

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- Walter P. Ward -----, Complainant

vs.

----- Lillie E. Ward -----, Respondent

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

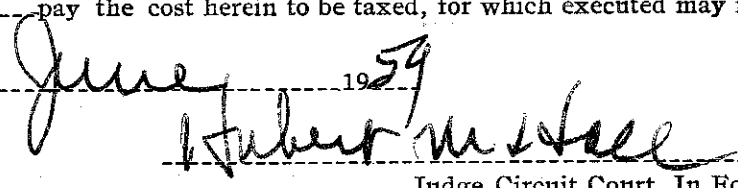
----- Walter P. Ward ----- is forever divorced from the said ----- Lillie E. Ward ----- for and on account of

Voluntary Abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED THAT THE Complainant pay the Cross Complainant TWENTY (\$20.00) DOLLARS per week for support of their minor children, Walter P. Ward, Sue Allison Ward, and Dawn Hope Ward, and in addition thereto he is ordered to pay all their medical, hospital and dental bills. The Care, custody and control of these children is hereby awarded to the Cross Complainant, Lillie E. Ward, subject to the Complainant's right to reasonable visitation. The Stipulation entered into by the Complainant and Respondent in this cause is hereby ratified in all its terms.

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 ----- Walter P. Ward ----- the ----- Complainant ----- pay the cost herein to be taxed, for which executed may issue.

This 29 day of June 1959


 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

Walter P. Ward

Complainant

vs.

Lillie E. Ward

Respondent

DIVORCE DECREE

FILED

JUN 29-59

ALICE J. DUCK, CLERK
REGISTER

Cross Petitioner 1

WALTER P. WARD,
Complainant,
VS.
LILLIE E. WARD,
Respondent.

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

NO. 4445

S T I P U L A T I O N:

The parties to this cause have mutually agreed that the Complainant and Cross Respondent is gainfully employed earning the sum of approximately SIXTY (\$60.00) DOLLARS per week, which it is agreed that he shall pay TWENTY (\$20.00) DOLLARS per week to the Respondent and Cross Complainant for support and maintenance of the minor children, Walter P. Ward, Sue Allison Ward and Dawn Hope Ward, and in addition thereto will pay all medical, hospital and dental bills or charges.

It is further agreed that the Complainant and Cross Respondent shall have the automobile and that the Respondent and Cross Complainant shall have the stove, refrigerator and washing machine and that the remainder due on these items of furniture will be paid by the Complainant and Cross Respondent.

It is further agreed between the parties, and therefore, stipulated that the Respondent and Cross Complainant shall have the care, custody and control of the minor children of this marriage, Walter P. Ward, Sue Allison Ward and Dawn Hope Ward, with the right of reasonable visitation by the Complainant and Cross Respondent, these rights of reasonable visitation are defined as visits by the Complainant and Cross Respondent to the children and the right to have said children visit him at any reasonable time, but to be returned to the Respondent and Cross Complainant before their normal time of retirement. The Complainant and Cross Respondent further agrees that he will be with said children at such times as they are in his care.

IT IS FURTHER STIPULATED AND AGREED that the Complainant and Cross Respondent shall pay the sum of ONE HUNDRED (\$100.00) DOLLARS to Cecil G. Chason, Solicitor for the Respondent and Cross Complainant.

Walter P. Ward
Complainant and Cross Respondent

Lillian E. Ward
Respondent and Cross Complainant

FILED

6-29-59

ALICE L. DUCK, CLERK
REGISTER

Walter P. Ward

Complainant -

vs

Lillie E. Ward

Respondent

Stipulation

WALTER P. WARD,)	IN THE
)	
Complainant & Cross Respondent,)	CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALA_
)	
LILLIE E. WARD,)	BAMA, IN EQUITY
)	
Respondent and Cross Complainant.)	NO. 4445
)	

TESTIMONY TAKEN IN OPEN COURT:

LILLIE E. WARD, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Chason.

Q. What is your name, please?

A. Eileen Ward.

Q. Lillie Eileen Ward?

A. Yes sir.

Q. You are the Respondent and Cross Complainant in an action for divorce?

A. I am.

Q. On what date did you and the Complainant and Cross Respondent last live together as husband and wife?

A. June 29th, 1958 - one year ago today.

Q. Did he at that time voluntarily abandon your bed and board?

A. Yes sir.

Q. You all have not lived together as husband and wife or recognized each other as husband and wife since that time?

A. That's right.

Q. You are both residents of Baldwin County, Alabama?

A. Yes sir.

Q. And have been for more than one year before the filing of the bill of complaint in this cause?

A. Yes sir.

Q. You are both over the age of 21 years?

A. Yes sir.

Q. Have you and your husband reached an agreement, which you are executing and placing in the file as to the custody, control

and support of the minor children, Walter P. Ward, Sue Allison Ward and Dawn Hope Ward?

