

TO THE

HONORABLE F. W. HARE

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY:

Comes WILLIAM HILEY BISHOP and by this his bill of complaint presented against JOHNNIE MAUDIE BISHOP, respectfully shows:

FIRST: That both parties are over the age of twenty-one years and native citizens and residents of Baldwin County.

SECOND: That the parties hereto were married in Pensacola, Florida on June 25, 1933 and have lived together as husband and wife up to August 31, 1943, during which time three children were born to them: James Alfred, son, aged eight; Billy Gene, son, aged six and one-half; Shirley Ann, daughter, now two weeks old. Said boys live with complainant and the infant daughter is now with her mother somewhere in Fairhope.

THREE: That for some time Complainant has suspected his said wife of infidelity, but had no proof of same until the night of Sunday, August 22, 1943, at which time his said wife failed to return home. Complainant, accompanied by an officer of the law, went to the home of J. BUNYAN HORTON in Fairhope, where they discovered the Defendant in the bed of same Horton who answered the knock on the door half clothed.

WHEREFORE, Complainant charges the Defendant with adultery committed with said Horton in the Town of Fairhope on August 22, 1943, as well as at other times and places unknown to Complainant.

THE PREMISES CONSIDERED, Complainant prays that the said JOHNNIE MAUDIE BISHOP be named as party defendant to this bill and by proper notice given her be required to answer same within the time prescribed by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing him from the said JOHNNIE MAUDIE BISHOP, granting him the custody of the two older children of the marriage, the right to marry again should he so desire and such other further or different relief as to equity may seem meet.

Elliott S. Rickaby

Solicitor for Complainant.

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WILLIAM RILEY BISHOP
Complainant.

E Q U I T Y

vs.

IN THE CIRCUIT COURT

JOHNIE MAUDE BISHOP
Respondent.

OF

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard was submitted upon Bill of Complaint, Answer of Respondent, Agreement as to custody of the children and Complainant's 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.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and Respondent be, and the same are hereby, dissolved, and the said WILLIAM RILEY BISHOP is forever divorced from the said JOHNIE MAUDE BISHOP on account of adultery.

IT IS FURTHER ADJUDGED that the Complainant shall have the care and custody of the two older children of the marriage, namely: James Alfred Bishop and Billy Gene Bishop, subject to the right of Respondent to see said children at all reasonable times and to have them visit her no oftener than once a month for periods not exceeding one week at a time. That the Respondent shall have the sole care and custody of Shirley Ann, the infant daughter of the marriage, subject to the right of Complainant to see said child at reasonable day light hours, and after said infant reaches the age of two years to have her visit him for periods not exceeding a week no oftener than once a month.

The Complainant having made financial arrangements satisfactory to Respondent as to the property owned by them in common, this^{is} accepted by Respondent in lieu of all alimony.

IT IS FURTHER ORDERED that both parties are permitted to again contract marriage after payment of the costs of this cause, but that neither party shall again marry except to the other until sixty days after the rendition of this decree and if an appeal is taken within sixty days, neither party shall marry except to the other during the pendency of said appeal.

THE COURT hereby retains custody and control of this proceeding for the purpose of making such other and further orders as to custody of the children as may hereafter seem necessary.

IT IS FURTHER ORDERED that Complainant pay the costs of this proceeding for which execution may issue.

Done at Monroeville, Alabama, this the 21st day of August, 1943.



Judge Circuit Court, In Equity.

WILLIAM RILEY BISHOP

Complainant

vs.

JOHNNIE MAUDIE BISHOP

Respondent

E Q U I T Y

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA.

It is agreed between the parties to this cause that the Complainant shall have the care and custody of the two older children of the marriage, subject to the right of the mother to see them at all convenient times and to have them visit her for periods not exceeding a week; she to have the sole care and custody of the infant daughter, subject to the father's like right to see said child, and when she attains the age of two years to have her stay with him also for short visits. Complainant to pay all costs of this proceeding other than \$15.00

Complainant will execute contemporaneously a mortgage upon his real estate agreeing to pay Respondent \$400.00 in lieu of alimony. The foregoing provisions to be embodied in the decree.

Executed this 25th day of August, 1943.

Johnnie Maudie Bishop

William Riley Bishop

WILLIAM RILEY BISHOP

Complainant

vs.

JOHNNIE MAUDIE BISHOP

Respondent.

E Q U I T Y

IN THE CIRCUIT COURT

OF

BALDWIN COUNTY, ALABAMA.

Comes JOHNNIE MAUDIE BISHOP, 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.

Johnnie Maudie Bishop
Respondent.

Before me, the undersigned Notary, personally appeared JOHNNIE MAUDIE BISHOP who acknowledged that she executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 25th day of August, 1943.

Elliott S. Rinkley
Notary Public, Baldwin County, Alabama.

TO THE

HONORABLE F. W. HARE

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

IN EQUITY:

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THREE: That for some time Complainant has suspected his said wife of infidelity, but had no proof of same until the night of Sunday, August 22, 1943, at which time his said wife failed to return home. Complainant, accompanied by an officer of the law, went to the home of J. BUNYAN HORTON in Fairhope, where they discovered the Defendant in the bed of same Horton who answered the knock on the door half clothed.

