

4856

DIVORCE DECREE

MOORE PRINTING COMPANY - EAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LIZZIE BURCH, Complainant

vs.

WALTER TERRANCE BURCH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Conesso on ANSWER & 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 LIZZIE BURCH, is forever divorced from the said WALTER TERRANCE BURCH for and on account of

CRUELTY: The parties hereto have entered into an agreement, which said agreement is in writing, and is on file in this cause, the Court approves said Agreement and orders and decrees as follows: That the Respondent is awarded the 1954 Mercury Automobile, and he is ordered to pay the balance due on same. The Complainant having released the Respondent from all claims of alimony and support, no order is made as to same.

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 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 LIZZIE BURCH the Complainant, pay the cost herein to be taxed, for which executed may issue.

This 26 day of April 1960

[Signature]

Judge Circuit Court, In Equity

I, ALICE J. DUCK, 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 April, 1960.

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

LIZZIE BURCH

Complainant

vs.

WALTER TERRANCE BURCH

Respondent

DIVORCE DECREE

FILED

APR 26 1960

W. J. DUCK, CLERK
REGISTER

LIZZIE BURCH

vs.

WALTER TERRANCE BURCH

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, Waiver and Agreement, & Testimony of Lizzie Burch and of Dan Whatley, witness for the Complainant in this cause.

WILLIAM GRAYSON, SOLICITOR FOR
COMPLAINANT.

and in behalf of Defendant upon

Lizzie Burch
Register.

M

No. -----

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

LIZZIE BURCH

VS.

WALTER TERRANCE BURCH

Note of Testimony

Filed in Open Court this _____

day of _____, 19____

FILED
APR 28 1900
ALICE J. DUCK, CLERK
REGISTER
Register.

CERTIFICATE

I, PEGGY PRESTON, the Commissioner appointed by the Court and named in ~~the attached commission~~ or named by agreement of the parties, in that certain cause now pending in

~~XXXXXX~~ Baldwin the Honorable Circuit Court of ~~Mobile~~ Mobile County, Alabama, Sitting in Equity, No. _____, wherein

LIZZIE BURCH is Complainant, and ~~WALTER TERRANCE BURCH~~

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as

such commissioner, caused Lizzie Burch, and Mrs. Dan Whatley,

who ^{are} were made known to me, to come before me at 3:00 o'clock P. M., on April 25, 1960, at 56 S. Conception St. Mobile, Alabama; that said witnesses were first duly sworn

by me as stated; that they were then examined by ~~WILLIAM GRAYSON~~, Solicitor for the

COMPLAINANT., and cross-examined by _____

Solicitor for Guardian Ad Litem & _____, and they testified in Attorney Ad Litem for

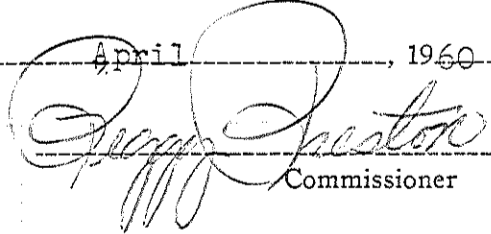
response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near might be the identical language of said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who assented to and signed same, ~~who refused to sign same, who was physically unable to sign same, or who~~

~~waived the reading and signing of same,~~ in my presence and in the presence of said Solicitor for

COMPLAINANT. Solicitor for _____ and Guardian Ad Litem & _____ Attorney Ad Litem for _____

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof, and that the depositions are true and correct as given by the witnesses.

Witness my hand this 25th day of April, 1960.


Commissioner

TESTIMONY OF LIZZIE BURCH, WITNESS ON HER OWN BEHALF:

My name is Lizzie Burch and I am the Complainant in this cause. The Respondent and I were married to each other on July 22, 1958 in Evergreen, Alabama. I am eighteen years of age and the Respondent is twenty years of age. Both myself and the Respondent are bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There are no minor children as issue of our marriage. The Respondent has committed actual violence upon my person, attended with danger to my life and health, and from his conduct there is reasonable apprehension of such violence being inflicted upon my person if I were to ever live with the Respondent again in any respect as husband and wife. The Respondent has a very quick and nasty temper which he finds very hard to control. He has lost his temper with me and has hit me with his hands on many occasions. On one particular occasion when the Respondent lost his temper with me he struck me so hard that he blacked my eye and I was forced to wear a black and blue eye for several days as a result of his cruelty and abuse. He has left bruises on and about my body and arms on many occasions when he would get mad at me for no good reason whatsoever. He has cursed and abused me for nasty and vulgar names and on several other occasions has made threats to do me bodily harm.

