

(3482)

DIVORCE DECREE

Printed by Moore Printing Co.

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

HOWARD A. HOULIK, Complainant

vs.

KATHERINE M. HOULIK, Respondent

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

Howard A. Houlik is forever divorced from the said Katherine M. Houlik for and on account of abandonment

It is further order, adjudged and decreed by the Court that the written agreement entered into by the complainant and respondent and submitted to the Court, is hereby ratified and approved, and the care, control and custody of the minor child is awarded to Katherine M. Houlik, the mother and respondent with rights of visitation in the father, Howard A. Houlik, at reasonable times and places without undue interference.

It is further ordered, adjudged and decreed in accordance with said agreement that Howard A. Houlik, the father of the minor child pay to Katherine M. Houlik for the support and maintenance of the minor child of the marriage the sum of ~~Forty-five (\$45.00) Dollars~~ on or before the fifth day of each month, hereafter 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 Howard A. Houlik the Complainant pay the cost herein to be taxed, for which execution may issue.

This 19<sup>th</sup> day of February, 1955

*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 February, 1955

Register of Circuit Court, In Equity.

No.----- Page-----

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

HOWARD A. HOULTK

Complainant

vs.

KATHERINE M. HOULTK

Respondent

**DIVORCE DECREE**

FILED

FEB 19 1955

ALICE J. DUCK, Register

HOWARD A. HOULIK

vs.

KATHERINE M. HOULIK

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, \_\_\_\_\_  
~~Answer and Waiver, Oral Depositions of Complainant's witnesses~~  
Agreement of parties.

and in behalf of Defendant upon \_\_\_\_\_

*Arthur C. Johnson*  
attorney for Complainant

*Alice J. Reese*  
Register.

No. ....

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

**IN EQUITY**  
**Circuit Court of Baldwin County**

HOWARD A. HOULIK

vs.

KATHERINE M. HOULIK

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ....., 194 .....

**FILED**  
Register.

Printed by the Baldwin Times

FEB 19 1955

**ALICE J. DUCK, Register**

Exhibit A.

STATE OF ALABAMA )  
BALDWIN COUNTY )

THIS AGREEMENT made and entered into on this the Eighth day of October, 1954, by and between HOWARD A. HOULIK, hereinafter referred to as the party of the first part, and KATHERINE M. HOULIK, hereinafter referred to as the party of the second part:

WITNESSETH:

Whereas, the parties hereto have been husband and wife since November 15, 1946, and as a result of such union have one minor child, JAMES HOWARD HOULIK, Four years and six months of age; and

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

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

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

1. That the care, control, and custody of the said minor child be in the mother, the party of the second part, with rights of visitation at reasonable times and places in the father, the party of the first part.

2. That the party of the first part will pay for the support and maintenance of the said minor child, the sum of ~~Forty~~ five Dollars on or before the fifth day of each month to the party of the second part at her address until changed by agreement of the parties hereto or a Court of competent jurisdiction.

3. That in the event the party of the first part insists on his express determination to file a suit for divorce against her, the party of the second part denies and expects to continue to deny that the party of the first part is in any way 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 and understood 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 has been made and executed by the parties hereto 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 faithfully and completely.

Arthur L. Epperson  
Witness

Samuel Galbraith  
Witness

Howard A. Houlik  
Party of the First Part

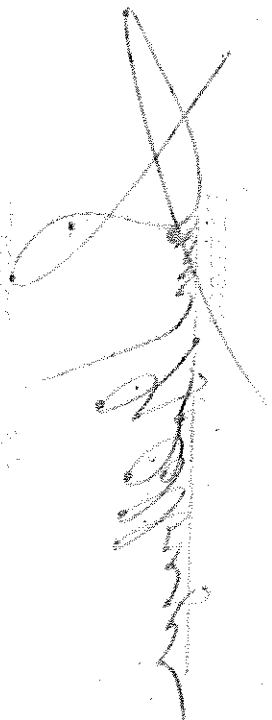
Katherine M. Houlik  
Party of the Second Part

