

8550 REQUEST FOR DECREE IN VACATION.

MOORE FIG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 40

Term, 192

William Walz

Complainant

vs.

Louise Walz

Defendant

To *M. A. Stone*

Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by *Beebe & Hall*

..... Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beebe & Hall

Solicitor for Complainant

8581. NOTE OF TESTIMONY

William Walz,

vs.

Louise Walz

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

Summons, and service thereon, Oral Depositions of

William Walz, Susie Lee Taylor, and A. J. Hamilton,

Request for Decree in Vacation,

and in behalf of Defendant upon Answer and Waiver

M. A. Stone

Register.

The State of Alabama, } No. 40 CIRCUIT COURT IN EQUITY
Baldwin County }

William Walz Complainant

vs.

Louise Walz Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of

Adultery

It is further ordered, that the said William Walz be, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said William Walz pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Louise Walz

It is further ordered, adjudged and decreed that the said William Walz shall not again marry except to said Louise Walz until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Louise Walz

during the said pendency of appeal

This 7th day of May 1934
J. W. Hare
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA }
BALDWIN COUNTY } CIRCUIT COURT, IN EQUITY

I, _____, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____, 19____,

in the cause of _____

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____, 19____

Register

TO HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

Come the Complainant, WILLIAM WALZ, and humbly complaining against the Respondent, LOUISE WALZ, respectfully represents and shows unto your Honor, as follows:

FIRST

That your Complainant and the Respondent are both resident of Baldwin County, Alabama, over twenty-one years of age; that both have been such resident of Baldwin County, Alabama, for more than three years, next preceding the filing of the bill of complaint in this cause.

SECOND

That your Complainant and the Respondent are husband and wife, having intermarried at Bay Minette, in Baldwin County, Alabama, on to-wit: in May 1931, and that they lived together as husband and wife until in, to-wit: September 1933.

THIRD

That the said respondent, LOUISE WALZ, is now and has been for some time living in a state of adultery with one ANDREW QUINLEY, that they live in Baldwin County, Alabama; that said acts of adultery on the part of the respondent were and are without the consent and approval of the Complainant, and that the Complainant has not condoned said acts of adultery.

WHEREFORE the premises considered, Complainant prays that your Honor will by proper process make the said LOUISE WALZ, party respondent to this bill of complaint, requiring her 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.

COMPLAINANT further prays that upon a final hearing of this cause your Honor will enter an order and decree forever barring the bonds of matrimony existing between him and the respondent, LOUIS WALZ, and that your Honor will give and grant to him such other, further, different, or general relief, as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

William Walz
Complainant

Beebe Stace
Solicitors for Complainant

FOOT NOTE

The Respondent is required to answer each and every allegation contained in the foregoing bill of complaint, in paragraphs FIRST to THIRD, inclusive, but not under oath, oath being hereby expressly waived.

William Walz
Complainant

Beebe Stace
Solicitors for Complainant

WILLIAM WALZ,
Complainant

vs

LOUISE WALZ,
Respondent,

IN THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA.

IN EQUITY

The Respondent, Louise Walz, denies each and every allegation contained in the Bill of Complaint, in this cause and demands strict proof of the same.

The Respondent, Louise Walz, in her own proper persons, waives notice of the time of taking testimony of the witnesses on behalf of the Complaint; the right to cross examine such witnesses, and agrees that the matter may be submitted for final decree forthwith, without notice.

Louise Walz
Respondent

Witnesses:

A. Hamilton

W. Rodgers

TO HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA. SITTING IN EQUITY.

Come the Complainant, WILLIAM WALZ, and humbly com-
plaining against the Respondent, LOUISE WALZ, respectfully
represents and shows unto your Honor, as follows:

FIRST

That your Complainant and the Respondent are both resi-
dent of Baldwin County, Alabama, over twenty-one years of age;
that both have been such resident of Baldwin County, Alabama,
for more than three years, next preceding the filing of the
bill of complaint in this case.

SECOND

That your Complainant and the Respondent are husband and
wife, having intermarried at Bay Minette, in Baldwin County,
Alabama, on to-wit: in May 1931, and that they lived together
as husband and wife until in, to-wit: September 1933.

THIRD

That the said respondent, LOUISE WALZ, is now and has
been for some time living in a state of adultery with one ANDREW
QUINLEY, that they live in Baldwin County, Alabama; that said
acts of adultery on the part of the respondent were and are
without the consent and approval of the Complainant, and that
the Complainant has not condoned said acts of adultery.

WHEREFORE the premises considered, Complainant prays
that your Honor will by proper process make the said LOUISE
WALZ, party respondent to this bill of complaint, requiring her
to plead, answer or demur to the same within the time and un-
der the penalties prescribed by law and the practice of this

Honorable Court.

COMPLAINANT further prays that upon a final hearing of this cause your Honor will enter an order and decree forever barring the bonds of matrimony existing between him and the respondent, LOUIS WALZ, and that your Honor will give and grant to him such other, farther, different, or general relief, as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

William Walz

Complainant

Beebe & Hall

Solicitors for Complainant

FOOT NOTE

The Respondent is required to answer each and every allegation contained in the foregoing bill of complaint, in paragraphs FIRST to THIRD, inclusive, but not under oath, oath being hereby expressly waived.

William Walz

Complainant

Beebe & Hall

Solicitors for Complainant

The State of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County.

