

(352)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Dorothy W. Stapleton

Complainant

vs.

Roy H. Stapleton

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confessor~~ on ~~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

Dorothy W. Stapleton is forever divorced from the said Roy H. Stapleton for and on account of

Voluntary abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Complainant be and she is hereby awarded the care, custody and control of the minor child, Deborah Shay Stapleton, but the Respondent is given the right to visit the child at reasonable times and to have the child to visit him for a reasonable period of time.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court that the Respondent pay to the Complainant the sum of Fifty (\$50.00) Dollars per month for the support and maintenance of the said minor child.

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 payment of the cost of this suit.

It is further ordered that Dorothy W. Stapleton the Complainant pay the cost herein to be taxed, for which executed may issue.

This 19th day of May, 1955

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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Dorothy W. Stapleton

Complainant

vs.

Roy H. Stapleton

Respondent

DIVORCE DECREE

FILED
MAY 19 1955
ALMA L. DICK, CLERK

STATE OF ALABAMA
BALDWIN COUNTY

TO MY SHERIFF OF THE STATE OF ALABAMA;

You are hereby commanded to summons ROY H. STAPLETON, to appear and plead, answer or demur within thirty days from the service hereof to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by DOROTHY W. STAPLETON, as Complainant and against Roy H. Stapleton, as Respondent.

WITNESS my hand this the 19 day of May, 1954.

W. J. French (SEAL)

DOROTHY W. STAPLETON

COMPLAINANT

VS

ROY H. STAPLETON

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant Dorothy W. Stapleton, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age and bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and the Respondent married at Pascagoula, Mississippi, on November 19, 1951, and lived together as husband and wife until on to-wit, April 5, 1954.

3.

That on to-wit, April 5, 1954, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

There was born to the marriage between your Complainant and the Respondent, one child, Deborah Shay Stapleton, now 2 years of age, who is now and has been all of her life with her mother, the Complainant; that your Complainant is a suitable, fit and proper person to have her care, custody and control.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Roy H. Stapleton, party Respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

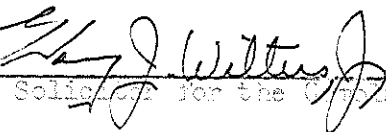
Your Complainant further prays that upon a final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; That your Complainant be awarded the permanent care, custody and control of the minor child; Your Complainant prays for such, other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

May 19, 1955

J. H. H. H. H.

Walters & Brantley


Solicitor for the Complainant

3527

DOROTHY W. STAPLETON

COMPLAINANT

VS

ROY H. STAPLETON

RESPONDENT

BILL OF COMPLAINT

FILED

MAY 12 1955

ALICE A. DUCK, Register

Dorothy W. Stapleton

vs.

Roy H. Stapleton

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 of Respondent, agreement between complainant and
respondent and testimony of Dorothy W. Stapleton and Juanita Sutton

and in behalf of Defendant upon

Walters & Brantley
by E. J. Walters

Leice J. Bruck
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Dorothy W. Stapleton

vs.

Roy H. Stapleton

NOTE OF TESTIMONY

Filed in Open Court this

day of , 194

FILED
MAY 19 1955

Register.

Printed by the Baldwin Times

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Evelyn Watts

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 Dorothy W. Stapleton and Juanita Sutton

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Dorothy W. Stapleton is

and Roy H. Stapleton is

Respondent on oath, to be by you administered, upon Dorothy W. Stapleton and Juanita Sutton to take and certify the deposition of the witness(es) and return the same to our Court, with all convenient speed, under your hand.

Witness 14 day of May, 1955

Deane F. Black
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Dorothy W. Stapleton

Complainant—

VS.

Roy H. Stapleton

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Evelyn Watts

WITNESSES:

Dorothy W. Stapleton

Juanita Sutton

FILED
MAY 19 1955

ALICE L. DICKSON
CLERK

DOROTHY W. STAPLETON
COMPLAINANT

VS

ROY H. STAPLETON
RESPONDENT

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

KNOW ALL MEN BY THESE PRESENTS, That Whereas, the Complainant and the Respondent were married at Pascagoula, Mississippi, on November 19, 1951; and

WHEREAS the parties have one child, Deborah Shay Stapleton, now 2 years of age; and

WHEREAS the parties have decided and concluded that it is impossible for them to no longer liver together as husband and wife; and

WHEREAS, on to-wit, April 5, 1954, they separated and have since that time lived separate and apart; and

WHEREAS, the parties have reached a full and complete agreement as to the custody, maintenance and support of the minor child, Deborah Shay Stapleton.

~~NOW, THEREFORE, it is hereby expressly agreed by and between the parties~~
hereto as follows:

1. That the Complainant, Dorothy W. Stapleton, shall have the custody care and control of the minor child, Deborah Shay Stapleton.
2. That the Respondent shall have the right to visit with the said child at reasonable times and to have the child to visit him for a reasonable period of time.
3. That the Respondent will pay to the Complainant the sum of FIFTY (\$50.00) DOLLARS per month for the support and maintenance of the said minor child.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals, in duplicate, this 29th day of April, 1955.

