

The State of Alabama, }
Baldwin County.

No. 1004.

Circuit Court, in Equity.

RUBY R. MCKENZIE.

Complainant

vs.

WILLIAM GORDON. MCKENZIE.

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 CRUELTY.

It further orderd, that the said RUBY R. MCKENZIE, and WILLIAM GORDON MCKENZIE, be, and they are, hererby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said RUBY R. MCKENZIE, 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

WILLIAM GORDON. MCKENZIE.

It is further ordered, adjudged and decreed that said RUBY R. MCKENZIE, shall not again marry except to said WILLIAM GORDON MCKENZIE, until sixty days after this date, and that if an appeal is taken within sixty days, he shall not marry again except to said WILLIAM GORDON MCKENZIE,

during the said pendency of appeal

This 2nd day of OCTOBER, 1943.

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 192,

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 192

Register

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Sara Poe

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 Evie Norwood and Mrs. H. L. Caraway

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

and Odus N. Norwood Complainant

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

Witness 70 day of September 19 43

[Signature]
REGISTER

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

EVIE NORWOOD,
Complainant

vs.

ODUS N. NORWOOD,
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION

TESTIMONY OF EVIE NORWOOD

My name is Evie Norwood; I am the wife of the respondent, Odus N. Norwood and the complainant in this divorce action.

I was married to the respondent on the 14th day of December, 1938 and have made my home in Foley, Alabama ever since that marriage and for many years prior thereto.

My marriage to the respondent was a mistake as it proved impossible for us to live together in happiness. He is a man of violent temper and upon any little family argument will become violent and will threaten me with personal injury and on many occasions caused me to be afraid that he would do me serious bodily injury.

This sort of treatment seemed to get worse instead of better and in spite of all I could do, I could not avoid these difficulties with him and as a consequence my health was affected and I became nervous and sick and last April after he had again slapped and abused me, I left him and we have not lived together since.

I am sure that it is impossible for us to live together in happiness and that a divorce is the best thing for both of us.

Evie Norwood

TESTIMONY OF MRS. H. L. CARAWAY

My name is Mrs. H. L. Caraway and I am a neice of the complainant Evie Norwood and have known her all my life and her husband Odus N. Norwood ever since they were married and for some time before that.

I have lived near them and have been much in their home and they have been in mine and I have had an opportunity to observe their married life together, and his treatment of her, although they are both careful to conceal their trouble from others.

I do know though, that he has at times been very abusive to her and while I have never actually seen him strike her I have known of it and learned about it later and do know that he has committed actual violence on her person.

He has made her afraid to live with him and this has affected her health, particularly her nerves and since they separated last April, I can see that she is much better living away from him.

She has always been a good wife and never has given him any occasion to mistreat her but he apparently makes no attempt to control his temper.

I feel sure that they can never live together again and will be better off divorced.

Mrs. H. L. Caraway

CERTIFICATE

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Sara Poe, by virtue of the attached commission, the commissioner to take the testimony of Evie Norwood and Mrs. H. L. Caraway, witnesses in behalf of the complainant, do hereby certify that I caused said witnesses to come before me in my office in Foley, Alabama on the 22 day of September, 1943, where said witnesses were examined orally, under oath, and their testimony taken down by me in shorthand, later transcribed on the typewriter and signed by said witnesses.

That I have personal knowledge of the identity of said witnesses and I am not of counsel or of kin to any of the parties to this cause or in any manner interested in the result thereof.

IN WITNESS WHEREOF: I have hereunto set my hand this 23 day of September, 1943.

Sara Poe
Commissioner

Ruby R. McKenzie,
Complainant,
vs
William Gordon McKenzie,
Respondent.

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)
)
)
)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER OF RESPONDENT

Now comes William Gordon McKenzie, the respondent in the above entitled cause, and for answer to the complaint filed against him therein by Ruby R. McKenzie, the complainant in said cause, he denies each and every allegation in said complaint and demands strict and legal proof thereof.

