the truth, the said Earl M. Edwards and Frank Hellmich doth depose and say as follows:

My name is Earl M. Edwards. I am over the age of twenty-one years and am and have been a resident of Baldwin County, Alabama, since 1945. Katherine C. Edwards is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

I and Katherine C. Edwards was married on August 29th, 1945 at Bay Minette, Alabama. We have three children, Eric Harold who is five years old and was born in February 1946. Betty Joan who was four years old last March and Dennis Eugene who is a year and a half old.

Our married life from the beginning has been anything bu smooth. Katherine has always had it in her head that I didn't want to marry her and wouldn't have if she had not been pregnant at the time. For at least a year or since about the time the baby was six months old Katherine has not taken the least interest in taking care of the house and kids. The house and kids stayed dirty and nearly everything we ate except for breakfast came out of tin cans. Katherine kept insisting that she wanted to get a job and hire someone to take care of the kids while she worked. I couldn't see where we or the kids would benefit but after bearing this for so long I finally agreed. She had been making excuses to go out several nights a week either baby sitting or to some sort of church doings while I stayed home and looked after the Kids. I thought that perhaps if she worked in town during the day that she would then stay home more at nights. She took a job as a waitress in a cafe and then a week later she told me that she was going to work a night shift as they paid more and didn't need her anymore on the day shift. She would take care of the kids during the day and I could look after them at night, then we wouldn't have to hire someone to look after the kids. I didn't like the idea and tried to get her to give up the the whole thing and stay home and take care of the kids. We owed a few debts but we didn't need money that bad. Now I see that it was all a scheme and that she wasn't baby sitting or going to church but was running around with at least one man and maybe more. She had talked me into buying a car and now insisted since we were in debt for it that she was going to work and help get it paid for. I of course trusting her gave in again and she started working at nights while I stayed home looking after the Kids. All of this time she was meeting and taking out a man in my car.

When she came home she would go in and sleep with the kids and so I didn't know when she came in. Her excuse was so my sleep wouldn't be disturbed. She was always short tempered with myself and the kids now since she started working, so after about two weeks I had about all I could stand of the disagreeableness and tension at home, and I asked her to quit her job. When she refused I demanded that she quit the job. Before this argument was over she asked me for a divorce and wanted me to move out of the house. I told her if she felt that way that she could leave but that I wasn't moving anywhere. I went on the work and I thought that everything would be quieted down when I got home that evening but she had her clothes ready to leave. I saw that she was serious

EARL M. EDWARDS -vs- KATHERINE C. EDWARDS

Oral deposition of Complainant's Witnessess.

and began trying to figure out the real reason. I asked her to tell me what really was the cause of all our trouble for the past few months and if there was another man involved. She denied this and her only excuse was that she no longer loved me and that " never did love her. She said she just decided that we could never be happy together. Since I wouldn't leave she would.

She left and took a room at Duke's Hotel above the cafe where she had been working. I attempted to reason with her several times to come back and look after the kids but she wouldn't do it only unless I moved out. Different people knowing that we were separated and that she was staying at the hotel came to me and told me that she had been going out with a certain party for a long time and had been seen different places with him under suspicious circumstances. So after a couple of weeks or so she still refused to come back, a person told me that she was now getting a certain taxi in town to pick her up which was taking her to Elberta to meet this man. She had gone back to working during the day. I decided to see for myself what was going on as I didn't want to believe it and didn't think that there was anything of that kind going on at first. I got Katherine's mother to come over one night and stay with the kids and " borrowed a friends car. As luck would have it about 8:30 P. M. or about a half hour after she got off of work, up drove this Taxi in front of the hotel. I was watching from across the street and down close to the pool room in my friends car. In a couple of minutes out came Katherine and she got into the taxi. They then started off in the direction of Gulf Shores. I backed the car out to follow them but when they got to the end of the block the taxi turned left across the railroad tracts. I figured they were headed for Elberta so I swung around and came back through town and headed for Elberta. They had gone through the back streets by the fertilizer plant and came out onto the highway just ahead of me down by Massey's store. I followed them to Elberta and the taxi parked next to some cars parked at Bennie's place. I went on by and parked in the next block across the street in front of a store from where I could watch pretty well. The Taxi pulled out pretty quick and headed back towards Foley. I stayed where I was and in a couple of minutes another car backed out and turned in my direction towards Pensacola.

