

2781

DIVORCE DECREE

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The State of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

CLARIECE WALKER

, Complainant

vs.

WALTER WALKER

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 CLARIECE WALKER is forever divorced from the said WALTER WALKER for and on account of

Habitual Drunkenness

It is further ORDERED, ADJUDGED AND DECREED that the Complainant, CLARIECE WALKER, be, and she is hereby, awarded the Custody and Control of the minor children, Stephen Walker and Christopher Walker.

Control of this Cause is retained by the Court for such further Orders or Decrees as may become necessary.

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 CLARIECE WALKER the Complainant pay the cost herein to be taxed, for which execution may issue.

This 20th day of May, 19 52

Jeffery M. Masbury
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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

MAY 21 1952

AUG 1 DUCK, Register

FOLEY, ALA., 3-17 1952

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. DuckBay Minette, Ala.

Brought Forward

Feb. 21
" 28
Mar. 6
" 13

Legal notice
for

Clarice Walker

\$12.88

AFFIDAVIT OF PUBLICATION

LEGAL NOTICE

Clariece Walker, Complainant,
vs. Walter Walker, Respondent.

In the Circuit Court of Baldwin
County, Alabama, in Equity.

In this cause it being made to
appear to the Clerk of this Court
by the affidavit of Clariece Wal-
ker, the complainant, that the de-
fendant, Walter Walker, is a non-
resident of the State of Alabama,
that his post office address is

and known and cannot be ascertain-
being further shown by said

unknit that the defendant is over
age of twenty-one years; it is

ed; and ordered that publication
made in The Foley Onlooker, a

newspaper published in Foley,
Baldwin County, Alabama, once a

the for four consecutive weeks,

during the said Walter Walker

plead, answer or demur to the

Bill of Complaint filed in this cause

by the 22nd day of March, 1952, or

after thirty days thereafter a de-

creo pro confesso may be taken

against him.

Alice J. Duck,
Register.

I, M. S. Lawrence

Editor

of The Onlooker, published at

Foley, Ala., do solemnly swear that a copy of the above notice,

as per clipping attached, was published once each week in the

regular and entire edition of said newspaper, and not in any

supplement thereof, for Four consecutive weeks, com-

mencing with the issue dated Feb. 21, 19 52, and

ending with the issue dated March 13, 19 52.

M. S. Lawrence

Subscribed and sworn to before me this

17

day

of

March

1952

My Commission Expires August 17,

Notary Public.

Clariece Walker

vs.

Walter Walker

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, _____

Affidavit of non-residence of respondent, motion of service
and complaint by publication, order directing service by publication,
affidavit of publication, motion for Decree Pro Confesso on service
by publication, Decree Pro Confesso on service by publication and
testimony as noted by the Register.

and in behalf of Defendant upon _____

Walter Walker
Att. for Complainant

Deirdre J. ...
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Clariece Walker

vs.

Walter Walker

NOTE OF TESTIMONY

Filed in Open Court this 28th

day of April, 1942

Adrian J. Warner
Register.

Printed By The Baldwin Times

CLARIECE WALKER,) (IN THE CIRCUIT COURT OF
Complainant,) (BALDWIN COUNTY, ALABAMA
-vs-) (IN EQUITY
WALTER WALKER,) (
Respondent.) (

In this cause it being made to appear to the Clerk of this Court by the affidavit of Clariece Walker, the complainant, that the defendant, Walter Walker, is a non-resident of the State of Alabama and that his post office address is unknown and cannot be ascertained; it being further shown by said affidavit that the defendant is over the age of twenty-one years; it is therefore ordered that publication be made in the Foley Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Walter Walker to plead, answer or demur to the Bill of Complaint filed in this cause by the 22nd day of March, 1952, or after thirty days thereafter a decree pro confesso may be taken against him.

Alice J. Duck, Register

C. G. CHASON
Attorney for Complainant.

* * * * *

CLARIECE WALKER,) (
Complainant,) (
-vs-) (
WALTER WALKER,) (
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, Sitting in Equity:

Your complainant, Clariece Walker, respectfully represents
and shows unto your Honor:-

1. That complainant is over the age of twenty-one years
and is a resident of said State and County, 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 Walter Walker is over the
age of twenty-one years and is not a resident of Baldwin County,
Alabama, and whose place of residence is unknown to your complainant.

2. That your complainant and respondent were lawfully
married on or about, to-wit, July 2, 1948.

3. The Complainant avers and charges that the said
respondent did assault, beat, hit and strike your complainant; that
he has committed actual violence on her person attended to danger
to her life or health; that he has made numerous threats of doing
her physical harm and from his manner and conduct toward her she is
reasonably convinced that he will commit actual violence upon her
person attended with danger to her life or health.


4. Complainant further avers that said respondent has,
since her marriage with him become addicted to habitual drunkenness,
and that said habit has continued to the filing of this bill.