A. Yes sir.

Q. That is to be made a part of the file in this cause?

A. Yes sir.

MRS. INEZ MADDOX, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Chason.

Q. You are Inez Maddox?

A. Right.

Q. Where do you live?

A. Stapleton.

Q. Are you personally acquainted with Lillie Eileen Ward and Walter P. Ward?

A. Yes sir.

Q. Are they both over the age of 21 years and residents of Baldwin County, Alabama?

A. Yes sir.

Q. They have been living in Stapleton for more than a year?

A. Yes sir.

Q. Did Mr. Ward, more than a year ago, in Baldwin County, Alabama, voluntarily abandon the bed and board of Lillie Eileen Ward?

A. Yes sir.

Q. And they have not lived together as husband and wife since that time?

A. That is right.

Q. There are three children, the fruits of this marriage?

A. Yes sir.

Q. These children are in the care, custody and control of their mother, Lillie Eileen Ward?

A. Yes sir.

Q. Is she a suitable and fit person to have their care, custody and control?

A. Yes sir.

C E R T I F I C A T E:

I hereby certify that the foregoing is a true and correct transcript of the testimony as taken by me in open Court on on this the 29th day of June, 1959.

This 29th day of June, 1959.

Louise Brown
Court Reporter

NO. 4445

AMENDED BILL OF COMPLAINT

RESPONDENT

LILLIE E. WARD

VS

COMPLAINANT

WALTER P. WARD

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons LILLIE E. WARD, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Walter P. Ward, as Complainant and against Lillie E. Ward, as Respondent.

WITNESS my hand this the 29 day of Nov, 1958.

Alice J. Luck
Register

WALTER P. WARD

COMPLAINANT

VS

LILLIE E. WARD

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, Walter P. Ward, respectfully represents unto
Your Honor and this Honorable Court as follows:

1.

That your Complainant and Respondent are both bona fide resident
citizens of Baldwin County, Alabama and reside at Stapleton, Alabama and
that each is over the age of twenty-one years.

2.

That the Complainant and Respondent were married at Lucedale,
Mississippi on April 8, 1953 and lived together as man and wife until the
later part of July, 1958.

3.

That there was born to this union three children; Walter P. Ward,
age three; Sue Allison Ward, age two and Dawn Hope Ward, age one.

4.

That on, to-wit, the 15th day of February, 1958, the Respondent pointed a pistol at the Complainant and threatened to shoot him with it and from her actions the Complainant verily believed that she would carry out her threat; that from her conduct the Complainant was given every reasonable apprehension to believe and he does believe that if he continued to live with the Respondent that she will do actual violence to his person which will necessarily endanger his life and health.

Complainant says further that the Respondent has struck him on many occasions with her fist and has struck him at least once with a broom handle. That she has repeatedly started fights with him, kicking and scratching him on these occasions. He further says that he cannot live with the Respondent with any degree of safety or comfort.

5.

Complainant says that he is now living with his father and mother, Walter C. Ward and Ella Ward, that they live in a large comfortable home where a peaceful and christian environment prevails; that your Complainant is in every respect a suitable and proper person to have the custody of the children.

Complainant says further that the Respondent is not a fit and proper person to have the custody of the aforesaid children; that Respondent continuously and repeatedly uses coarse and vulgar language in the presence of these children; that Respondent is now living with her father and mother, Brooks Wallace and Clara Wallace. That the environment in this home is not suitable for the rearing of children of a tender age; that the parents of the Respondent are continuously bickering and cursing in the presence of these children.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Lillie E. Ward, party Respondent to this bill of complaint requiring her 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 children; Walter P. Ward, Sue Allison Ward, and Dawn Hope Ward; Your Complainant prays for such, other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Executed
Dec. 1, 1958

WILTERS AND BRANTLEY

BY *Philip S. Nesbit*
Solicitor for the Complainant

Locality 29 1/2 1958
and on 1 10-11-58

by Lillie E. Ward

by Lillie E. Ward

TAYLOR WILKINS, Sheriff

By Stephenson D. S.

Sheriff claims 22 miles at

Ten Cents per mile Total \$ 2.20

TAYLOR WILKINS, Sheriff

BY Wm
DEPUTY SHERIFF

✓
M. 4445

Walter P. Ward

vs.

