

(4402)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WYNONA CLARK, Complainant

vs.

JESSE F. CLARK, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confessorum~~ 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 WYNONA CLARK is forever divorced from the said JESSE F. CLARK for and on account of

CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant, be and she is hereby awarded the permanent care, custody and control of the two said minor children, Leslie Gayle Clark and Jesse F. Clark Jr.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the agreement entered into by the parties hereto be, and the same is hereby made a part of this final decree.

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 WYNONA CLARK the Complainant pay the cost herein to be taxed, for which executed may issue.

This 14 day of October 1958

[Signature]

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. 14,022 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

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ALICE J. DUCK, Register

a fit and proper person to have the care, custody and control of the said minor children; That there has been agreement entered into by the Complainant and the Respondent concerning the care, custody and control of the children, and their support and maintenance .

The said agreement is hereto attached and marked as exhibit A.

PRAYER FOR PROCESS AND RELIEF

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said JESSE F. CLARK 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 of your Honor will enter a decree forever barring the bonds of matrimony existing between the Respondent and your Complainant; That the Complainant be awarded the permanent care, custody and control of the minor children Leslie Gayle Clark, and Jesse F. Clark Jr., with the rights of reasonable visitation in the Respondent; That the agreement entered into between the parties and contemplation of divorce be incorporated into this complaint and made a part hereof and that the Court render a final decree incorporating the same therein; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience and title to receive.

Wynona Clark
Complainant

John V. Duck
Solicitor for Complainant

EXHIBIT "A"

AGREEMENT OF PARTIES CONTEMPLATING A DIVORCE
WITH REFERENCE TO CUSTODY OF CHILDREN AND
SUPPORT.

WYNONA CLARK)	IN THE CIRCUIT COURT OF
Complainant)	BALDWIN COUNTY, ALABAMA
-VS-)	IN EQUITY
JESSE F. CLARK)	
Respondent)	

This agreement made and entered into on this the 8th day of October, 1958 by and between Wynona Clark, hereinafter referred to as the party of the first part, and Jesse F. Clark, hereinafter referred to as the party of the second part;

WITNESSETH:

WHEREAS, the parties hereto have been husband and wife for a period of five years, and as a result of such union have two children Leslie Gayle Clark, five years of age, and Jesse J. Clark Jr., age three years; and whereas, said parties have definitely concluded that under conditions now existing it is impractical for them to live together as husband and wife.

NOW, therefore, in consideration thereof, and of mutual agreements hereinafter made, they have mutually agreed to a complete separation under the following expressed terms and conditions.

One: The said parties shall entirely and completely separate as man and wife, living separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate or otherwise act any way so as to embarrass or humiliate the other party.

Two: Party of the first part shall have custody and control of the children Leslie Gayle Clark and Jesse F. Clark Jr., for eleven months out of the year. It is understood and agreed that the party of the second part shall have the right to keep the children for four weeks out of each year, provided that the children are to be kept by him only and when he has proper accommodations other than his immediate family's house.

Three: The party of the second part hereby agrees to pay to the party or the first part the sum of Fifty (\$50.00) Dollars per month for the support and maintenance of the heretofore mentioned minor children, for the eleven month period that the party of the first part has the care custody and control.

June F Clark

Wynona Clark

Witnesses:

Leota H. Dugan
John C. Butler

Wynona Clark -
Complainant
-vs-
Jesse F. Clark,
Respondent.

Bill of Complaint.

FILED
OCT 14 1958
ALICE J. DUCK, CLERK
REGISTER

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[Faint, illegible text, possibly a signature or stamp]

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Ophelia J. Quinley

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 Wynona Clark and Wynema Pruet

a witness in behalf of Wynona Clark in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

WYNONA CLARK

, Complainant

and

Jesse F. Clark

Respondent

on oath, to be by you administered, upon Wynona Clark and Wynema Pruet to take and certify the depositions of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 13 day of

Oct

1954

Alleg J. Verick
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4402

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

WYMONA CLARK

Complainant

VS.

JESSE F. CLARK

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Ophelia J. Quinley

WITNESSES:

Wynona Clark

Wynema Pruet

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

WYNONA CLARK

COMPLAINANT

vs.

