

4139

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LEROY E. WALKER, Complainant

vs.

GRACE E. WALKER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Respondent's 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

LEROY E. WALKER is forever divorced from the said GRACE E. WALKER for and on account of

Upon consideration of the written agreement entered into between the complainant and respondent touching the custody of the minor child, KATHLEEN MARIE WALKER, of the marriage, it is further ordered, adjudged and decreed by the Court that said written agreement is hereby ratified and approved, and the care, custody and control of the minor child, of the marriage, namely KATHLEEN MARIE WALKER, is awarded to LEROY E. WALKER, the Father.

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

It is further ordered that LEROY E. WALKER the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 1st day of OCTOBER 1957

Hubert M Hall Judge Circuit Court, In Equity.

I, ALICE J. DUCK, 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 OCTOBER, 1957

Register of Circuit Court, In Equity.

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THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

LEROY E. WALKER

Complainant

vs.

GRACE E. WALKER

Respondent

**DIVORCE DECREE**

ARTHUR C. EPPERSON  
ATTORNEY AT LAW  
FOLEY, ALABAMA

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: ELIZABETH SCHNEIDER.  
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, as such time and place as you may appoint, to call before you and examine LEROY E. WALKER

a witnesses in behalf of LEROY E. WALKER in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

LEROY E. WALKER, Complainant

and

GRACE E. WALKER Respondent

on oath, to be by you administered, upon HIM to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1 day of OCTOBER, 1957

*Marie J. Wick*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4139

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**THE STATE OF ALABAMA**  
**Baldwin County**

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**CIRCUIT COURT**

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LEROY E. WALKER

Complainant

VS.

GRACE E. WALKER

Defendant

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**COMMISSION TO TAKE DEPOSITION**

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COMMISSIONER:

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WITNESSES:

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ORAL EXAMINATION

I, ELIZABETH SCHNEIDER, 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 HIM and HE signed the same in the presence of myself  
ELIZABETH SCHNEIDER

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 1 day of OCTOBER, 1957.

Elizabeth Schneider (l. s.)

No. 4139 Page \_\_\_\_\_

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

LEROY E. WALKER

vs. Complainant

GRACE F. WALKER

Respondent

Oral Deposition

Filed OCTOBER 1st, 1957.

Elizabeth Schneider Register  
Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register

The State of Alabama, {  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

LEROY E. WALKER Complainant

VS.

GRACE E. WALKER Respondent

I, ELIZABETH SCHNEIDER

as Register and Commissioner

have called and caused to come before me LEROY E. WALKER

witness named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of OCTOBER

19 57, at the office of Elizabeth Schneider

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

truth, the whole truth, and nothing but the truth, the said LEROY E. WALKER

doth depose and say as follows:

My name is LEROY E. WALKER, I am over the age of twenty-one years and I have lived in Baldwin County, Alabama, all of my life and I am now a resident of Baldwin County, Alabama. GRACE E. WALKER is over twenty years of age and is a resident of Baldwin County, Alabama.

I married Grace E. Walker, June 11, 1956, at Pensacola, Florida. We have one child, KATHLEEN MARIE WALKER, who is six months of age. I have our child with me and the baby has been living with me ever since the day it was born.

GRACE E. WALKER and I, have entered into an agreement for the custody and control of our child, KATHLEEN MARIE WALKER, which is marked Exhibit A and made a part of my testimony, wherein, she has agreed to give me full custody and control of our child, KATHLEEN MARIE WALKER. I feel that this is a just and fair agreement, since I brought the baby home from the hospital the day it was born and I have taken care of her ever since.

GRACE E. WALKER, voluntarily abandoned me over a year ago, since which time we have not lived together or in any way recognized each other as husband and wife.

Leroy E. Walker

LEROY E. WALKER

vs.

GRACE E. 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, Appointment of Commissioner to take Oral Deposition; Oral Deposition of Complainants Witnesses. Respondent's Answer and Waiver. Agreement of Parties.

and in behalf of Defendant upon

*Arthur C. Epperson*  
ATTORNEY FOR COMPLAINANT

*Archie J. Duck*  
Register.

