

3965

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FATE WELCH, JR., Complainant

vs.

PEGGY RUTH WELCH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on ORAL TESTIMONY IN OPEN COURT and 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 FATE WELCH, JR. is forever divorced from the said PEGGY RUTH WELCH for and on account of VOLUNTARY ABANDONMENT

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 FATE WELCH, JR. the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 9th day of April 1957

[Handwritten signature of H. M. Hall]

H. 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

FATE WELCH, JR.
Complainant

vs.

PEGGY RUTH WELCH

Respondent

DIVORCE DECREE

FILED
APR 3 1957
ALICE J. BUCK, Register

PAIS WELCH, Jr.
Complainant

VS

PEGGY RUTH WELCH
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

NUMBER _____

.....

Comes now Peggy Ruth Welch, Respondent in the above styled cause, and shows unto the Court and Your Honor as follows:

That she is a minor of the age of fifteen years: that she hereby nominates as her Guardian ad Litem John V. Duck, an attorney at law and solicitor in chancery in Bay Minette, Baldwin County, Alabama, who is not interested in this proceeding.

Dated this 9 day of April, 1957.

PEGGY RUTH WELCH
Respondent

CONSENT TO ACT

I, JOHN V. DUCK, hereby accept nomination and consent to act as Guardian ad Litem for the minor respondent in the above styled cause.

Dated this 9th day of April, 1957.

John V. Duck
Guardian ad Litem

NOMINATION OF GUARDIAN AD LITEM

FATE WELCH, JR.,
Complainant

vs.

PEGGY RUTH WELCH,
Respondent

IN THE CIRCUIT COURT OF
RALDWIN COUNTY, ALABAMA

FILED

APR 9 1957

ALICE I. DICK, Register

Co
503

95

RETURNED Feb. 12, 1957
Not found in my County after diligent
search and inquiry.

RAY D. BRIDGES, Sheriff
By Sanders D. Sa.

FATE WELCH, JR.
Complainant

VS

PEGGY RUTH WELCH
Respondent

CIRCUIT COURT
IN EQUITY

NUMBER: 3965

FILED
FEB 6 1957
ALICE A. BUCK, Register

[Faint handwritten notes]

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No. 3965

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon PEGGY RUTH WELCH

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

PEGGY RUTH WELCH

Defendant

by FATE WELCH, JR.

Plaintiff

Witness my hand this 6th day of February 1957

[Signature] Clerk

BOOK 022 PAGE 17A

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

FATE WELCH JR.

Plaintiffs

vs.

PEGGY RUTH WELCH

Defendants

SUMMONS and COMPLAINT

Filed, 19.....

....., Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

Feb. 8, 19*57*

, Sheriff

I have executed this summons

this, 19.....

by leaving a copy with

..... Sheriff

..... Deputy Sheriff

RATE WELCH, JR.
Complainant
VS
PEGGY RUTH WELCH
Respondent

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

.....


Comes now Respondent in the above styled cause and accept services a copy of the Complainant's bill of complaint and waives further notice and waives all further notices of taking of testimony and submission, and for answer to the bill and each paragraph thereof, says:

1. Respondent admits to the allegations containing in paragraph 1.
2. Respondent admits to the allegations to paragraph 2.
3. Respondent denies the allegations containing in paragraph 3 and demands strict proof thereof.

PEGGY RUTH WELCH
Respondent

Sworn to and subscribed before me this the 7TH day of April, 1957.

W. C. Hayes
Notary Public, Baldwin County,
Alabama



FATE WELCH, JR.