"Exhibit A"

Agreement of Parties

FILED  
FEB 19 1955

ALICE J. DICK, Register

A handwritten signature in dark ink, appearing to be "Alice J. Dick", written vertically on the right side of the document. The signature is somewhat stylized and overlaps with a vertical line.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Willena Boyd

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 Howard A. Houlik and Mae Harris

a witnesses in behalf of them Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

HOWARD A. HOULIK

Complainant

and KATHERINE M. HOULIK

Respondent

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

Witness 19th day of February, 1955

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

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

**CIRCUIT COURT**

Complainant \_\_\_\_\_

VS.

Defendant \_\_\_\_\_

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER: \_\_\_\_\_

WITNESSES: \_\_\_\_\_

not belongs and commission but evidence that is in the hands of the State  
because that not only has not been in any evidence of evidence that is in the hands of the State

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\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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

HOWARD A. HOULIK Complainant

VS.

KATHERINE M. HOULIK Respondent

I, Willena Boyd

as Register and Commissioner

have called and caused to come before me Howard A. Houlik and

Mae Harris

witnesses named in the Requirement for Oral Examination, on the February

1955, at the office of Willena Boyd

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

truth, the whole truth, and nothing but the truth, the said Howard A. Houlik and

Mae Harris doth depose and say as follows:

My name is Howard A. Houlik. I am over the age of twenty-one years. I am a resident of Baldwin County, Alabama and have been for more than one year before the filing of this divorce. Katherine M. Houlik is over the age of twenty-one years and now lives in Memphis, Tenn. I married Katherine M. Houlik November 15, 1946 in Hernandon, Miss. We have one child, James Howard Houlik, who is almost five years of age. Katherine never did like Alabama and always wanted me to go back to Memphis to work, she went on a visit home just before Thanksgiving 1952 and then refused to come back to Foley to live with me. I went up after her on two occasions, on both occasions she refused to have anything to do with me, she said that we were through, and she wanted a divorce. She left me without any fault on my part at that time and we haven't lived together nor recognized each other as husband and wife since that time, when she went home before Thanksgiving.

We have entered into an agreement which is made a part of the Bill of Complaint in which Katherine M. Houlik wasto have the control and custody of our child, James Howard Houlik and I am to pay to her for his support and maintenance, the sum of \$45.00 a month, which agreement is marked Exhibit "A".

Howard A. Houlik

My name is Mae Harris. I am the sister of Howard A. Houlik. Katherine M. Houlik left Howard A. Houlik a couple of years ago and went home to her Mother in Memphis and would'nt return to live with Howard A. Houlik in Foley and they haven't lived together since that time.

Mae Harris

ORAL EXAMINATION

I, Willena Boyd, 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 es and read over to them and they signed the same in the presence of myself

Willena Boyd

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 19<sup>th</sup> day of February, 1955.

Willena Boyd (L. S.)

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

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

HOWARD A. HOULIK

vs. Complainant

KATHERINE M. HOULIK

Respondent

Oral Deposition

Filed \_\_\_\_\_, 19\_\_\_\_

Register

FILED  
Recorded in

FEB 19 1955

Record

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

Register

HOWARD A. HOULIK,  
Complainant

VS

KATHERINE M. HOULIK,  
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 filed in this cause; waives notice of the taking of interrogatories in this cause and the right to cross the same; waives notice of the taking of testimony in this cause and consents that the same may be taken and the cause submitted for final decree.

Respondent does not admit or deny the allegations in Complainant's Bill with the exception of Paragraph Three of said bill and demands strict proof of each and every allegation in said paragraph Three. Respondent for further answer avers that she feels that at the present time the agreement contained in Paragraph Four is fair and equitable and that if the Court should grant a divorce to the complainant that this agreement be confirmed by the Court and that the same be incorporated in the final decree with the addition that the cause be retained in Court for such future orders as the welfare of the minor child may require.