As the car came by " recognized Katherine sitting in the front seat with this man I had been told she was running around with. They were alone. I immediately backed out to follow them before they got out of sight as they were picking up speed pretty fast when they came by me. I lost sight of their tail light just before I got to Lillian. I was afraid to drive any faster than seventy especially in another mans car. I could not tell whether they turned off of the road or went on towards Pensacola. Anyway I then decided to come back to Foley and wait at the hotel for her to come back. At two o'clock A. M. she had still not come back and then I went on home. The next afternoon I went around to talk to her and she denied it and then refused to say anything when " asked where she was.

I tried to reason with her for the kids sake and get to come back home. I offered to move any place she wanted to move to and start over and forget the past but she still refused.

In August We made a separation agreement in which she gave me the care and custody of the children until she came back to live with me as my wife. This agreement is submitted herewith as part of my testimony for the approval of the Court. I move d the children to my parents home in Opelika because my parents would care for them as if they were their own and give them the love and care they needed and hadn't been getting much of recently. I thought to that perhaps if she didn't see them for awhile that she would miss them enough to come back and take care of them as she should have. I asked her twice since then to go with me to Opelika and get them and forget the past. She refused and still refuses. She is still slipping around with this man and now " know that " can never have the faith in her to live with her or let her raise my children. She has embarassed me to such an extent that I can no longer face my friends with their knowing what she has done and is still doing.

Earl M. Edwards

Oral Examination

I, Bobby Lucile Jackson, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnessess and read over to them and the signed the same in the presence of myself at the time and place herein mentioned; that i have personal knowledge of the identity of said witnessess; that I am not of Counsel or of kin to any of the parties to said cause, or in any manner interested in the results thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this fifth day of October, 1951.

(L.S.)

EARL M. EDWARDS -vs- KATHERINE C. EDWARDS

Oral depositions of Complainants witnesses

My name is Frank J. Hellmich. Katherine C. Edwards is a younger sister of mine. I am acquainted with the facts and general circumstances of the difficulties between Earl Edwards and Katherine Edwards. I know that for at least a period of sixty days before Katherine left Earl and the children that Katherine was not taking care of the children properly or like she used to before. The children were most always dirty and hungry. I know of my own knowledge several times that she left the children by themselves for long periods of time during the day while Earl was working. I live quite close to where they did and the children would come over to my house crying and hungry.

Sometime around the first of May of this year Katherine left Earl and the children and moved into this Hotel in Foley. She worked downstairs in the cafe there as a waitress. I know quite well that she has been going out with another man and a number of people have come to me and told me different things ~~xxx~~ about Katherine and this man. Katherine was always hard to control before she married Earl and gave my Mother a lot of trouble. I certainly feel that the children would be and are much better off with Earl than they ever would be with Katherine the way she has proved herself to be.

Frank J. Hellmich

I, Bobby Lucile Jackson, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself at the time and place herein mentioned; that I have personal knowledge of the identity of said witnesses; that I am not of counsel or of kin to any of the parties to said cause, or in any manner interested in the results thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 18th day of October, 1951.

Bobby Lucile Jackson (L.S.)

2729

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EARL M. EDWARDS
Complainant

-VS-

KATHERINE C. EDWARDS
Respondent

ORAL DEPOSITIONS

FILED

OCT 8 1951

ALICE L. DUCK, Clerk

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

EARL EDWARDS

Complainant

-VS-

KATHERINE EDWARDS

Respondent

IN THE CIRCUIT COURT OF

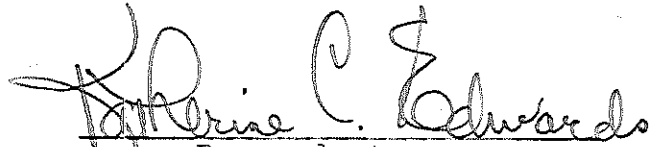
BALDWIN COUNTY, ALABAMA

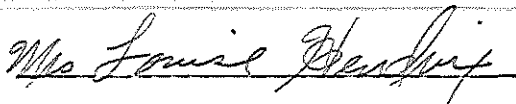
IN EQUITY

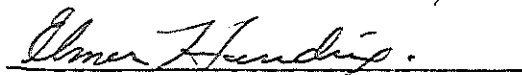
Now comes the respondent, Katherine Edwards, and for answer to the bill of complaint herein says as follows:

1. She denies each and every material allegation contained in said bill of complaint and demands strict proof of same.

2. The respondent hereby waives notice of taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further or different notice to which she might otherwise be entitled.


