

1795

DIVORCE DECREE

Printed by THE BALDWIN TIMES

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

KATHERINE WITHERINGTON GRACE

Complainant

VS.

EUGENE PRICE GRACE

Respondent

Answer and

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Can-~~
~~cession~~ Waiver and Testimony as noted by the Register, and upon con-
sideration thereof, the Court is of the opinion that the Complaint 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,
and that the said KATHERINE WITHERINGTON GRACE
is forever divorced from the said EUGENE PRICE GRACE

for and on account of Cruelty.

It is further ordered, adjudged and decreed that
in lieu of alimony the Respondent pay Complainant's
Solicitor's fee in the sum of FIFTY DOLLARS

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 the payment of the cost of this suit.

It is further ordered that EUGENE PRICE GRACE
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 2nd day of January, 1947.

J. W. Hare
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

RECORDED

No. 1795 Page

The State of Alabama

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

KATHERINE WITHERINGTON GRACE

Complainant

VS.

EUGENE PRICE GRACE

Respondent

DIVORCE DECREE

Filed this day of

, 194

Register

KATHERINE WITHERINTON GRACE
Complainant

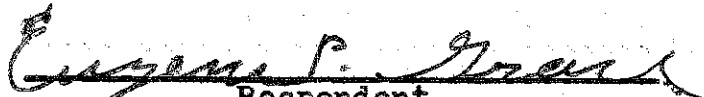
vs

EUGENE PRICE GRACE
Respondent

E Q U I T Y
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

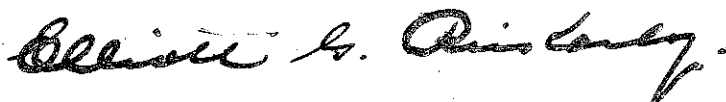
Comes EUGENE PRICE GRACE, Respondent in the above styled cause, and for answer to the Bill of Complaint says he denies each and every allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.


Respondent

Before me, the undersigned Notary Public, personally appeared EUGENE PRICE GRACE, who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 21st day of December, 1946.



Notary Public, Baldwin County, Alabama.

KATHERINE WITHERINGTON GRACE
Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

EUGENE PRICE GRACE
Respondent

DEPOSITIONS OF KATHERINE WITHERINGTON GRACE
AND ROY EARLE WHITE WITNESSES FOR COMPLAINANT.

The above named witnesses, being first duly sworn, upon examination by the Solicitor for the Complainant testified as follows:

KATHERINE WITHERINGTON GRACE

I am the Complainant in this cause and I am nineteen years of age. Eugene Grace is twenty-one years of age and we are both life long residents of Baldwin County, he living in Daphne and I a short distance out of Daphne. We were married December 18th, 1946 at Pascagoula, Mississippi but have not lived together since that day, as I am still living with my parents East of Daphne.

On the night of December 17th last, I went with Eugene Grace and Earle White in a car belonging to a young man by the name of Wilkinson to Spanish Fort, where we picked up another couple who had been going together for some time and who wanted to go to Pascagoula to be married. Just before we left, Grace, whom I knew and liked, but with whom I had only gone with three or four times, suggested that he and I also get married. I laughed the matter off but he kept insisting on the drive and when we got to Pascagoula and the others were getting a license he insisted on getting one to marry me. I told him I did not want to marry him, but he had been drinking and I was afraid to resist. The others tried to urge me on, though Wilkinson did what he could to discourage the matter. However, I was in a strange city and all of the parties had been drinking and for fear of my life did not dare resist and went through the marriage ceremony before a justice of the peace at the same time that Earle White and his wife did. I feared that if I did not do so, that Eugene would kill me. When we got back to Mobile, I got on the bus and came back to my people where I have been living since.

I did not want to go into this marriage as I did not love Grace and because of the way he treated me that day, as he is a drinking man, I felt that if I continued to live with him that he would do me serious injury. As his wife I would fear that he would kill me sometime when intoxicated. I married him only through fear and could get no assistance from the other couple who thought my resistance was put on. Since he has sobered up, Grace sees what he has done and that I am but a wife to him in name only and he is willing to release me from the position that he terrorized me into.

Katherine W. Grace

ROY EARLE WHITE

I am a resident of Baldwin County and well acquainted with both parties to this cause. My present wife and I were with Eugene and Katherine who went down to Pascagoula with us where we were married and while I did not hear any threats or ugly talk from Eugene, I know that his wife left him on the afternoon of the day they were married and has not been back since. I cannot say anything of my personal knowledge as to what had passed between them as I was interested largely on my own affairs.