5. Complainant further shows unto your Honor that there
was born of this marriage two children, namely, Stephen Walker, age
two and a half years, and Christopher Walker, age one and a half
years, which are and have been in the custody and control of the
Complainant.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED:- Your complainant prays that
Walter Walker be made a party defendant to this cause by the usual
process of this Honorable Court requiring him to plead, answer or
demur within the time and under the penalties prescribed by the

rules of this Court and the statutes in such cases made and provided; that service be had upon the said respondent by publication as is provided by law in the case of non-resident defendants; that upon a final hearing of this cause, that your complainant be granted a divorce from said respondent and that she be granted custody and control of the two minor children of this marriage herein above named. Should your complainant be mistaken in the relief prayed for, that there be granted to her such other, different and general relief to which she may be entitled, and as in duty bound, she will ever pray.


Solicitor for Complainant

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

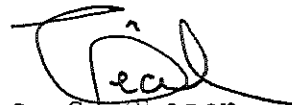
25 April, 1952

Mrs. Alice J. Duck
Circuit Clerk
Bay Minette, Alabama

Dear Mrs. Duck;

Please prepare the Decree Pro Confesso
and the divorce decree. I do not have either of
these forms. Also please let me know the amount of
the cost.

Yours very truly,


C. G. Chason

CGC:fu

Enclos.

STATE OF ALABAMA


BALDWIN COUNTY

Before me, Cecil G. Chason, a Notary Public in and for said County in said State, personally appeared Clariece Walker, who is known to me, and who after being by me first duly and legally sworn, deposes and says under oath as follows:-

That her name is Clariece Walker; that she is over the age of twenty-one years and a lifetime resident of Baldwin County, Alabama; that she was married to Walter Walker on July 2, 1948; that in 1951 he was living in Texas and that she has written repeatedly since July of 1951 but her letters have been returned undelivered; that she believes that he is still residing in some of the Western states but that she has been unable to locate him or his Post Office address; that he is not a resident of the State of Alabama and that this affidavit is made for the purpose of securing service by publication on the said Walter Walker in a divorce proceeding instituted by her.

Clariece Walker

Sworn to and subscribed before me,
a Notary Public, on this the 16th
day of February, 1952.


Cecil G. Chason
Notary Public, Baldwin County
State of Alabama

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

CLARIECE WALKER

Complainant

Vs.

WALTER WALKER

Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Walter Walker

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 26 day of April, 19 52.

746 Code

Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Clariece Walker

Complainant _____

Vs.

Walter Walker

Defendant _____

**Motion for Decree Pro Confesso
On Publication**

Filed 4-28, 1952

Deirdre Walker
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

CLARIECE WALKER

Complainant

VS.

WALTER WALKER

Respondent

I, Frances M. Underwood

as Register and Commissioner in chancery

have called and caused to come before me

Clariece Walker and Inez Dean

witness es named in the Requirement for Oral Examination, on the 24th day of April
1952, at the office of C. G. Chason
in Foley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Clariece Walker and Inez
Dean doth depose and say as follows:

My name is Clariece Walker; I am over the age of twenty-one years and have been a bona fide resident citizen of Baldwin County, Alabama all of my life; Walter Walker is over the age of twenty-one years and is not in the State of Alabama and his residence is not known to me, although I have made numerous efforts to locate him; We were married on July 2, 1948 and lived together as man and wife until July, 1951; He drank constantly and become an habitual drunkard which occurred after our marriage; He has also on many occasions beat me and hit me with his fists and has threatened to do me other harm so much so that I became very much afraid of him; We have two children, Stephen Walker, age two and one-half and Christopher Walker, age one and one-half years who have been in my custody and control since our separation.

Clariece Walker

My name is Inez Dean; I am over the age of twenty-one years and a resident of Baldwin County, Alabama; I am personally acquainted with Clariece Walker and Walter Walker; they were married in July, 1948 and have two children who are with their mother; On many occasions I have known of Walter Walker to beat Clariece Walker and do her serious bodily harm; I also believe him to be an habitual drunkard.

Inez Dean

ORAL EXAMINATION.

I, Frances M. Underwood, 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 es and read over to them and they signed the same in the presence of myself and C. G. Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 24th day of April, 1952.

Frances M. Underwood (L.S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 4-28, 1952

W. H. Underwood, Register.
Recorded in _____

Vol. _____ Page _____
Record _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 2781, Term, 1952Clarice Walker

Complainant

Vs.

Walter Walker

Defendant

In this cause it appears to the Register Arif Jensen that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 21st day of Feb, 1952, in the Foley Daily Worker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 21st day of Feb 1952 and

And it now further appearing to the Register Arif Jensen that the said

Walter Walker

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Arif Jensen that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

This

28th

day of

April1952Arif Jensen

Register.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Vs.

Decree Pro Confesso of Publication

Issued _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CECIL G. CHASON
ATTORNEY AT LAW
FOLEY, ALABAMA

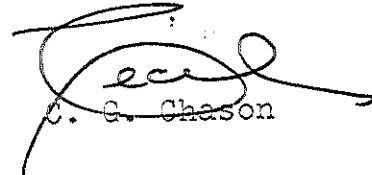
19 February, 1952

Mrs. Alice J. Duck
Clerk of Court
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint, affidavit of non-residence, and a notice which should be published at the Courthouse door. I have already given one copy to the Onlooker for publication.

Yours very truly,



C. G. Chason

CGC:fu