

3856

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons WANDA FRINK TAYLOR 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 JOHN C. TAYLOR, as Complainant and against Wanda Frink Taylor, as Respondent.

WITNESS my hand this 20th day of August, 1956.

Alice J. Duck
Register

JOHN C. TAYLOR	∅	IN THE CIRCUIT COURT OF
COMPLAINANT	∅	BALDWIN COUNTY, ALABAMA,
VS	∅	IN EQUITY
WANDA FRINK TAYLOR	∅	
RESPONDENT	∅	

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

Comes now your Complainant and respectfully represents and shows unto Your Honor as follows:

1.

That your Complainant and the Respondents are over twenty-one years of age, and bona fide resident citizens of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this Bill of Complaint.

2.

That your Complainant and the Respondent were lawfully married to one another on March 5, 1955, at Moss Point, Mississippi.

3.

That on to-wit, August 11, 1956, and on occasions prior thereto the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to his person and that she threatened to take his life with a steak knife and that she made other threats on his life which would necessarily endanger his life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe

and he did actually believe that if he continued to live with the Respondent she would do actual violence to his person, which would necessarily endanger his life and health.

4.

That there was born to the marriage between your Complainant and the Respondent, one child, Joni Lynn Taylor, age 9 months, who is now living with your Complainant and the Respondent; that Your Complainant is the suitable, fit and proper person to have the care, control and custody of the said child. That the Respondent is not a fit and proper person to have the care, control and custody of the said minor child.

5.

Your Complainant further avers that the Respondent has threatened to take their child and move her from the State of Alabama, and he believes she will carry out her threats; that the Respondent does not have a fit and proper place to raise the said child; further that the Complainant believes that his child's health and life would be impaired if the Respondent were allowed to take the child.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Wanda Frink Taylor, 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 practices of this Honorable Court.

Premises considered, Your Complainant prays that your Honor will forth with grant him an ex parte hearing and grant him the temporary custody of the aforementioned child pending a final hearing of this cause or in the alternative to issue an order ordering the said Respondent not to remove the said child, Joni Lynn Taylor, from this county until a final disposition of this cause has been made by this Honorable Court.

Your Complainant further prays that on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting him the right to remarry; Your Complainant further prays that your Honor will by said decree grant him the permanent care, custody and control of his minor child, Joni Lynn Taylor; your Complainant

further prays for such, other, further or different relief to which the Complainant may be in equity entitled.

Wilters & Brantley

BY: Ray J. Wilters, Jr.
Solicitors for the Complainant

John C. Taylor
Complainant

STATE OF ALABAMA

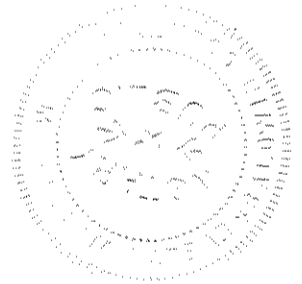
BAIDWIN COUNTY

Before me, the undersigned authority, personally appeared John C. Taylor, the Complainant in this cause, who being by me first duly sworn, doth depose and say: I am the Complainant in this cause; I have read this Bill of Complaint and have personal knowledge of the matters set out therein and hereby verify them to be true and correct.

John C. Taylor

Sworn to and subscribed before me this 20 day of August, 1956.

Evelyn Watts
Notary Public



385-6

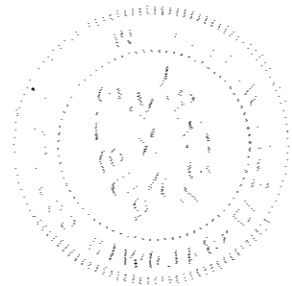
JOHN C. TAYLOR
COMPLAINANT
VS
WANDA FRINK TAYLOR
RESPONDENT

BILL OF COMPLAINT

FILED

AUG 20 1956

ALICE J. DUCK, Register



JOHN C. TAYLOR	∅	IN THE CIRCUIT COURT OF
COMPLAINANT	∅	BALDWIN COUNTY, ALABAMA,
VS	∅	IN EQUITY
WANDA FRINK TAYLOR	∅	
RESPONDENT	∅	