No. 4139

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

LEROY E. WALKER

vs.

GRACE E. WALKER

NOTE OF TESTIMONY

Filed in Open Court this First

day of OCTOBER, 1957

**FILED**  
OCT 1 1957

**ALICE I. DUCK, Register** Register.

Printed by the Baldwin Times



LEROY WALKER )  
COMPLAINANT )  
VS. )  
GRACE E. WALKER )  
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 heretofore filed in this cause; waives notice of filing of interrogatories in this cause and the right to cross same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree, and for answer to the complaint heretofore filed in this cause, the respondent says:

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

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

3. She denies each and every material allegation contained in paragraph three of the bill of complaint and demands and requires strict proof of the same.

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

Annie J. Walk  
WITNESS

Grace E. Walker  
RESPONDENT

Robin E. Walker  
WITNESS

Answer

FILED

OCT 1 1957

ALICE L. BUCK, REGISTER

LEROY WALKER	)	
	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	
	)	BALDWIN COUNTY, ALABAMA
VS.	)	
	)	IN EQUITY
GRACE E. WALKER	)	
	)	
RESPONDENT	)	

To the Honorable Judge of the Circuit Court of Baldwin County, Alabama, sitting in Equity:

Your Complainant Leroy Walker represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one years and the respondent is over the age of twenty years, and both are bona fide residents of Baldwin County, Alabama, and have been such for more than one year preceding the filing of this bill of complaint.

2. That your complainant and respondent were lawfully married on June 11, 1956 at Pensacola Florida and of this marriage there is one minor child, Kathleen Marie Walker, Five months of age.

3. Complainant avers that said respondent voluntarily abandoned the bed and board 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 together nor in anyway recognized each other as husband and wife.

4. That the complainant and respondent have entered into an agreement with reference to the custody, control, support and maintenance of the said minor child, 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 to have the complete care, control, custody, support and maintenance of said child.

Complainant avers that he is a fit and proper person to have custody and control of said minor child and that said agreement is a reasonable, just and proper agreement and prays the court that in the event a decree of divorce is given 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 Grace E. Walker a party respondent to this bill of complaint and in order that 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 Grace E. Walker, commanding her to answer, plead 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 the Complainant

Exhibit "A"

STATE OF ALABAMA

BALDWIN COUNTY

THIS AGREEMENT made and entered into on this the \_\_\_\_\_ day of September, 1957 by and between LEROY WALKER, herein after referred to as the party of the first part and GRACE E. WALKER, hereinafter referred to as the party of the second part,

WITNESSETH:

Whereas, the parties hereto have been husband and wife since June 11, 1956, and as a result of such marriage have one minor child, Kathleen Marie Walker, five months of age, and,

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

Whereas, the party of the first part is contemplating bringing an action for divorce and it is the desire of the parties to settle the matter of the care, control, support and maintenance of said minor child of the marriage without litigation,

NOW, THEREFOR, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to the following terms and conditions:

1. That the party of the first part, the father of said minor child, shall have the complete care, control, custody, support and maintenance of the said minor child.
2. That the party of the second part the mother of said child, shall have the right to see and visit with said minor child at all reasonable times and places and shall also, at such times and places as the complainant may in his discretion designate, have said child visit with her.
3. That in the event the party of the first part insists on his express determination to file a suit for a divorce, it shall be thoroughly understood that the party of the second part denies and expects to continue to deny that the party of the first part is in anyway entitled to a divorce, and in the event that the Court, upon hearing should decide that the party of the first part is entitled to a divorce, then it is agreed that this agreement and all of its terms shall be submitted to the Court for its approval and shall not be executed until and unless the Court does approve the same.

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

Annis J. Walker  
WITNESS

Leroy E. Walker  
PARTY OF THE FIRST PART

Grace E. Walker  
PARTY OF THE SECOND PART

Robin E. Walker  
WITNESS

4139

Bill of Complaint

FILED

OCT 1 1957

ALICE J. DUCK, Register