


759

WILLIAM JOHNSON, Complainant | IN THE CIRCUIT COURT OF
vs. | BALDWIN COUNTY, ALABAMA,
SUSIE JOHNSON, Respondent | IN EQUITY

Comes the Complainant in the above styled cause by his attorney, Richard J. Demeree, and consents to a merger of his Bill of Complaint with a bill subsequently filed by Lawyer Elliott G. Rickarby,


Richard J. Demeree
Attorney for Complainant

Index Nov 10 1941
Ridwell,
copy

State of Alabama,
Baldwin County.

} NO. _____ FALL _____ TERM, 1941.

WILLIAM JOHNSON

Complainant—

VS.

SUSIE C. JOHNSON

Respondent—

TO R. S. DUCK, REGISTER:

In the above stated cause a ANSWER and WAIVER

having been _____ Filed by SUSIE C. JOHNSON _____ the Respondent—, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the complainant—, by E. G. RICKARBY _____, Solicitor— 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.

E. G. RICKARBY

Solicitor— for Complainant—

NO. 759

WILLIAM JOHNSON

Complainant—

VS.

SUSIE C. JOHNSON

Respondent—

Request For Decree In Vacation

Filed Oct 30, 1947

R. D. [Signature]

Register.

WILLIAM JOHNSON)
Complainant)
Vs.)
SUSIE C. JOHNSON)
Respondent)

E Q U I T Y
CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA.

DEPOSITIONS OF WILLIAM JOHNSON AND JANIE McCONNICO
WITNESSES FOR COMPLAINANT:

The said witnesses appeared before me, at the times and places hereinafter stated, and being duly sworn by me, to testify truly in this cause, deposed and said as follows:

WILLIAM JOHNSON

I am the Complainant in this cause. Both my wife and I are over the age of twenty-one years and are both of us life-long residents of Baldwin County, though for the past few years Susie has been working in Mobile. She is now back in Montrose.

We were married in 1930 but shortly after she left me of her own accord and has been living away from me ever since, most of the time in Mobile. In all this time we have had no marital relations. About two years ago she took up with another man, whose name I do not now know, and has been living with him as his wife. I hear they claim to be married. We have one child who lives with his grandmother, her mother. My wife and I have lived separate and apart for more than two years, next past.

William Johnson
.....

JANIE McCONNICO

I have known William and Susie Johnson for the past three years. I know of my personal knowledge that she has been living apart from him for the past three years and that she has been living in Mobile up to quite recently but is now living in Montrose. Both he and she are over the age of twenty-one and they are residents of Alabama. She is now living in Montrose, not far from me.

J. Janie... M. C. Connico.....

I, Alice Hayes Kiler, acting as Commissioner by agreement of the parties in a cause pending on the Equity Side of the Circuit Court of Baldwin County, Alabama, wherein William Johnson is Complainant and Susie C. Johnson is Respondent, hereby certify that I caused William Johnson and Janie McConnico, witnesses for the Complainant, to come before me at my office in Fairhope, where, after being duly sworn to tell the truth, upon examination of Complainant's counsel they testified as is above written, that their testimony after being reduced to writing was read over by them in my presence and signed by them before me.

I further certify that I am not of counsel or of any kin to either party to this cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand as Commissioner this the 25th day of October, 1941.

Alice H. Kiler
Commissioner.

WILLIAM JOHNSON
Complainant

Vs.

SUSIE C. JOHNSON
Respondent.

BILL OF COMPLAINT:

Commissioner's fee paid.

paid Oct 28 1941
R. J. [unclear]
Registrar

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

Comes WILLIAM JOHNSON, and by this his Bill of Complaint,
presented against SUSIE C. JOHNSON, respectfully shows:

FIRST: That Complainant and Defendant are both over the age
of twenty-one years; that both are now and have been for more than
five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Baldwin
County, Alabama, in the year of 1930, but they have not lived together
since 1935.

THIRD: That the Defendant left Complainant in the year 1935
without just cause or legal excuse and has lived separate and apart
from him ever since with no resumption of marital relations.

FOURTH: That for the last two years, Defendant is living with
another man, whose name Complainant does not now recall, as his wife,
going by his name, and as Complainant is informed, claiming to have
been married to him. They reside with the Defendant's mother in the
village of Montrose. Complainant, therefore, charges Defendant with
adultery committed under the circumstances aforesaid.

THE PREMISES CONSIDERED, Complainant prays that Susie C. Johnson
be made party defendant to this cause, and by proper process required
to answer this Bill within the time required by Law.

Complainant further prays that upon the hearing of this cause
a decree be rendered forever divorcing him from said Susie C. Johnson,
granting him the right to marry again should he so desire, and to have
such other further or different relief as to equity may seem meet.

William H. Rindley
Solicitor for Complainant.

WILLIAM JOHNSON
COMPLAINANT

Vs.

SUSIE JOHNSON
RESPONDENT

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

TO THE HONORABLE JUDGE HARE, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY.

Your Orator, William Johnson shows unto Your Honor that he is a resident of Daphne, Baldwin County, Alabama, and is over the age of twenty-one years; that Susie Johnson, Respondent, is a resident of Mobile County, State of Alabama, and is over the age of twenty-one years, and thereupon your Orator complains and shows unto the Court and Your Honor as follows:

(1) Your Orator shows unto Your Honor that he has been a bona fide resident of the State of Alabama for more than one year next preceding the filing of this bill.