This day came John C. Taylor by verified petition and complaint wherein he seeks a divorce against his wife, Wanda Frink Taylor, and praying therein that temporary custody of his child, Joni Lynn Taylor, be granted him pending the termination of this cause, or in the alternative that an order be issued by this Court ordering the Respondent not to remove the child from this county until a final disposition of this cause. The court having read this petition and hearing the testimony of John C. Taylor, it is of the opinion that it would be to the best interest of the child that it remain in the care of its mother, but that she be ordered not to remove the said child from this county.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED, that Wanda Frink Taylor is hereby ordered not to remove from this county Joni Lynn Taylor, a minor, pending a final hearing of this cause.

Dated Aug 20, 1956

Hubert M. Hall

 JUDGE

RECORDED

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Received 20 day of Aug. 1956
and on 20 day of Aug. 1956

I served a copy of the within
on Wanda Frank Taylor

By service on _____

TAYLOR WILKINS, Sheriff
By W. C. Garner D. S.

omi.

Vertical text on the right side of the page, possibly a name or address, including 'TAYLOR WILKINS'.

Vertical text at the bottom right of the page, possibly a date or reference number.

JOHN C. TAYLOR
COMPLAINANT
VS
WANDA FRINK TAYLOR
RESPONDENT

)
) IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA
)
) IN EQUITY
)
) NUMBER: _____

.....

Comes now the Respondent, WANDA FRINK TAYLOR, in the above styled cause and waives further notice of taking of testimony and submission of this cause for final decree.

Wanda Frink Taylor

Sworn to and subscribed before me this 14th day of Sept,
1956.

W. H. [Signature]
Notary Public, Baldwin County, Alabama

JOHN C. TAYLOR

COMPLAINANT

VS

WANDA FRINK TAYLOR

RESPONDENT

WAIVER

Filed Oct 9 1956
Alice J. Kunkle
Register

JOHN C. TAYLOR
Complainant
VS
WANDA FRINK TAYLOR
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NUMBER: _____

ANSWER

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

Comes now the Respondent in the above styled cause and for answer to
Complainant's bill of complaint says as follows:

I

The Respondent admits to the allegation contained in aspect (1).

II

The Respondent admits to statement contained in aspect (2).

III

Respondent admits to the allegation contained in aspect (3) avering
that on to-wit on August 11, 1956 and on occasions prior thereto the Respondent
threatened and abused your complainant and threatened to do actual violence to
his person; Respondent denies the allegations contained in aspect (3) which avers
that she threatened to take his life with a steak knife and that she made other
threats on his life which would necessarily endanger his life and health; that
the conduct of the Respondent was such as to give your Complainant every
reasonable apprehension to believe and he did actually believe that if he continued
to live with the Respondent she would do actual violence to his person, which
would necessarily endanger his life and health.

Now Respondent further says that that Complainant did condone and forgive
the conduct alleged in aspect (3) in the bill of complaint by living with
Respondent as husband and wife on the evening following the alleged conduct and
thereafter.

And Respondent further says that she did not threaten him with a steak
knife, except in self defense, and that if Respondent made statements to that
effect and if Respondent threatened and abused Complainant, it was due to
Complainant's having abused her and their child so that she became overwrought
and desperate for peace and safety for herself and her child so that she made

excited statements in defense of herself and the said child, and that such statements, if made, were not such as to cause Complainant to fear her, and that they did not in fact cause him to do so.

IV

Respondent admits to the allegations contained in aspect (4) of the Complainant as the birth and name of their child; Respondent denies the allegations contained in aspect (4) which aver that Complainant is a suitable fit and proper person to have the care, control and custody of the said child, and Respondent denies that allegations contained in aspect (4) which aver that the Respondent is not a fit and proper person to have the care, control and custody of the said minor child.

V

Respondent denies the allegations contained in aspect (5) of the bill of complaint.