Respondent





2729

In the 6th CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY **RECORDED**

EARL M. EDWARDS

Complainant

-VS-

KATHERINE C. EDWARDS
Respondent

Answer and waiver

FILED

OCT 8 1951

ALICE J. DUCK, Clerk

ARTHUR C. OPPENSON
ATTORNEY AT LAW
FOLEY, ALABAMA

EARL M. EDWARDS)
Complainant)
-vs-)
KATHERINE C. EDWARDS)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO THE HONORABLE TELFAIR J. MASHBURN Jr., JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your complainant, Earl M. Edwards, respectfully represents and shows
unto your Honor:

1. That your 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 next preceding the filing of this
bill of complaint; that Katherine C. Edwards is over the age of twenty-
one years and a resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or
about to-wit, August 29, 1945 at Bay Minette, Alabama, and to this union
have been born three children, Eric Harold Edwards, five years of age,
Betty Joan Edwards, four years of age and Dennis Eugene Edwards, one and
ahalf years of age.

3. Your complainant further avers and alleges that the said respon-
dent has been guilty of adultery with divers parties and persons whose
names to your complainant are unknown.

4. That complainant and respondent have entered into an agreement
with reference to the custody, care and control of the said minor children,
a copy of which is hereto attached as Exhibit A and made a part hereof,
and by the terms of which agreement your complainant is given the care,
control and custody of said minor children.

The premises considered, your complainant makes the said Katherine
Edwards a party respondent to this bill of complaint, and in order that
complainant may have the relief prayed for, may it please your Honor to
cause the State's writ of subpoena to be issued, directed to the said
Katherine C. Edwards, commanding her to answer, plead or demur to this
bill of complaint in 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 decreeing that the care, control and custody of
the said minor children be in the complainant; and that your Honor will
grant such other, further or differnt relief as unto your Honor may seem
just and proper and your complainant will ever pray.


Solicitor for Complainant

1729

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EARL M. EDWARDS

Complainant

-VS-

Katherine C. Edwards
Respondent

BILL OF COMPLAINT

RECORDED

FILED

OCT 8 1951

ALICE L. DUCK, Clerk

ARTHUR C. EPPERSON

ATTORNEY AT LAW
FOLEY, ALABAMA

THE STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO BOBBY LUCILE JACKSON
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 EARL M. EDWARDS AND FRANK J. HELLMICH as witnessess in behalf of Earl M. Edwards in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Earl M. Edwards, complainant and Katherine C. Edwards, Respondent, on oath to be by you administered upon them to take and certify the depositions of the witnessess and return the same to our Court, with all convenient speed, under your hand.

Witness *** 9th day of October, 1951.

David L. Renshaw
Register.

2729

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EARL M. EDWARDS

Complainant

-VS-

KATHERINE C. EDWARDS

RESPONDENT

Commission to take deposition

FILED

OCT 8 1951

MADE J. BUCH, Clerk

ARTHUR C. EMPERSON
ATTORNEY AT LAW
BALDWIN COUNTY, ALABAMA

EARL M. EDWARDS
Complainant
vs.
KATHERINE C. EDWARDS
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
BAY MINETTE, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit:

Earl M. Edwards
Complainant

vs

Katherine M. Edwards
Respondent

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Arthur C. Epperson
Solicitor for Complainant

NOTE:

Complainant suggests the name of Bobby Lucile Jackson
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Arthur C. Epperson
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

EARL M. EDWARDS

Complainant

vs.

KATHERINE C. EDWARDS

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 9th day of Oct

194----

Archie J. Henrich Register
Moore Printing Co.

ARTHUR C. LITTON
ATTORNEY AT LAW
FOLEY, ALABAMA

EARL M. EDWARDS
Complainant

-vs-

KATHERINE C. EDWARDS
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

This cause being submitted for final decree in behalf of the
~~complainant, the complainant offers the following testimony, to-wit:~~

1. Bill of Complaint
2. Answer and waiver of respondent
3. Commission to take depositions
4. Oral depositions of complainant's witnesses with agreement of
the parties marked "Exhibit A".

Arthur L. Epperson
Solicitor for complainant

Archie L. Lenoir
Registrar

No 2729

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

EARL M. EDWARDS
Complainant

-VS-

KATHERINE M. EDWARDS
Respondent

NOTE OF SUBMISSION

FILED

OCT 8 1951

ALICE M. BUCK, Clerk

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALABAMA

2729