FILED

May 19, 1955

NOTARY PUBLIC

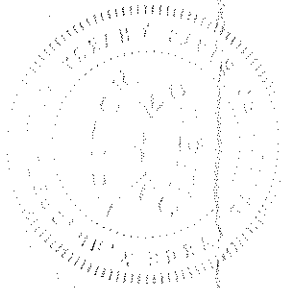
Dorothy W. Stapleton (SEAL)
Roy H. Stapleton (SEAL)

STATE OF ALABAMA
AT LARGE

I, HARRY J. WINTERS JR., a Notary Public, in and for said State of Alabama, at Large, hereby certify that Dorothy W. Stapleton and Roy H. Stapleton, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 29 day of April, 1955.


Notary Public, State of Alabama At Large



3527

DOROTHY W. STAPLETON

COMPLAINANT

VS

ROY H. STAPLETON

RESPONDENT

AGREEMENT

FILED
MAY 19 1955
ALICE L. DUCK, Register

721 710 153

The State of Alabama, }
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Dorothy W. Stapleton

Complainant

VS.

Roy H. Stapleton

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Dorothy W. Stapleton and Juanita Sutton

witness named in the Requirement for Oral Examination, on the 14 day of May

1955, at the office of Harry J. Wilters Jr.

in Bay Minette

, Alabama, and having first sworn said Witness ES to speak the

truth, the whole truth, and nothing but the truth, the said Dorothy W. Stapleton and Jaanita

Sutton

doth depose and say as follows:

My name is Dorothy Stapleton, and I am the Complainant in the above styled cause, and Roy Stapleton is the Respondent. We are both residents of Baldwin County, Alabama, and over the age of 21. We were married at Pascagoula, Mississippi on November 19, 1951, and lived together as husband and wife until around April 5, 1954. At that time the Respondent voluntarily abandoned my bed and board and has been away voluntarily and continuously since that time. There was born of our marriage one child Deborah Shay Stapleton, who is two years old and has always lived with me. I am a suitable, fit and proper person and I am physically able to care for the child. I feel that there is absolutely no hopes of my marriage to be successful or continue at all.

The Respondent and I entered into a written agreement on the 29th day of April, 1955, for the custody, control and support maintenance of our minor child, Deborah Shay Stapleton. By this agreement the Respondent allowed me to have the custody, care and control of our little girl and he is to have a right to visit the child at reasonable times and have the child to visit him for reasonable times. He agreed to pay me \$50.00 a month for the support and maintenance of the little girl.

Dorothy W. Stapleton

My name is Juanita Sutton. I have known the Complainant and Respondent all their lives. I know that they have not lived together as husband and wife for more than a year. It is my opinion that they cannot get along together and it would be to the best interest of the child Deborah and to both of them that they be separated. I am a resident of Baldwin County, Alabama.

Juanita Sutton

ORAL EXAMINATION

I, Evelyn Watts, 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 and Harry J. Wilters Jr.

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 14 day of May, 1955

Evelyn Watts (L. S.)

No. 34929

Page

The State of Alabama

Baldwin County.

In Circuit Court, In Equity

Dorothy W. Stapleton

vs. Complainant

Roy H. Stapleton

Respondent

Oral Deposition

Filed _____, 19____

Register

FILED

Record in

MAY 19 1955

Record

ALICE J. DECK, Register

Vol. _____

Register

DOROTHY W. STAPLETON
COMPLAINANT

VS

ROY H. STAPLETON
RESPONDENT

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

Now comes the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause as to ages, residence, marriage and children, but denies all other allegations therein contained and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Roy H. Stapleton

STATE OF ALABAMA
AT LARGE

I, HARRY J. WILTERS JR., a Notary Public, in and for the State of Alabama, at Large, hereby certify that Roy H. Stapleton, whose name is signed to the foregoing instrument, and who is known to me, acknowledged to me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date. Given under my hand and seal on this the 29 day of April, 1955.

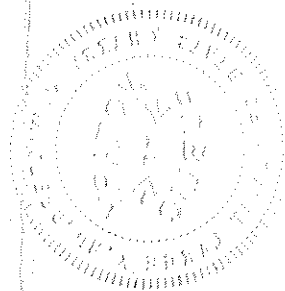
FILED

May 19, 1955

EX. 106

Harry J. Wilters Jr.
Notary Public

3527



DOROTHY W. STAPLETON

COMPLAINANT

VS

ROY H. STAPLETON

RESPONDENT

ANSWER AND WAIVER

FILED

MAY 19 1955

ALICE A. DUCK, Register

3527 MAY 19 1955