VI

Respondent further avers that it was necessary to employ the services of an attorney to defend this, her cause, before this Honorable Court and that she has no separate estate or income to pay such attorney; that Wilson Hayes an attorney, was so employed to defend this, her cause, and that she has no means to compensate him.

NOW having answered Complainant's bill of complaint fully and each and every aspect thereof, Respondent makes known to Your Honor the following in the nature of a Cross-Bill:

VII

Respondent alleges that she and Complainant are over the age of 21 years and that they are residents of Baldwin County, Alabama.

VIII

That they were married on, to-wit, March 5, 1955 in the State of Mississippi.

IX

That they have one child, Toni Lynn Taylor, age nine months.

X

That on to-wit August 11, 1956, and frequently theretofore Complainant struck and beat Respondent and did actual violence to her person endangering her life and health and that after the filing of this complaint, on, to-wit, August 26, 1956 Complainant, did beat her with his fists and do great bodily harm to her, causing her great pain and anguish, and making her so nervous and

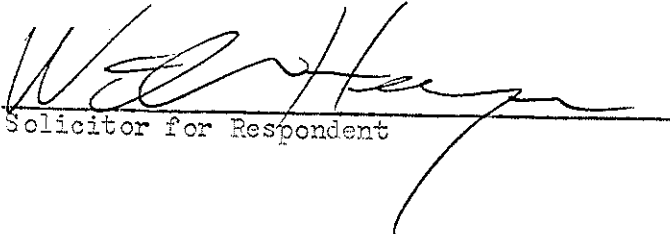
excited for her own safety and that of her two children that she was compelled to journey to Tampa, Florida to seek the comfort and solace of her family and to leave one of her children in Baldwin County, Alabama so that the other might be taken to a place of safety and be cared for, all of which beating and ill treatment endangered her life and health.

XI

That Complainant is not a fit and suitable person to care for their child, Toni Lynn Taylor; that the said child is an infant of 9 months and requires a mother's care, and that Respondent is a fit and suitable person to have the care, custody and control of the said child.

THE PREMISES CONSIDERED Respondent prays that Your Honor will make the said John C. Taylor Cross-Respondent to this, her cross-complaint, that he be required to plead, answer or demur within the time prescribed by law and the practice of this Honorable Court;

That Your Honor will, upon a final hearing of this cause, make and enter a decree divorcing her from the said John C. Taylor, and granting to her the permanent care, custody and control of the child, Toni Lynn Taylor, and allowing her alimony for herself and support for the said child, both in keeping with her's and the said John C. Taylor's station and income, and a reasonable attorney's fee; and she further prays such other, further, different and general relief to which she may be in equity and good conscious intitled.


Solicitor for Respondent

JOHN C. TAYLOR

Complainant

VS

WANDA FRINK TAYLOR

Respondent

IN EQUITY

NUMBER: 3856

FILED

SEP 5 1956

ALICE J. DUCK, Register

ANSWER

SEPARATION AGREEMENT

Memorandum of agreement, made and entered into this 12th day of September, A.D. 1956, by and between JOHN C. TAYLOR of Bay Minette, Alabama party of the first part and WANDA FRINK TAYLOR his wife, of the same place, party of the second part in manner following:

Whereas, the said parties have been legally married and lived as husband and wife for several years last past, and certain differences have arisen between them which have caused the parties to determine that they can no longer continue the marriage relation and cohabit as husband and wife, and they are now living separate and apart from each other, and it is the desire of both parties to finally and for all time settle and determine their property rights, all right of support and maintenance of their child by the said first party, together with any and all other rights existing between the said parties growing out of the marriage relation and any other relations that may have heretofore existed between the said parties hereto;

Therefore, the said parties hereto for and in consideration of the mutual promises herein made and of the acts to be performed by the respective parties hereto, each covenant and agree as follows:

It is mutually agreed that the party of the first part shall have the care, custody and control of the said child, Joni Lynn Taylor for three months of each year hereafter and the party of the second part shall have the care, custody and control of the child for nine months, and that the custody by the party of the first part shall commence the 2nd Tuesday in June of each year and end on the 1st of September of each year; provided however that in the event either party shall fail or refuse, without good cause, to surrender custody of the said child to the other party when due, then and in that event the offended party shall have by this agreement full care, custody and control of the said child; provided further that if either party shall be or become unable to exercise their term of custody, then and in that event full care, custody and control shall vest in the other party; that the said party of the first part shall contribute \$60.00 per calendar month for the support of the said child to be paid bi-monthly during the term of custody by the party of the second part and not during the term of custody by the party of the first part.