(2) That your Orator and the Respondent inter-married on or about 1930 in the County of Daphne, State of Alabama and ever since that time have been and now are husband and wife.

(3) That on or about March 22 one boy, H. P. Johnson, was born to them and since that time has been in the custody of Susie Johnson, Respondent.

(4) That during the year 1936, the exact date of the year being unknown to the complainant, the Respondent voluntarily abandoned Complainant's bed and board and such abandonment has continued until and still exists at the present time and such voluntary abandonment by the Respondent has been for a time more than two years next preceding the filing of this bill.

PRAYER FOR PROCESS

Your Orator prays Your Honor to grant to him all appropriate and legal process and that the same be directed to the said Susie Johnson, Respondent, commanding her to personally appear before the Honorable Court within the time required by law and

to then and there answer fully and completely the several paragraphs of this bill of Complaint and that she be required to abide and obey all orders and decrees of this court which to your Honor may seem proper.

PRAYER FOR RELIEF

Your Orator prays that the bonds of matrimony between himself and the respondent be dissolved. Your Orator further prays that sixty days after the awarding of the final decree dissolving the bonds of matrimony that your Orator may be permitted to remarry.

Your Orator prays further for such other further and general relief that he may be entitled to in equity and good conscience.

W. M. Johnson
Complainant

Richard D. Derr
Solicitor for Complainant

STATE OF ALABAMA)
COUNTY OF BALDWIN)

William Johnson being duly sworn deposes and says that he is the Complainant whose name is subscribed to the foregoing bill of Complaint; that he has heard the above bill of Complaint read and knows the contents thereof; that the said bill of Complaint is true of his own knowledge; except as to the matters and things stated to be upon information and belief and as to those matters and things he believes it to be true.

William Johnson
Complainant

Subscribed and sworn to before me by the said William Johnson this 27th day of September, 1941.

Richard D. Derr
Notary Public in and for said State and County.

Respondent resides at 118 Carroll Street, Mobile, Alabama.

Received in Sheriff's Office
this 29 day of Sept., 1941
W. R. STUART, Sheriff

759
Bill of Complaint

RECORDED

759

118 Carroll Street
Mobile, Ala.

William Johnson
vs

NT Susie Johnson

Received 9/29/41
Returned 9/30/41
Not found in my County after diligent search and inquiry.
W. H. FOLCOMBE, Sheriff
[Signature]

"Filed Sept 29, 1941"
"R. S. Bush, Register"

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

To Any Sheriff of the State of Alabama—GREETINGS:

WE COMMAND YOU, That you summon

SUSIE JOHNSON

118 Carroll Street, Mobile, Alabama,
of ~~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 JOHNSON

against said SUSIE JOHNSON

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, R. S. Duck, Register of said Circuit Court, this 29th day of
September, 1941.

R. S. Duck, Register

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

WILLIAM JOHNSON

Complainant

E Q U I T Y

vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

SUSIE C. JOHNSON

Respondent.

Comes SUSIE C. JOHNSON, Respondent in the above styled cause, and for answer to the Bill of Complaint says she denies each and every allegation of same.

Respondent hereby waives service and 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 her own behalf. She 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.

Susie C. Johnson.....
Respondent.

Before me, the undersigned ^{Justice of Peace} ~~Notary~~, personally appeared SUSIE C. JOHNSON who acknowledged that she executed the foregoing answer voluntarily and with knowledge of its contents.

Witness my hand and official seal this the 23rd day of October, 1941.

George N. Rains
~~Justice of Peace~~
Notary Public, Baldwin County, Alabama.

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Respect
Ray

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WILLIAM JOHNSON

Complainant

VS

SUSIE C. JOHNSON

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso

on _____ 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 WILLIAM JOHNSON is forever divorced from the said

SUSIE C. JOHNSON

for and on account of Voluntarily 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 WILLIAM JOHNSON and SUSIE C. JOHNSON

be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that WILLIAM JOHNSON

the Complainant pay the cost herein to be taxed, for which execution may issue.

This 16th day of November, 19 41

J. W. Hale
Judge Circuit Court, in Equity.

I, R. S. 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 _____, 19 _____

Register of Circuit Court, in Equity.

No. Page.....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

William Johnson

vs. Complainant.

Sessie C. Johnson

Respondent.

DIVORCE DECREE

Filed Nov 12, 1941
A-S. Duch
Register

RECORDED

WILLIAM JOHNSON
Complainant

versus

SUSIE C. JOHNSON
Defendant.

Amended

BILL OF COMPLAINT.

Filed Oct 23 1941
J. S. R. R.
R. J.

ELLIOTT G. RICKARBY
LAWYER
FAIRHOPE, ALABAMA

WILLIAM JOHNSON

vs.

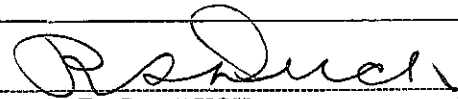
SUSIE C. JOHNSON.

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, _____
AND TESTIMONY OF WILLIAM JOHNSON and JANIE MCCONNICO

and in behalf of Defendant upon ANSWER AND WAIVER



R.S. DUCK

Register.

RECORDED

No. 759

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

WILLIAM JOHNSON

VS.

SUSIE C. JOHNSON

NOTE OF TESTIMONY

Filed in Open Court this 30

day of Oct 1934

RODGER
REGISTER