Lillie E. Ward

FILED

NOV 29 1958

ALICE J. DUCK, CLERK
REGISTER

WALTER P. WARD,

Complainant

vs

LILLIE E. WARD,

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 4445

ANSWER TO CROSS BILL

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, in Equity Sitting:

Comes your Complainant in the above styled cause and in
answer to the Cross-Bill heretofore filed therein, shows as follows:

1. The Complainant admits the allegations in Section 1.
2. The Complainant admits the allegations in Section 2.
3. The Complainant admits the allegations in Section 3.
4. The Complainant denies the allegations of Section 4

and for further answer says that the only time that he has ever used
physical force on the Respondent was when it was necessary to prevent
her from doing him physical injury.

5. For answer to Section 6, the Complainant says that he
admits so much of this allegation as relates to the residence of the
Respondent and her children and says further that he has always main-
tained a suitable place for his wife and children to live. The
Complainant says further that the reason the Respondent is not living
with him now is that she has refused to live with him in the home
that he has provided for her; that the only place she will live willingly
is in the home with her parents.

6. For answer to Section 7, the Complainant says that he
was forced to move the furniture mentioned in said Section into the
home of his parents, that there is not room in the house where the
Respondent is living to put and keep this said furniture.

7. For answer to Section 8, The Complainant says that the
Respondent is not a fit and proper person to have the care, custody and
control of the minor children for the reason set out in the Complainant's
complaint and the Complainant says further the he admits being an able-
bodied man and financially able to pay sums required for support and

maintenance of the minor children.

8. The Complainant admits the allegations of Section 9.

9. The Complainant says that he is residing with his father and mother, that his father is physically unable to perform strenuous labor. The Complainant denies all other allegations in this Section and demands strict proof of the same.

10. The Complainant neither admits nor denies the allegations in Section 11 and demands strict proof of the same.

Filed
Dec. 8, 1958

WILTERS AND BRANTLEY

BY: *Phyllis S. Nesbit*
Solicitor for the Complainant

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

December 5, 1958

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is an original and one copy of an
Answer and Cross-Bill in Equity Case Number 4445,
Ward -vs- Ward.

I am serving one copy on the Solicitor for the
Complainant and ask that you have the Sheriff
serve a copy on Walter P. Ward of Stapleton,
Alabama.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

December 5, 1958

Miss. Phyllis S. Nesbit
Attorney at Law
Wilters & Brantley
Bay Minette, Alabama

Dear Miss. Nesbit:

I am enclosing herewith copy of Answer and Cross-Bill
in the case of Walter P. Ward -vs- Lillie E. Ward.

Yours very truly,



C. G. Chason

CGC:fm

encls. 1

cc: Mrs. Alice J. Duck, Register
Bay Minette, Alabama

HARRY J. WILTERS, JR.
TOLBERT M. BRANTLEY

LAW OFFICES OF
WILTERS & BRANTLEY
BAY MINETTE, ALABAMA
and
Robertsdale, Alabama

PHONE 5151

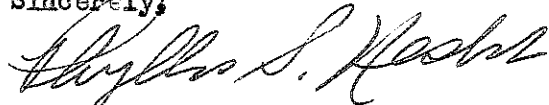
Robertsdale, Alabama
December 6, 1958

Mrs. Alice J. Duck
Register
Court of Equity
Baldwin County, Alabama
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed please find an answer to the Cross Bill
in Equity, Case Number 445. I have mailed a copy of
this Answer to the Respondent's attorney, Mr. Cecil
Chason at Foley.

Sincerely,



(Mrs.) Phyllis S. Nesbit

Encl. Answer to Cross Bill
Equity Case No. 445

WALTER P. WARD,)	
Complainant,)	IN THE CIRCUIT COURT OF
-VS-)	BALDWIN COUNTY, ALABAMA
LILLIE E. WARD,)	IN EQUITY
Respondent.)	CASE NO. 4445

ANSWER AND CROSS-BILL

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, in Equity Sitting:

Comes your Respondent in the above styled cause and in answer to the Bill of Complaint heretofore filed therein, shows as follows:

1. Respondent admits the allegations of Paragraph 1.
2. Respondent admits that she and the Complainant were intermarried at Lucedale, Mississippi, on April 8, 1953, but denies that they lived together as man and wife until the latter part of July, 1958, showing to the Court that separation occurred on the 29th day of June, 1958.
3. Respondent admits that there were born of this marriage three (3) children, namely, Walter P. Ward, Sue Allison Ward and Dawn Hope Ward, but denies their ages to be as shown in the Bill of Complaint, showing to the Court that their ages are respectively as follows: 4 years, 3 years and 2 years as of January, 1959.
4. Respondent denies the allegations of Paragraph 4 of the Bill of Complaint, and demands strict proof thereof.
5. Respondent admits that Complainant is now living with his father and mother, and admits that she and the children of this marriage are now living with her father and mother, which she alleges to be caused by the failure on the part of the Complainant to provide for she and the children a separate, suitable dwelling. Respondent denies each and every other allegation in Paragraph 5 of the Bill of Complaint.