Complainant

VS

PEGGY RUTH WELCH

Respondent

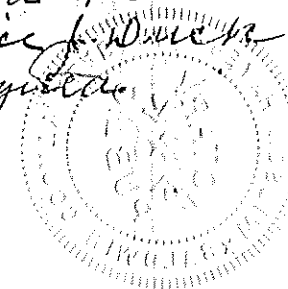
CIRCUIT COURT

IN EQUITY

NUMBER: _____

WAIVER AND ANSWER

Filed 4-8-57
Archie J. Duncanson
Register



PAUL WELCH, JR.
Complainant

vs

PEGGY RUTH WELCH,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

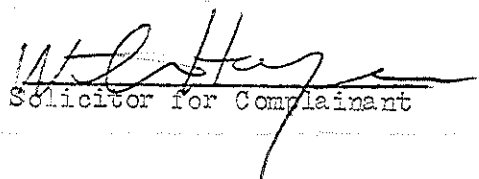
NUMBER _____

NORICE OF DAY SET FOR TAKING TESTIMONY AND SUBMISSION
FOR FINAL DECREE

TO JOHN V. DUCK, GUARDIAN AD LITEM for the

Respondent:

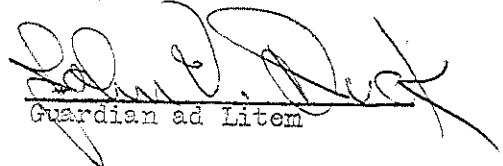
You are hereby notified that testimony will be taken in the above styled cause orally in open court on Tuesday, April 9, 1957, at 3:00 P.M. and that the above styled cause will be submitted for final decree on that date.


Solicitor for Complainant

I, JOHN V. DUCK, as Guardian ad Litem for the

Respondent in the above styled cause do hereby accept service of a copy of the above styled Notice and do hereby waive any further service of same and do hereby agree that such testimony may be taken and the cause submitted as set out in such Notice.

Dated this 9th day of April, 1957.


Guardian ad Litem

NOTICE

FA B WELCH, JR.,
Complainant

vs.

PEGGY RUTH WELCH,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

APR 9 1957

ALICE I. BUCK, Register

12.50

FATE WELCH, JR.,
Complainant,
VS.
PEGGIE RUTH WELCH,
Respondent.

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

HON. WILSON HAYES, REPRESENTING THE COMPLAINANT.
HON. JOHN DUCK, GUARDIAN AD LITEM.

FATE WELCH, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Hayes.

- Q. What is your name?
- A. Fate Welch, Jr.
- Q. You are the Complainant in this case, are you not?
- A. Right.
- Q. Where do you live?
- A. Bay Minette.
- Q. Are you over the age of 21?
- A. That is right.
- Q. How old is Peggy Ruth Welch, the Respondent in this case?
- A. 15.
- Q. Is she a resident of Baldwin County, Alabama?
- A. That is right.
- Q. Are you married to Peggy Ruth Welch?
- A. That is right.

- Q. Were you married to her in Perdue Hill, Alabama?
- A. That is right.

FILED
APR 20 1957
ALICE L. DUCK, Register

Q. When?

A. January 20th

Q. What year?

A. 1955.

Q. Did you all live together as husband and wife?

A. Yes sir.

Q. On January 20, 1957, did anything happen between you two?

A. No, we just separated.

Q. What was the first notice that you had that you were separated?

A. Well, she left a note saying she was gone and thanked me for my mone and such stuff as that.

Q. You came home and found a note?

A. That is right.

Q. As near as you can, relate the contents of that note/

A. I don't know whether I can keep the note in mind now --

Q. As close as you can?

A. She thanked me for my money and said it would get her a long ways where she was going.

Q. Did she say she was ever coming back?

A. She said she wasn't and for me not to come hunting her; that she wouldn't be at her mother's or any of her kin-people.

Q. Did she state she was coming back?

A. I believe that sis what she stated; that is what the note stated.

Q. Did you look for her at her mother's house?

A. Yes sir.

Q. And at her kin folks house?

A. Yes sir.

Q. Was she there?

A. No, but she come on in later.

Q. You were always willing to live with her as husband and wife up to the time you filed this complaint?

A. That is right.

Q. Have you ever lived with her as her husband since January 20, 1956?

A. No.

NO CROSS EXAMINATION BY GUARDIAN AD LITEM.

EXAMINATION BY THE COURT:

Q. Did you all have any children?

A. Not any.

Q. Do you know whether she is pregnant or not?

A. Not as I know about.

I hereby certify that the foregoing, consisting of pages 1 to 3, both inclusive, correctly sets forth a true and correct transcript of the testimony as taken by me in the above styled cause.

This 9th day of April, 1957

Louise Duenkel
Court Reporter