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Louise Walz

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

William Walz

against said Louise Walz

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, M. A. Stone, Register of said Circuit Court, this 16th day of

April 1934

M. A. Stone Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

DECREE OF DIVORCE

THE STATE OF ALABAMA
BALDWIN COUNTY,

CIRCUIT COURT IN EQUITY
NO. 40

William Walz Complainant
VS
Louise Walz Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of Adultery.

It is further ordered, that the said William Walz be, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said William Walz pay the costs herein taxed for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Louise Walz

It is further ordered, adjudged and decreed that the said William Walz shall not again marry except to said Louise Walz until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Louise Walz, during the said pendency of appeal.

This 7th day of May, 1934

F.W. Hare /s/
Judge of the Circuit Court of
Baldwin County.

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

I, Alice J. Duck, register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the 7th, day of May, 1934, in the cause of William Walz, Complainant vs Louise Walz, Defendant, as appears of record in said Court.

WITNESS my hand and the seal of said Court, this the _____ day of

_____, 19____

Register

RECORDED
INDEXED

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No. 40

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

William Walz

vs.

Louise Walz

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of May 1934

M. A. Stone

REGISTER

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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

William Wally
VS.

Louise Wally

REQUEST FOR DECREE IN
VACATION

FILED *May 5th* 192*4*
W. H. Stray
Register

RECORDED IN RECORD

VOL..... PAGE.....

Register

RECORDED

CPA

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THE STATE OF ALABAMA,
BALDWIN COUNTY

SERVE ON _____
Circuit Court of Baldwin County
IN EQUITY

No. *H-0*

SUMMONS

William Wals

VS.

Louise Waltz

Solicitor for Complainant

Recorded in Vol. _____ Page _____

Received in office this _____
day of _____ 193 _____

SHERIFF

Executed this *16th* day of
April 193 *4*

by leaving a copy of the within Summons with

Louise Waltz

Defendant

W. R. Stuart

Sheriff

By *A. Hamilton*

Deputy Sheriff

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RECORDED

No. 40

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

William Walz

vs

Louise Walz

DECREE OF DIVORCE

Filed in office this 5th

day of May, 1934

W. A. Stone
Register.

E. O. M.

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

WILLIAM WALZ,

COMPLAINANT

VS.

LOUISE WALZ,

RESPONDENT

M. A. Stone

I,

as Register and Commissioner

have called and caused to come before me William Walz, Susie Lee Taylor and

A. J. Hamilton

witness named in the requirement for Oral Examination, on the 26th day of April

1934, at the office of

in Bay Minette

, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said

William Walz

doth depose and say as follows:

My name is William Walz. I am a resident of Baldwin County, Alabama, over twenty-one years of age. I have been a resident of Baldwin County, Alabama, for more than three years next preceding the filing of the bill of complaint in this cause. The respondent, Louise Walz, is twenty-one years of age and a resident of Baldwin County, Alabama, and has been all of her life. The respondent and I were married at Bay Minette, in Baldwin County, Alabama, in May, 1931, and lived together as husband and wife in Baldwin County, Alabama, until in September, 1933.

That the respondent, Louise Walz, prior to September, 1933, committed acts of adultery with various parties. That immediately upon hearing of the said acts of adultery on the part of Louise Walz I quit living with and considering her as my wife and have not had anything to do with her since that time. She is now and has been for some time actually living with one man by the name of Quinley. She for quite a while lived with him in a house here in Bay Minette, and when they were reported to the law, moved out and are now living in a shack at Lillian, in Baldwin County, Alabama, where they have been for some time. That the said acts of adultery on the part of the respondent were and are without his consent and approval and that he has not condoned said acts of adultery.

William Walz

ORAL EXAMINATION

I, M. A. Stone 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 Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 26th day of April 1934.

M. A. Stone (L. S.)

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No. 47 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

William Stalk
COMPLAINANT

vs.

Louise Stalk
RESPONDENT

ORAL DEPOSITION

Filed April 27, 1934

M. A. Stone, Register.
RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____

SUSIE LEE TAYLOR, a witness for the complainant, being first duly sworn, deposes and says:

My name is Susie Lee Taylor. I know Louise Walz. I have known Louise Walz all of my life. Louise for some time lived in Bay Minette, Alabama, and I know that during the time that she was here Andrew Quinley was going with her. He stayed there a greater part of the time. It was a little two-room house consisting of a bed-room and a kitchen. There was no bed in the kitchen and only one bed in the front room. When she left here she went to Fairhope and then on to Lillian, Alabama. She is now and has been for the past two weeks or more living with Andrew Quinley at Lillian. They live in a small shack consisting of two rooms, a kitchen and bed room. I was down there for a while and know that she and Quinley lived together in the same room and slept in the same bed together.

Susie Lee Taylor

A. J. Hamilton, a witness for the Complainant, being first duly sworn, deposes and says:

My name is A. J. Hamilton. I live at Bay Minette, in Baldwin County, Alabama. I know Louise Walz, the respondent in the above styled cause.

I, as Deputy Sheriff, went down to Lillian, Alabama, to serve a copy of the summons in this case on the Respondent Louise Walz. I found her and one Quinley living in a small negro shack near Lillian. The shack so far as I could see had only two rooms: a bed room and a small room used as a kitchen. There was only one bed so far as I was able to see, and it showed that they had been lying on it. There were no other people there with them.

A. J. Hamilton