

2635

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

Bertha Boone

vs.

Complainant

Walter Boone

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer and waiver 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 Bertha Boone

is forever divorced from the

said Walter Boone

for and on account of

Cruelty.

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

This 7th day of June, 1951.

Jeffrey A. Madaleno
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.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Bertha Boone

Complainant

vs.

Walter Boone

Respondent

DIVORCE DECREE

FILED

JUN 12 1951

ALICE J. DUCK, Register

FILED

JUN 12 1951

ALICE J. DUCK, Register

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

BERTHA BOONE

Complainant

VS.

WALTER BOONE

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Bertha Boone and Nonie Phillips

witness^{ss} named in the Requirement for Oral Examination, on the 5th day of June
194 51, at the office of Hubert M. Hall
in Bay Minette, Alabama, and having first sworn said Witness^{ss} to speak the
truth, the whole truth, and nothing but the truth, the said Bertha Boone
and Nonie Phillips doth depose and say as follows:

My Name is Bertha Boone. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent Walter Boone, is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama.

The Respondent and I married at Baldwin County, Alabama, in June 1927. We lived together as husband and wife, in Baldwin County, Alabama, until about April 1st, 1951.

The Respondent on April 1st, 1951 or thereabouts committed actual violence to my person by striking me and doing other violence to me which necessarily endangered my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did and do actually believe that if I continued to live with him he will do further violence to my person which would necessarily endanger my life and health. The conduct of the Respondent is such as to render it absolutely impossible for me to live with him.

The Respondent and I have four children, Walter Glenn Boone, age 16, Marvin Earle Boone, age 13, Ronnie Boone age 8 and Randy Boone age 8. These children have been living with me all of their life and I am the proper and suitable person to have their care, custody and control.

Bertha Boone

Nonie Phillips, a witness for the complainant being first duly sworn, deposes and says:

My name is Nonie Phillips. I am now and have been during their entire married life known the complainant and the respondent in this cause. I remember the occasion when the Respondent struck the complainant with a hoe handle and broke her arm. I was there immediately after it happened. I have often, also, heard the respondent fuss at and abuse the complainant. It appears to me that most of the trouble between the Complainant and the Respondent was that the Respondent did not want the complainant to control her children.

It is my opinion from personal observation that it would be most difficult for the Complainant to live with the respondent under the circumstances and that it is to their interest that a divorce be granted.

Nonie Phillips

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing 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 es or had proom made before me of the identity of said witness es; 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 5th day of June, 1945

Evelyn Watts (L. S.)

NO.

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Bertha Boone

vs.

Complainant

Walter Boone

Respondent.

Oral Deposition

Filed

6-6

, 1947

Register.

Recorded in

Record

Vol.

Page

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons WALTER BOONE to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity by BERTHA BOONE, as Complainant and against Walter Boone as Respondent.

WITNESS my hand this the 2nd day of May, 1951.

Walter J. Smith
Register

BERTHA BOONE

COMPLAINANT

VS

WALTER BOONE

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELFAIR, J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Bertha Boone, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

That your Complainant and the Respondent married in Baldwin County, Alabama, in June 1927, and lived together as husband and wife until on to-wit, April 1, 1951.

3.

That on, to-wit, April 1, 1951, the Respondent committed actual violence to your Complainant by striking her and doing other violence to her person which necessarily endangered her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would do further violence to her person which would necessarily endanger her life and health.


4.

That there was born to the marriage between your Complainant and the Respondent four children, Walter Glenn Boone age 16, Marvin Earle Boone age 13, Ronnie Boone, age 8, and Randy Boone age 6; that your Complainant is the proper person to have the care, custody and control of the said minor children; that the Respondent is not a suitable, fit or proper person to have the care and control of the said children.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Walter Boone party respondent to this cause of action, requiring him to plead, answer on demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to her the custody, care and control of the minor children, ~~Walter Glenn Boone, Marvin Earle Boone,~~

~~Ronnie Boone and Randy Boone;~~ Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant

Received in Sheriff's Of: a
this 2 day of May 1951
TAYLOR WILKINS, Sheriff

RECORDED W2635

BERTHA BOONE

COMPLAINANT

VS

WALTER BOONE

Little River

RESPONDENT

BILL OF COMPLAINANT

FILED

MAY 2 1951

ALICE J. DUCK, Register

Executed 5-17-51
By serving copy of
the Within Bill of
complaint on Walter
Boone

Taylor Wilkins Sheriff
117 Hall P.O.

BERTHA BOONE
COMPLAINANT

VS

WALTER BOONE

RESPONDENT

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

Now comes the Respondent and accepts service of summons and complaint in this case, and waived further notice.

The Respondent admits the allegations as to ages, residences, marriage, but denies all allegations as to cruelty, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Walter Boone

BALDWIN COUNTY

I, H. H. Lee, a Notary Public, in and for said County, in said State, hereby certify that Walter Boone, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date. Given under my hand and seal on this the 26 day of May, 1951.

H. H. Lee
Notary Public, Baldwin County, Alabama

RECORDED

BERTHA BOONE

COMPLAINANT

VS

WALTER BOONE

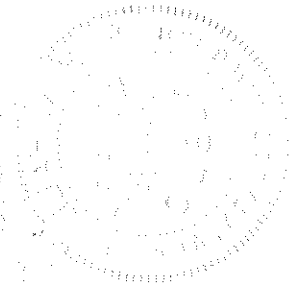
RESPONDENT

ANSWER AND WAIVER

FILED

JUN 6 1951

ALICE J. DUCK, Register



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

KNOW YE: that we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Bertha Boone and Nonie Phillips

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Bertha Boone

and Walter Boone, Complainant

Respondent

on oath, to be by you administered, upon Evelyn Watts
to take and certify the deposition of the witness and return the same to our Court, with all
convenient speed, under your hand.

Witness 5th day of June, 1947

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Bertha Poone

Complainant

vs.

Walter Boone

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

JUN 5 1951

ALICE J. DUCK, Register

Bertha Boone

vs.

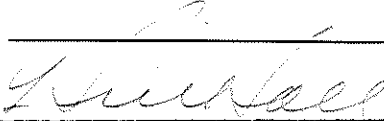
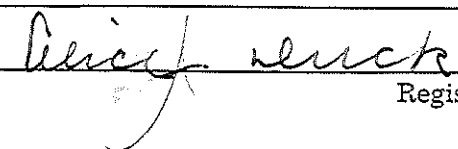
Walter Boone

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
Answer and waiver of respondent, and testimony of Bertha Boone and

Nonie Phillips

and in behalf of Defendant upon


Solicitor for Complainant
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Bertha Boone

vs.

Walter Boone

NOTE OF TESTIMONY

Filed in Open Court this 6th

day of June, 1907.

Alice H. Welch
Register.

Printed By The Baldwin Times

RECEIPT

No. 1781

The State of Alabama, Baldwin County

Equity Division, Circuit Court.

Case No. 2635

Date 6-11, 1957

RECEIVED OF Bertna Boone (Boone vs Boone)
the sum of Twelve 50

Trial Tax \$
\$
\$
\$
\$
\$
\$

As Register, Baldwin County, Ala.

TOTAL \$ 13.50

By _____