It is further agreed that certain articles of household furniture and appliances belonging to the parties hereto and enumerated on a list attached hereto shall become the property of the party of the first part, save that none of these shall go to any of the immediate family of the party of the first part by sale, gift or any other means.

It is further agreed that in the event a divorce is granted to one of the parties hereto by the Circuit Court of Baldwin County, Alabama, in Equity sitting, the decree of such divorce may, at the descretion of the Court, incorporate the provisions herein set out, and it is the wish of the parties that it do so.

It is further agreed that the party of the first part shall pay costs and attorney's fee herewith connected; and in the event that a divorce as hereinbefore mentioned is granted, then and in that event, party of the first part shall pay all costs and attorney's fee therewith connected;

In witness whereof the said parties hereto have, after consultation with their respective counsel relative to the matters herein set forth and agreed upon, having been advised fully and fairly as to all of the facts and circumstances herein set forth, have hereunto set their hands and seals the day and year first above written.

Executed in duplicate.

John C. Taylor

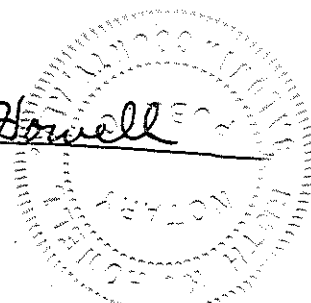
Wanda Frink Taylor

Mary J. Walters
As Attorney for John C. Taylor

W.D. Hayes
As Attorney for Wanda Frink Taylor

Sworn to and subscribed before me, this 25th day of September 1956.

Ruth K. Howell, Notary Public in and for Baldwin
County, Alabama

Ruth K. Howell


INVENTORY OF PROPERTY OF PARTIES

Living room furniture

- 1 red couch
- 1 white upholstered chair
- 1 gray swivel upholstered chair
- 2 mahogany occasional tables
- 1 mahogany cocktail table
- 2 ceramic table lamps
- 1 Emerson 21 inch TVset

Kitchen

- 1 clothes dryer
- 1 automatic washing machine
- 1 metal and formica breakfast table
- 6 metal and plastic breakfast chairs

Bedroom

- 1 "Bookcase" bedstead and mattress and box springs
- 1 Chest of drawers
- 1 "double" dresser with mirror

J.C.I.

W.F.J.

JOHN C. TAYLOR

COMPLAINANT

VS

WANDA FRANK TAYLOR

RESPONDENT

SEPARATION AGREEMENT

*Filed Oct 9, 1956
Alice J. Duck
Register*

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, as such time and place as you may appoint, to call before you and examine John C. Taylor and Macie C. Taylor

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein John C. Taylor is

Complainant
and Wanda Frink Taylor is

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

Witness 29 day of September, 1956

Alvin J. Watts
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

John C. Taylor

Complainant

VS.

Wanda Frink Taylor

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

John C. Taylor

Macie C. Taylor

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John C. Taylor

Wanda Frink Taylor

vs.

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 cross, and answer and waiver of Respondent and testimony of
John C. Taylor and Macie C. Taylor

and in behalf of Defendant upon _____

*W. Stens & Brantley
by Jerry J. Wilkins, Jr.*

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

John C. Taylor

vs.

Wanda Frink Taylor

NOTE OF TESTIMONY

Filed in Open Court this 7

day of Oct., 1956

Register.

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

JOHN C. TAYLOR

Complainant

VS.