JESSE F. CLARK

RESPONDENT

I, Ophelia J. Quinley

as Register and Commissioner

have called and caused to come before me Wynona Clark and Wynema Pruet

witness es named in the requirement for Oral Examination, on the 13th day of October 19 58 , at the office of John V. Duck

in Fairhope, Alabama, and having first sworn said witness es to speak the truth, the whole truth, and nothing but the truth, the said Wynona Clark and Wynema Pruet

doth depose and say as follows:

TESTIMONY OF WYNONA CLARK

My name is Wynona Clark. I am the complainant in the above styled cause and am a bona fide resident of Baldwin County, Alabama, and have been a resident of Baldwin County for more than one year.

The Respondent is a bona fide resident of Baldwin County, Alabama, and is over the age of twenty one years and is now stationed with the United States Army in Germany, and is over the age of twenty one years.

The Respondent and myself were married at Foley, Alabama, on March the 22nd 1953, and lived together as husband and wife until or approximately the 5th day of May, 1958.

That on or around the 5th day of May, 1958 and on various occasions prior thereto, the respondent, cursed, threatened and abused me and threatened to do actual violence to my person, which would necessarily endanger my life and health; and that the conduct of the respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with the respondent he would do actual violence to my person which would necessarily endanger my life and health.

We have two children born as a result of this marriage. Their names are Leslie Gayle Clark, 5 years of age and Jessé F. Clark Jr., 3 years of age; I am a fit and proper person to have the permanent care, custody and control of the said minor children.

The respondent and myself have entered into an agreement concerning the care, custody and control of the said minor children and I would like to have a copy of the said agreement as a part of the final decree of divorce in this case.

Wynona Clark
Wynona Clark

Testimony of Wynema Pruet

My name is Wynema Pruet. I am a sister of the Complainant in this cause. I know of my own knowledge that my sister Wynona Clark has been having marital troubles for some time, and the reason she returned from Germany was the fact that she and her husband were having difficulties.

I know of my own knowledge that the Complainant, Wynona Clark, is a fit and proper person to have the permanent care, custody and control of her two minor children. I believe it would be to the best interest of the said minor children and both parties that this divorce be granted.

Wynema Pruet
Wynema Pruet

ORAL EXAMINATION

I, Ophelia J. Quinley as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to me and I signed the same in the presence of myself and John V. Duck at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 15th day of October, 1958.

Ophelia J. Quinley (L. S.)

No. 44607 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

WYNONA CLARK

COMPLAINANT

vs.

WYNEMA CLARK

RESPONDENT

ORAL DEPOSITION

Filed _____, 19

Register.

RECORDED IN

FILED

Record

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ALICE J. DUCK, CLERK
REGISTER

Register.

Auto copy

WYNONA CLARK
Complainant
-VS-
JESSE F. CLARK
Respondent

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

ANSWER AND WAIVER

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, and 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.

Jesse F. Clark
Respondent

WITH THE UNITED STATES ARMY
~~XXXXXXXXXX~~
MUNICH, GERMANY
~~XXXXXXXXXX~~

I, John C. Bartler, a Notary Public, in ~~and for said~~ ^{the U. S. Army} ~~County of Baldwin, Alabama~~, hereby certify that Jesse F. Clark, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me, on this day, that being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 8th day of October, 1958.

John C. Bartler

Notary Public
JOHN C. BARTLER
1st Lt, IAGC
Asst. Staff Judge Advocate

With the general powers of a Notary Public under Article 136, Uniform Code of Military Justice (P. L. 506 - 81st Cong., 5 May 1950).

WYNONA CLARK

vs.

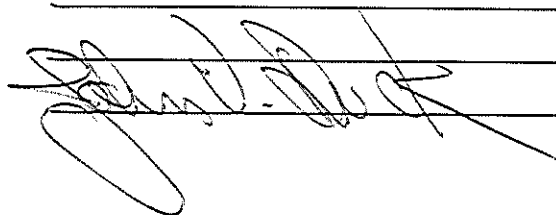
JESSE F. CLARK

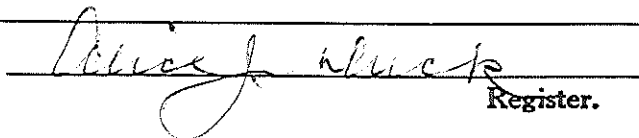
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and the testimony of Wynona Clark and Wynema Pruet, and agreement.

and in behalf of Defendant upon Answer and Waiver and the agreement.




Register.

No. 4402

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

WYNONA CLARK

VS.

JESSE F. CLARK

Note of Testimony

Filed in Open Court this

FILED

day of _____, 19__

OCT 14 1958

ALICE L. DUCK, CLERK
Register.