The said respondent hereby waives all service of notice of the filing of the bill of complaint in said cause and service on him of a copy of said bill of complaint, and further waives all notice of the taking of testimony in said cause and of the submission of said cause for final decree.

William Gordon McKenzie
Respondent. *McKenzie*

STATE OF ALABAMA,)
BALDWIN COUNTY.) IN THE CIRCUIT COURT. IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon William Gordon McKenzie to appear within thirty days after service hereof, in the Circuit Court, in Equity, of said State and County, then and there to answer, plead or demur to the attached bill of complaint against him filed in this court by Ruby R. McKenzie.

WITNESS my hand this the ___ day of October, 1943.

Register.

Ruby R. McKenzie,)	
Complainant,)	
)	
vs)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
)	IN EQUITY
William Gordon McKenzie,)	
Respondent.)	

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Comes your complainant, Ruby R. McKenzie, and brings this her bill of complaint against William Gordon McKenzie, the respondent, and alleges unto your Honor as follows:

1. She is now, and has been for more than one year next preceding the filing of the bill of complaint in this cause, a bona fide resident of Baldwin County, Alabama, and the respondent is also a resident of Baldwin County, Alabama. Both complainant and respondent are over the age of twenty-one years.

2. Complainant and respondent were lawfully married to each other, by the Judge of the County Court, at Pensacola, Florida, on December 26, 1942, and lived together as man and wife until August 8, 1943.

3. On said last date of August 8, 1943, respondent committed actual violence on the person of complainant attended with danger to her life or health by striking her with his hand and threatening and abusing her, and there being reasonable apprehension of further acts of such violence, complainant for her safety refused to live further with him. Several other acts of such violence had previously occurred and the respondent being a man of ungovernable temper complainant feared for her life or health. Complainant and respondent have not lived together as man and wife or otherwise since said last date.

WHEREFORE, the premises considered, complainant prays that ~~xxx~~ proper process issue for service upon the said respondent. Complainant further prays that upon the hearing hereof your Honor and the Court will be pleased to give and grant to her a decree of absolute divorce from the said respondent, with permission to complainant to again marry, if she should see fit so to do. And complainant prays for such other, further and different and decrees as she may be entitled to receive, the premises considered.

H. E. Smith
Solicitor for Complainant.

1004

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Ruby R. McKenzie,
Complainant,

vs

William Gordon McKenzie,
Respondent

BILL OF COMPLAINT

Filed Oct 5 1944

Ruby R. McKenzie
W. Gordon McKenzie

1004
RECORDED

Ruby R. McKenzie,
Complainant,

vs

William Gordon McKenzie,
Respondent.

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

ANSWER OF RESPONDENT.

Filed ~~Sept 2~~ 1984
R. J. [unclear]
[unclear]

THE STATE OF ALABAMA }
Baldwin County }

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

Ruby R. McKenzie COMPLAINANT

vs.

William Gordon McKenzie RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me Ruby R. McKenzie and

Corine Roley

witness^{es} named in the requirement for Oral Examination, on the 2nd day of October

194 3, at ~~the office of~~ my office

in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the

truth, the whole truth, and nothing but the truth, the said Ruby R. McKenzie, complain-

ant testifying in her own behalf doth depose and say as follows:

My name is Ruby R. McKenzie. I am the complainant in this cause for divorce against my husband, William Gordon McKenzie. I am now, and have been for more than one year next preceding the filing of the bill of complaint in this cause, a bona fide resident of Baldwin County, Alabama. In fact, I have lived in Baldwin County all of my life. The respondent is also a resident of Baldwin County, Alabama. Both myself and the respondent are over the age of twenty-one years.