WANDA FRINK TAYLOR

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me John C. Taylor and Macie C. Taylor

witnesses named in the Requirement for Oral Examination, on the 29 day of September 1955, at the office of Wilters & Brantley

in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said John C. Taylor and Macie C. Taylor doth depose and say as follows:

My name is John C. Taylor. I am the Complainant in this case.

I was married to the Respondent Wanda Frink Taylor on March 5, 1955, at Moss Point, Mississippi. We lived together as husband and wife until August 11, 1956. On that date she made threats against my life and health. I am afraid that she will do me great bodily harm and injury my life and health.

She and I have one child, Joni Lynn Taylor age about nine months old.

John C Taylor

ORAL EXAMINATION.

I, Evelyn Watts, 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 him and he 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 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 10 day of October, 1956

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

John C. Taylor
vs. Complainant
Wanda Frink Taylor
Respondent.

Oral Deposition

Filed Oct 9, 1956
Alvin J. Wiltschko, Register.
Recorded in _____ Record _____

Vol. _____ Page _____
Register _____

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JOHN C. TAYLOR

Complainant

VS.

WANDA FRANK TAYLOR

Respondent

I, Evelyn Watts
as Register and Commissioner

have called and caused to come before me Macie C. Taylor

witnesses named in the Requirement for Oral Examination, on the 29 day of September
1956, at the office of Wilters & Brantley
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 Macie C. Taylor
doth depose and say as follows:

My name is Macie C. Taylor. I am the mother
of the Respondent. I know that they were married on March 5, 1955
and that they lived together as husband and wife until August 11,
1956. They had a great deal of martial discord. I heard her
threaten him on August 11, 1956 occasion. It is my belief that
they should be separated for their own welfare. They have one
child, Joni Lynn Taylor, age about nine months.

Macie C. Taylor

ORAL EXAMINATION.

I, Evelyn Watts, 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 her and she 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 _____ or had proom made before me of the identity of said witness _____; that I am not of counsel or 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 10 day of October, 1956.

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

John C. Taylor

vs. Complainant

Wanda Prink Taylor

Respondent.

Oral Deposition

Filed Oct 9, 1956

Wright-Walsh, Register.

Recorded in _____

Record _____

Vol. _____ Page _____

Register _____

JOHN C. TAYLOR
COMPLAINANT
VS
WANDA FRINK TAYLOR
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY
NO 3856

FINAL DECREE

This cause coming on to be heard was submitted upon Bill of Complaint, Answer and Cross Complaint, and Answer and Waiver filed by the Respondent and testimony as noted by the Register, and upon consideration thereof It is Ordered, Adjudged and Decreed, by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant and Respondent be, and the same are hereby dissolved, and that the said Complainant, John C. Taylor, is forever divorced from the said Respondent, Wanda Frink Taylor, for and on account of cruelty.

2. That the care, control and custody of the minor child of the marriage, Joni Lynn Taylor, is awarded to the Complainant for a period of three months in each year commencing on the second Tuesday in June and ending on the 1st day of September.

3. That the care, custody and control of the minor child of the marriage, Joni Lynn Taylor, is awarded to the Respondent for a period of nine months in each year commencing on the 1st day of September and ending on the second Tuesday in June.

Upon consideration of the written agreement entered into between the Complainant and the Respondent, It is further Ordered, Adjudged and Decreed, by the Court, as follows:

(A) That said agreement is hereby in all things ratified and approved.

(B) That the Complainant pay over to the Respondent the sum of SIXTY (\$60.00) Dollars per calendar month for the support and maintenance of the said minor child during the period which the Respondent has the actual care, control and custody of the child under this decree only and not during the period which he, the Complainant, has the care, control and custody of the child.

(C) That the Complainant pay to the Respondent's Solicitor the sum of One Hundred Fifty (\$150.00) Dollars for legal services rendered in this cause.

(D) That the Complainant herein pay the cost of this proceeding, for the collection of which let execution issue.

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 the Respondent be, and they are hereby permitted to again contract marriage upon payment of the costs of this suit.

Done and ordered this the 10 day of October, 1956.



CIRCUIT JUDGE IN EQUITY