The said Lillie E. Ward, having answered the Bill of Complaint heretofore filed in this cause, and each and every Paragraph thereof, files herewith, as Cross Complainant, a Cross-

Bill, and respectfully represents and shows unto this Honorable Court the following:

1. That she and the Cross Respondent are both over the age of twenty-one years, and both are lifetime residents of Baldwin County, Alabama, residing at Stapleton.

2. That Cross Complainant and Cross Respondent were married on the 8th day of April, 1953, and except for brief periods of separation, have lived together as man and wife until the 29th day of June, 1958.

3. That there has been born of this marriage three children, namely, Walter P. Ward, 4 years of age, Sue Allison Ward, 3 years of age, and Dawn Hope Ward, who will be 2 years of age in January of 1959.

4. That since marriage of your Cross Complainant and Cross Respondent, he has struck her in the face and committed other actual violence on her person, attended with danger to her life or health, and that she believes it to be reasonable to apprehend and expect other acts of physical violence upon her person, attended with danger to her life or health should she continue to live with the Cross Respondent as husband and wife.

6. Cross Complainant shows unto the Court that she is now living with her mother and father in Stapleton, Alabama, along with her three children, and that she was so residing with her mother and father, with her three children and her husband, before separation, as a result of his failure and refusal to provide her a suitable, permanent, separate place of residence. Cross Complainant further shows that the children above named are in her care, custody and control, and that on previous separations between she and the Cross Respondent, that the children then born remained in her care, custody and control.

7. Cross Complainant further shows unto the Court that prior to separation Cross Respondent removed furniture and fixtures from a home in which they were jointly residing with their children, and where they had a right to be, without her knowledge or consent, necessitating residing with the parents of your Cross Complainant or of the Cross Respondent, because of the failure on the part of the Cross Respondent to provide a

home, and that a washing machine, stove and refrigerator constituted part of the furniture and fixtures removed, which she considers to be her property, and which Cross Respondent still has in his possession or control.

8. Cross Complainant further shows unto the Court that she is a fit and proper person to have care, custody and control of the minor children of this marriage vested in her, and that the Cross Respondent is an able bodied man, earning a livelihood, and is financially able to pay such sums as are required for her support and maintenance and for the support and maintenance of the minor children of this marriage.

9. Cross Complainant further shows that the Juvenile Court of Baldwin County, Alabama, has directed, Ordered and Decreed, Walter P. Ward, the Cross Respondent, to pay to her the sum of Twenty Dollars (\$20.00) per week, for the support and maintenance of the minor children of this marriage, which said Judgment and Decree is still in full force and effect.

10. Cross Complainant further shows unto the Court that Cross Respondent is residing with his father and mother, Walter C. Ward and Ella Ward, and that the said Walter C. Ward is infirm and physically unable to perform strenuous labor, and that, therefore, the farm properties are primarily maintained by Ella Ward, who performs menial tasks and duties thereabout, and that her time is fully occupied in caring for the wants of her husband, and the demands of the livestock and properties belonging to them.

11. Cross Complainant further shows unto the Court that she is not gainfully employed and has no funds with which to employ counsel to represent her in this proceeding.

PRAYER FOR PROCESS AND RELIEF


THE PREMISES CONSIDERED, your Cross Complainant prays that a copy hereof be served upon the Cross Respondent, requiring him to plead, answer or demur, in accordance with the rules of this Court and the Statutes in such cases made and provided.

Cross Complainant further prays that upon a final hearing hereof, that your Honor will grant to her an absolute Decree of Divorce from the said Cross Respondent; that your Honor will award to the Cross Complainant the care, custody and control of

the minor children of this marriage hereinabove named; that your Honor will award to your Cross Complainant the stove, refrigerator and washing machine hereinabove described; that your Honor will award to your Cross Complainant such sum as in your Honor's discretion seems meet and proper, for her support and maintenance and for the support and maintenance of the three minor children of this marriage, and that your Honor will award to her such sum as in your Honor's judgment is meet and proper for C. G. Chason, her Solicitor of Record in this cause, and that your Honor will grant to her such other, further, different or general relief as in this cause seems meet and proper.

Filed
Dec. 6, 1958
Alice J. Luck

Executed
Dec. 15, 1958


Solicitor for Respondent and
Cross Complainant