

4796

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VIVIAN ANN CASOLARE, Complainant

vs.

WALTER EDWARD CASOLARE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso 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 Vivian Ann Casolare is forever divorced from the said Walter Edward Casolare for and on account of 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 Walter Edward Casolare the Respondent pay the cost herein to be taxed, for which executed may issue.

This 18 day of December 1959

[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.

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No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

VIVIAN ANN CASOLARE

Complainant

vs.

WALTER EDWARD CASOLARE

Respondent

DIVORCE DECREE

*Filed 12-18-59
Alice J. Smith Reg.*

VIVIAN ANN CASOLARE,		IN THE CIRCUIT COURT OF
Complainant		BALDWIN COUNTY, ALABAMA
versus		IN EQUITY
WALTER EDWARD CASOLARE,		
Respondent		

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause, and each and every paragraph thereof, separately and severally, says:

1. Respondent admits the allegations of the First Paragraph of the Bill of Complaint.
2. Respondent admits the allegations of the Second Paragraph of the Bill of Complaint as to the date of marriage and date of separation, but denies all other allegations of this Paragraph and demands strict proof of the same.
3. Respondent admits the allegations of the Third Paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of Summons and Complaint in this cause and waives further service of the same. Respondent also waives notice of taking of testimony and notice of submission and agrees that the testimony may be taken and the cause submitted without further notice to him.

Walter Edward Casolare

 WALTER EDWARD CASOLARE

STATE OF ALABAMA)
)
 BALDWIN COUNTY)

I, the undersigned notary public in and for said state and county, certify that Walter Edward Casolare, whose name is signed to foregoing instrument and known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on day same bears date.

Given under my hand and seal this 30th day of November 1959.

My commission expires June 10, 1962.

FILED
 DEC 18 1959

AMICE J. DUCK, Register

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Lucille M. [Signature]

 NOTARY PUBLIC

VIVIAN ANN CASOLARE,

Complainant

- VS -

WALTER EDWARD CASOLARE,

Respondent

ANSWER AND WAIVER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED
DEC 18 1959

Alice J. Duck, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Helen Bailey

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 Vivian Ann Casolare

a witness in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Vivian Ann Casolare

and Walter Edward Casolare, Complainant

Respondent
on oath, to be by you administered, upon Vivian Ann Casolare
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 18 day of December

, 1959

Oliver J. Luck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

4796

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VIVIAN ANN CASOLARE

Complainant

VS.

WALTER EDWARD CASOLARE

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Helen Bailey

WITNESSES:

Vivian Ann Casolare

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THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

VIVIAN ANN CASOLARE, COMPLAINANT

vs.

WALTER EDWARD CASOLARE, RESPONDENT

I, Helen Bailey

as Register and Commissioner

have called and caused to come before me Vivian Ann Casolare and Johnny Lucassen, Jr.

witness^{es} named in the requirement for Oral Examination, on the 18th day of December, 19 59 , at the office of Ernest M. Bailey, Attorney at Law, in Fairhope , Alabama, and having first sworn said witness^{es} to speak the truth, the whole truth, and nothing but the truth, the said Vivian Ann Casolare and Johnny Lucassen, Jr.

doth depose and say as follows:

TESTIMONY OF VIVIAN ANN CASOLARE:

My name is Vivian Ann Casolare and I am the Complainant in the above styled cause. The Respondent, Walter Edward Casolare, and I were married in Lucedale, Mississippi on the 23rd day of January, 1956 and lived together as man and wife until on March, 1958, when the Respondent voluntarily abandoned my bed and board. The Respondent, Walter Edward Casolare, has remained away voluntarily and continuously since that date and we have in no way recognized each other as husband and wife.

Vivian Ann Casolare
VIVIAN ANN CASOLARE

TESTIMONY OF JOHNNY LUCASSEN, JR.

My name is Johnny Lucassen, Jr. and I am the son of the Complainant in the above cause. Of my own knowledge, I know that Walter Edward Casolare, the Respondent named above, abandoned my mother on or about March, 1958 and that they have not lived together as man and wife since that time.

Johnny Lucassen Jr.
JOHNNY LUCASSEN, JR.

ORAL EXAMINATION

I, Helen Bailey 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 them and they signed the same in the presence of myself and Ernest M. Bailey, Attorney at Law, 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 18th day of December, 1959.

Helen Bailey (L. S.)

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THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

VIVIAN ANN GASOLARE,

COMPLAINANT

vs.

WALTER EDWARD GASOLARE,

RESPONDENT

ORAL DEPOSITION

FILED

Filed DEC 18 1959, 19

ALICE J. DUCK, Register, Register.

RECORDED IN

Record

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Register.

STATE OF ALABAMA
BALDWIN COUNTY

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¶

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Walter Edward Casolare to appear and answer, plead or demur, to the Bill of Complaint filed in this Court within thirty days from the service hereof, by Vivian Ann Casolare, as Complainant, against Walter Edward Casolare, as Respondent.

Witness my hand this the 18 day of December, 1959.

Blair J. Luck
REGISTER

VIVIAN ANN CASOLARE,
Complainant
versus

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

WALTER EDWARD CASOLARE,
Respondent

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Comes your Complainant, Vivian Ann Casolare, and files this her Bill of Complaint for divorce against Walter Edward Casolare, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are both over the age of twenty-one years and that your Complainant is a bona fide resident of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, January 23, 1956 in Lucedale, Mississippi and lived together as husband and wife until on, to-wit, March, 1958, when, on account of the matters hereinafter complained of, your Complainant was forced to live separate and apart from said Respondent; that in March, 1958, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away continuously since that date, since which time the Complainant and Respondent

have not lived together nor in any way recognized each other as husband and wife.

THIRD:

That there have been no children born of this marriage between your Complainant and the Respondent. That there is no real or personal property to be disposed of between the parties.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, the Complainant prays that the above named Walter Edward Casolare be made a party defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties and Statutes prescribed by the rules of this Court in such cases made and provided. That upon the final hearing of this cause Your Honor will grant unto the Complainant an absolute divorce from Respondent and will decree that the parties may remarry if they see fit. Your Complainant further prays that Your Honor will grant that she may resume her former name is she desires. Your Complainant further prays that she be granted such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Vivian Ann Casolare
VIVIAN ANN CASOLARE

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared Vivian Ann Casolare, who, after being by me first duly sworn, deposes and says that the allegations contained in the foregoing Bill of Complaint are true and correct.

Vivian Ann Casolare
VIVIAN ANN CASOLARE

Sworn and subscribed to before me this the 30th day of December, 1959.

James M. Smith
NOTARY PUBLIC, BALDWIN COUNTY, ALA.

FILED

DEC 18 1959

ALICE J. DUCK, Register

4796

VIVIAN ANN CASOLARE,

Complainant

vs.

WALTER EDWARD CASOLARE,

Respondent

SUMMONS AND BILL OF COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED
DEC 18 1959
ALICE J. DUCK, Register

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