Lizzie E. Burch

TESTIMONY OF MRS. DAN WHATLEY, WITNESS ON BEHALF OF THE COMPLAINANT.

My name is Mrs. Dan Whatley and I am the mother of the Complainant. The Complainant is the wife of the Respondent and they were married to each other on July 22, 1958 in Evergreen, Alabama. The Complainant is eighteen years of age and the Respondent is twenty years of age. Both the Complainant and the Respondent are each bona-fide resident citizens of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There are no minor children as issue of their marriage. The Respondent has inflicted actual violence upon the person of the Complainant, attended with danger to her life and health, and from his conduct there is reasonable apprehension of such violence being inflicted upon the person of the Complainant if she were to ever live with the Respondent again in any respect as husband and wife. The Respondent has a very hateful and spiteful manner about him. I have seen him when he would become angry with the Complainant and he would be very mean and nasty with his words to her. I have seen bruises on and about the body of the Complainant on many occasions which were the result of his losing his temper and striking her. She has complained to me on other occasions about how mean he was to her and about his hitting her. I was present on one occasion when the Respondent became angry with the Complainant and twisted her arm until she screamed with pain. I was also present when the Respondent threw a broom at the Complainant when he was angry with her.

Mrs Dan Whatley

LIZZIE BURCH,
Complainant,
-vs-
WALTER TERRANCE BURCH,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY:
NO. _____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto
this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they were
married to each other on July 22, 1958 in Evergreen, Alabama.
The Complainant is eighteen years of age and the Respondent
is twenty-years of age. Both the Complainant and the Respondent
are each bona-fide resident citizens of the State of Alabama
and have been such for more than one year next preceding the
filing of the bill of complaint herein. There are no minor
children as issue of their marriage.

TWO

The Respondent has committed actual violence upon the person
of the Complainant, attended with danger to her life or health,
or from his conduct there is reasonable apprehension of such
violence.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of
this cause, will make the said Walter Terrance Burch, party-respondent
hereto, and will cause him to appear, plead, answer or demur hereto
within the time allowed by law and the rules of this Honorable
Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and Complainant further prays for such other, further or different relief as in equity she may be due, and as in duty bound she will ever pray, etc.

FILED
FEB 4 1930
ALICE J. DUCK, CLERK
REGISTERED

William Simpson
SOLICITOR FOR COMPLAINANT.

LIZZIE BURCH Complainant
No. Vs. WALTER TERRANCE BURCH Defendant

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

ANSWER AND WAIVER

Comes the defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegations of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

I further agree that Mrs. Peggy Preston, may take the testimony in this cause without the issuance of a commission.

Walter Burch
Defendant

Complainant agrees that Mrs. Peggy Preston, may take the testimony in this cause as commissioner, without issuance of a commission.

Lizzie Burch
Complainant

NOTE: The space below is intended for "Agreements Between the Parties".

Complainant agrees that the Defendant is the sole owner of the 1954 Mercury Automobile, and the Defendant agrees to pay the balance due on same.

Complainant releases the Defendant from all claims of alimony and support, as to herself alone.

Defendant agrees to pay the sum of \$50.00 towards Complainant's Attorney fees and Court costs herein.

ATTEST:

John Lewis Segars
Lem Ray Segars
11 E. High St.
Prichard, Ala.

Lizzie Burch
COMPLAINANT.
Walter Burch
DEFENDANT.

STATE OF _____
COUNTY OF _____

I, _____, a NOTARY PUBLIC in and for said State and County, do hereby certify that _____, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, _____ executed the same voluntarily on the day same bears date.

Witness my hand and seal this _____ day of _____, 19_____

NOTARY PUBLIC

Filed _____ STATE OF _____
Register _____ COUNTY OF _____

4836

No. _____

Vs.

ANSWER AND WAIVER

Filed, _____, 19____

RECEIVED
 FEB 4 1960
 CLERK OF SUPERIOR COURT
 DISTRICT OF COLUMBIA
 DEPT. OF JUSTICE
 1000 PENNSYLVANIA AVENUE, N.W.
 WASHINGTON, D.C. 20540

FILED
 FEB 4 1960
 ALICE W. DUCK, CLERK