WHEREFORE, Complainant charges the Defendant with adultery committed with said Horton in the Town of Fairhope on August 22, 1943, as well as at other times and places unknown to Complainant.

THE PREMISES CONSIDERED, Complainant prays that the said JOHNNIE MAUDIE BISHOP be named as party defendant to this bill and by proper notice given her be required to answer same within the time described by law.

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William B. Bishop
Solicitor for Complainant.

WILLIAM RILEY BISHOP,
Complainant,

vs

JOHNIE MAUDIE BISHOP,
Respondent.

E Q U I T Y .

CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA.

DEPOSITIONS OF WILLIAM RILEY BISHOP AND J.H.TITUS,
WITNESSES FOR COMPLAINANT.

The above named witnesses being by me first duly sworn, upon examination by E. G. Rickarby, Esq., Solicitor for Complainant, testified as follows:

WILLIAM RILEY BISHOP.

I am the Complainant on this cause. Both my wife and I are over the age of twenty-one years and native born citizens and residents of Baldwin County. We were married in Pensacola on June 25 1932 and have lived in Baldwin County ever since. We have three children, James Alfred, aged eight years, Billy Jean, six and a half years and a daughter, Shirley Ann, now three weeks old. The two boys are with me, and my wife has the baby.

For some time I have suspected my wife of having improper relations with a man in Fairhope named J. Bunyan Horton. Last Sunday night, August 22nd, she did not come home and about 9:30 o'clock I went by and got Mr J. H. Titus, the Town Marshal to go with me to look for her. We went to Horton's house in Fairhope knowing that his wife is not living with him and found the house ^{quite} dark. We knocked on the door and after a few minutes, Horton opened the door. He had on only his trousers and had evidently just slipped into them. We ^{went} turned the flash-light on into the room and found Mrs Bishop lying in Horton's bed. She was pretty well confused over being caught this way and tried to make some excuse about not coming home on account of the baby which she had in the room with them. There wasn't much for either of them to say so in a few minutes we came away and left them there together. Since then she has not been back to me but is living with Horton. I started this suit for divorce the next day. I have talked with my wife since and we have made an agreement about the children and I am buying her share in our property. *W.R. Bishop*

J O H N H . T I T U S .

Police Officer
I am ~~Marshal~~ of the Town of Fairhope and have held this position for a number of years. I know both Riley Bishop and his wife, Maudie. They are both residents of the Fairhope community and over the age of twenty-one years.

Last Sunday night, August 22nd, Riley Bishop come by my ~~place~~ and asked me to go with him to look for his wife who had not come home. I went with him to the home of Bunyan Horton in Fairhope. Horton and his wife are not living together, she is now working in Mobile. When we got to the house I knocked on the door and after a short interval Horton came to the door. ~~The room was dark but I turned my flashlight on him and saw that he was~~ wearing only his trousers. We then went into the room and found Maudie Bishop in a bed in the room. She tried to make some excuse for not going home but it did not convince and so we came away and left them there together. I have heard that she and Horton have been going together for some time and last Sunday we found that there was truth in the report. *This was between 9 and 10 o'clock*

J. H. Titus

I, Joseph Pose, acting as Commissioner by agreement of the parties in the above styled cause, hereby certify that I caused William Riley Bishop and J.H. Titus, witnesses for Complainant and who are known to me, to come before me in the office of E.G. Rickarby in the Town of Fairhope, where, after being duly sworn, they testified as is above written; that their testimony after being reduced to writing, was read over and signed by them in my presence.

I further certify that I am neither of counsel or of kin to either party or in anywise interested in the result of this cause.

IN WITNESS WHEREOF, I hereto set my hand and seal as Commissioner this the 27th day of August, 1943.

Joseph Pose
Commissioner.

W Riley Bishop.

VS.

Johnnie Maude Bishop.

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, _____
~~XXXXXXXXXXXX~~ and Testimony of W Riley Bishop. and J H Titus.

and in behalf of Defendant upon _____ Answer and Waiver.

R. Luck Register.

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RECORDED

WILLIAM RILEY BISHOP,
Complainant.

versus

JOHNIE MAUDIE BISHOP,
Respondent.

- - - - -

ANSWER AND WAIVER.

* * *

Filed Aug 28 1943
B. J. [Signature]
Reporter

987

WILLIAM RILEY BISHOP,
Complainant,

versus

JOHNIE MAUDIE BISHOP,
Respondent.

AGREEMENT.

W. D. Bishop 28/1943
Johnie Maudie Bishop

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W. RILEY BISHOP, Compt

vs

JOHNIE MAUDE BISHOP,
Respondent.

DEPOSITIONS OF

W. RILEY BISHOP and

John H. Titus,

Witnesses for Complainant.

2 depts Aug 30 - 1943
Joseph
Pyralte

JOSEPH POSE,
Commissioner.

Fee \$2.50 Paid by Complainant.

No. 987.

RECORDED

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

W Riley Bishop.

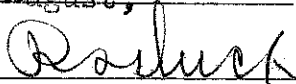
VS.

Johnnie Maude. Bishop/

NOTE OF TESTIMONY

Filed in Open Court this 30th

day of August, 194 3



Register.