Complainant accordingly enters her appearance in this cause for all purposes.

Katherine Marie Houlik  
Respondent

WITNESS

Sam G. Galt  
Attorney

HOWARD A. HOULIK )  
Complainant )  
VS. )  
KATHERINE M. HOULIK )  
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, Howard A. Houlik, respectfully represents and  
shows unto your Honor:

1. That the 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 for more than one year next preceding the fil-  
ing of this bill of complaint; that Katherine M. Houlik is over  
the age of twenty-one years and is a resident of Memphis, Tenn.

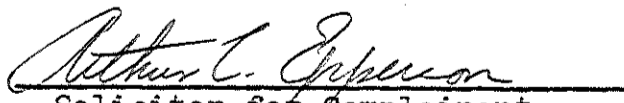
2. That your complainant and respondent were lawfully  
married on or about to-wit: November 15, 1946, in Hernandon, Miss.,  
and of this marriage there is one child, James Howard Houlik, four  
years and six months of age.

3. Complainant further avers that said respondent vol-  
untarily abandoned the bed and board of complainant for more than  
one year next preceding the filing of this bill of complaint, since  
which time complainant and respondent have not lived together or  
in any way recognized each other as husband and wife.

4. The complainant and respondent have entered into an  
agreement for the control, custody and support of the minor child  
of the said marriage, a copy of which is hereto attached as exhibit  
A and made a part hereof, and by the terms of which agreement,  
Katherine M. Houlik, the mother and respondent is to have the care,  
control, and custody of the minor child, James Howard Houlik, and  
the father, Howard A. Houlik, the Complainant will pay to the re-  
spondent support and maintenance for said child, each month.

Complainant avers that this is a reasonable, just and pro-  
per 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  
Katherin M. Houlik 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 Katherine M. Houlik, commanding her to  
answer, plead or demur to this bill of complaint within the time re-  
quired by law; and that on a final hearing of this cause, that your  
Honor will enter a decree divorcing your complainant from the re-  
spondent; 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

RESPONDENT'S ADDRESS:

Katherine M. Houlik  
474 Edith  
Memphis, Tenn.

3407

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

\*\*\*\* IN EQUITY \*\*\*\*

\*\*\*\*\*

HOWARD A. HOULIK  
Complainant

VS.

KATHERINE M. HOULIK  
Respondent

\*\*\*\*\*

BILL OF COMPLAINT

\*\*\*\*\*

FILED  
NOV 22 1954

ALICE I. DUCK, Register

ARTHUR C. EPPERSON  
ATTORNEY AT LAW  
FOLEY, ALA.

The State of Alabama }  
Baldwin County }

Circuit Court

Equity

To Katherine A. Soule

474 Edith

Memphis, Tenn

You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant....., by Harward A. Soule Complainant.....

A copy of which Bill of Complaint is hereto attached.

Witness by hand, this 22<sup>nd</sup> day of Nov 1954

Alvin J. French  
Register

No.....

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CIRCUIT COURT OF BALDWIN COUNTY  
IN EQUITY  
BAY MINETTE, ALABAMA

VS.

NOTICE

Issued.....day of.....

195.....

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LAW OFFICES  
—  
SAM GOLDBERGER  
SUITE 416-17  
81 MADISON AVENUE BLDG.  
MEMPHIS 3, TENNESSEE  
—  
PHONE 37-0933

December 13, 1954.

Clerk of the Circuit Court,  
Baldwyn County, Ala.  
Bay Minette, Alabama.

Dear Sir or Madam:

Enclosed find an entry of appearance,  
waiver and answer of the defendant  
in the cause of Houlik v. Houlik  
filed in your court.

Will you kindly file the same.

The Honorable Arthur Epperson of your  
bar represents the complainant.

Respectfully yours,

Copy to  
Arthur Epperson,  
Foley, Ala.