Roy E White

CERTIFICATE

I, Cecelia S. Mickle, acting as commissioner by agreement of parties hereby certify that in the case of KATHERINE WITHERINGTON GRACE vs EUGENE PRICE GRACE, pending on the Equity side of the Circuit Court of Baldwin County, I caused KATHERINE WITHERINGTON GRACE and ROY EARLE WHITE, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor for the Complainant, they testified as is above written and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 21st day of December, 1946.

Cecelia S. Mickle
Commissioner.

Katherine Witherington Grace

vs.

Eugene Price Grace

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, _____
Testimony of Complainant and Ray White

and in behalf of Defendant upon Answer and Waiver

Rickarby and Rickarby

Alice J. Rickarby
Register.

TO THE

HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA: IN EQUITY:

Comes KATHERINE WITHERINGTON GRACE, and by this her Bill of Complaint, presented against EUGENE PRICE GRACE, respectfully shows:

FIRST: That Complainant is nineteen years of age and Defendant is twenty-one years of age; and both have been life long residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married on December 18th, 1946, but did not live together as husband and wife.

THIRD: That Defendant, while pleasant and amiable normally is a man of violent temper and dangerous when drinking and while in that condition made threats against the life of Complainant. It was because of Defendant's threats and the fear that he would kill Complainant that Complainant went through the marriage ceremony with him; but left him at the first opportunity. Because of his treatment, Complainant has reasonable cause of apprehension and physical violence and danger to her life.

THE PREMISES CONSIDERED, Complainant prays that EUGENE PRICE GRACE be made party Defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said EUGENE PRICE GRACE, granting her the right to marry again should she so desire, the allowance of FIFTY DOLLARS for her Solicitor's fee, and to have such other, further or different relief as to equity may seem meet.


Solicitors for Complainant.

1795 RECORDED

KATHERINE WITHERINTON GRACE
Complainant

vs

EUGENE PRICE GRACE
Respondent

BILL

Filed

1-1-47

*Alice J. Smith
Register*

RECORDED

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

~~KATHERINE WITHERINGTON GRACE~~

vs.

EUGENE PRICE GRACE

NOTE OF TESTIMONY

Filed in Open Court this 1st

day of January, 1946

Alice J. Luck
Register.

Printed By The Baldwin Times

Copies sent

Feb. 26, 1988 3/02/88
Rte. 1 Box 312
Fairhope Ala. 36532

Mrs. Tindal

Would you please send me
copies of divorce decrees
from Eugene & Grace years

1947 Katherine Witherington #1795

1948-49 Lydia Delphine Brooks #2045

1951 Irma Ruth Horton #2740

1951 Ruth N. Rice #3301

CIRCUIT COURT
BALDWIN COUNTY, ALA.
FILED

MAR 2 1988

EUNICE G. TINDAL
Register

Thank you

Mrs Eugene & Grace
Rte 1, Box 312
Fairhope Ala 36532

#1795

Fairhope Ala
Jan 5, 1988

Sent copies 1/7/88
of #1795, 2045,
2740, & 3301.

Mrs Tindal

Enclosed is a money
order for \$5.00. for all
(four) of the divorce decrees
for Eugene P. Grace.

Katherine Witherington	1947
Lydia Delphine Brooks	1948
Irena Ruth Horton	1951
Ruth N. Rice	1954

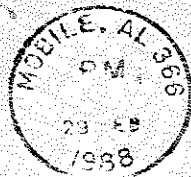
Thank you
Mrs Eugene P. Grace
etc 1 Box 312

Fairhope Ala 36532
CIRCUIT COURT
BALDWIN COUNTY, ALA.
FILED

JAN 7 1988

EUNICE G. TINDAL
Register

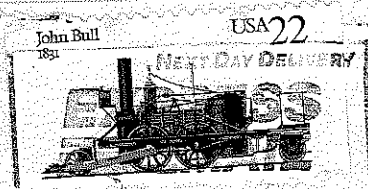
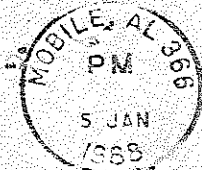
*copies
divorce
3/22/88*



Eunice Tindal

P.O. Box 489

*Bay Minette Ala
36507*



Eunice Tindal

P.O. Box 489

Bay Minette 36507

Mrs Eugene P. Grace
Rte 1, Box 312
Fairhope Ala
36532

Ernestine Grace
Rte. 1 Box 312
Fairhope Ala
36532

2045
2740
3301
1795