

"No. 680. Homer Price and Katie Price; Ex-Parte for adoption of James Robert Lakey.

In the District Court of Lipscomb County, Texas. September Term, 1937.

On this the 6th day of September, 1937, the time heretofore appointed by the Court for hearing herein, came on to be heard the petition of Homer Price and Katie Price, husband and wife, for leave to adopt James Robert Lakey, a minor child, about four years of age and said petitioners came in person with the minor child, and it appearing to the Court that a full written report has heretofore been filed herein by Paul Trenfield, a suitable person heretofore selected and appointed by the Court to investigate the former environments and antecedents of said child for the purpose of ascertaining whether said child is a proper subject for adoption and also to investigate the home of said petitioners and determine whether it is a suitable home for said child. It appearing to the Court from said report and other evidence adduced herein that said petitioners are husband and wife and are both adult white persons, residents of Lipscomb County, Texas; that said child is a boy, will be four years of age on the 14th day of September, 1937, and that said child's residence is in said County and he has been a resident of said County of Lipscomb for more than two years and that said child is a proper subject for adoption; that the home of the petitioners is a suitable home for said child, and that the said child has lived continuously in the home of said petitioners since the 7th day of December, 1933.

That Alene Lakey is the mother of said child. Said child is an illegitimate child. The residence of the mother is unknown. That said child was by the decree of the County Court of Oklahoma County, Oklahoma, upon the petition of his mother, Alene Lakey, said petition having been filed in the Juvenile Division of the County Court of Oklahoma County, Oklahoma, on the 9th day of October, 1933, declared a dependent and neglected child and was awarded to the Home of Redeeming Love in order that he might be adopted by the consent of said institution and the approval of the Court. The Home of Redeeming Love on the 17th day of December, 1936, relinquished, voluntarily, all their rights to the care, custody and power over said minor, James Robert Lakey, and consented that said child, James Robert Lakey, be fully adopted by Homer Price and Katie Price, of Lipscomb County, Texas.

It appearing that it is the desire of the petitioners that the name of said James Robert Lakey be changed to James Malcolm Price.

It is therefore, ordered, adjudged and decreed by the court that said petitioners be, and they and each of them are hereby given and granted leave to adopt said child.

It further appearing to the court that the petitioners, believing they had a right to adopt said child without petitioning the Court, did on the 5th day of January, 1937, execute adoption papers adopting said child and the same is recorded in Volume One, of Adoption, at page 23, 24 and 25 in Travis County, Texas, which the petitioners ask the court to approve and confirm said adoption, and that said adoption papers dated as stated above are hereby effective as of this date and the legal relationship and all rights and duties as between said child and its natural parent are hereby defined and determined, and that said child from henceforth be deemed and held to be the child of said petitioners and each of them, as fully as though born to them in lawful wedlock, and said child shall henceforth be entitled to proper education, proper maintenance, nurture and care from the petitioners and said petitioners shall be entitled to the service, control, custody and company of said child, provided, however, that the rights of inheritance of said child be such as are given to it by the laws of the State of Texas.

It is further ordered that the name of James Robert Lakey be and is hereby changed to James Malcolm Price.

It is further ordered by the Court that the report heretofore filed herein by Paul T. Enfield be kept with the records of the pleadings herein and shall be made a part thereof, and that the files and records in this cause shall be kept by the Clerk of the Court in a sealed envelope and shall not be opened to inspection or to be copied by any person other than the parties interested herein and their attorneys except upon the order of this court, provided this judgment shall be open to the inspection of any person and certified copies hereof may be obtained.

It is further ordered by the Court that the petitioners pay all costs herein incurred for which let execution issue.

W. R. Ewing, Judge."

The State of Texas, I

County of Lipscomb. I, P. O. Boyd, Clerk of the District Court in and for Lipscomb County, Texas, hereby certify that the foregoing is a true and complete copy of the Judgment of said Court in the Adoption of James Robert Lakey, as same appears of record in Volume 3, Pages 231-232, of the Minutes of said Court now on file in my office.

Given under my hand and seal of office, at Lipscomb, Texas, this the 24th day of November, A. D. 1939.

P. O. Boyd  
Clerk, District Court of  
Lipscomb County, Texas.