The said William Gordon McKenzie and myself were lawfully married to each other, by the Judge of the County Court, at Pensacola, Florida, on December 26, 1942, and lived together as man and wife until August 8, 1943. On said last date of August 8, 1943, the said William Gordon McKenzie committed actual violence on my person attended with danger to my life of health by striking me with his hand and threatening me and abusing me, and as I had reasonable apprehension of further acts of such violence, I for my safety and health refused to live further with him. Several other acts of such violence had previously occurred and he being a man of ungovernable temper I feared for my life or health. The said William Gordon McKenzie and myself have not lived together as man and wife or otherwise since said last date. After our marriage, the respondent began drinking intoxicating liquors almost every day and would come home under the influence of whiskey or beer whichever he could get and was of such a quarrelsome and threatening disposition that if I said anything to him, he would curse me out and hit me and threaten to do me bodily harm. He did not bring any groceries or money home and nearly all of the time I would have to go to my mother's home to get something to eat, as he would not give me any money. I put up with it as long as I could, so on this last occasion when he cursed me and hit me, I saw that it was not safe for me to stay longer with him, so I went to my mother and sisters and have lived with them since and worked and taken care of myself without any help from him.

Ruby R. McKenzie

I, R. S. Duck 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 H. E. Smith, solicitor for complainant at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 2nd day of October 1943

R. S. Duck
Register (L. S.)

No. 1004 Page _____
THE STATE OF ALABAMA,
 BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Ruby R. McKenzie

COMPLAINANT

William Gordon McKenzie

RESPONDENT

ORAL DEPOSITION

Filed Oct 2, 1943

R. S. Duck, Register.
 RECORDED IN _____

Record

Vol. _____ Page _____

Register

And the said Corine Roley, witness testifying in behalf of complainant, after having been duly and legally sworn, doth depose and say as follows:

My name is Corine Roley and I am a sister of Ruby R. Mc* Kenzie. I have known the respondent ever since he was a boy twelve years old. I am over the age of twenty-one (21) years and have lived in Baldwin County, Alabama all my life.

The said Ruby R. McKenzie and the said William Gordon McKenzie were married on December, 1942, and after their marriage they lived about a mile from me here in Baldwin County, Alabama, and I saw both of them nearly every day.

I know that after he was married to my sister he got to drinking intoxicating liquors to excess nearly every day, and when he was this way he was very quarrelsome and abusive. He did not furnish her with any money to buy necessities with and did not buy them for her, so all of the time she was penniless and without anything to eat in the house. I have heard him on numerous occasions threaten to beat her and curse her. I know that he did hit her on several occasions as I saw the bruises. Often she would have to come to our mother's house to get something to eat. I do not see how she put up with it as long as she did, but finally in August of this year she left him after he had cursed, hit and abused her and has lived with our mother ever since then and has had to work and take care of herself. They have not lived together as man and wife or otherwise since August of this year.

Corinne Roley

NO _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Eyle Norwood

Complainant _____
vs.

Ogus N. Norwood

Defendant _____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Sara Poe

WITNESSES:

Eyle Norwood

Mrs. H. L. Caraway

RECORDED

NO. 1604

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

VS.

DECREE OF DIVORCE.

Filed in office this 5th day

day of Oct, 1943
Register.

E. O. M.

Moore Printing Co. :::: Bay Minette, Ala.

1064
RECORDED

Ruby R. McKenzie,
Complainant,

vs

William Gordon McKenzie,
Respondent.

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

ANSWER OF RESPONDENT.

Filed August 2, 1984
Robert
Ray

1004

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Ruby R. McKenzie,
Complainant,

vs

William Gordon McKenzie,
Respondent

BILL OF COMPLAINT

Filed Oct 2 1944

Ruby R. McKenzie
Respondent

1004

 Ruby R. McKenzie

 VS.

 William Gordon McKenzie

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, answer
and waiver of respondent, and oral depositions of witnesses for
complainant, Ruby R. McKenzie and Corine Roley,

and in behalf of Defendant upon answer and waiver.

_____ Register.

No. 1004 RECORDED

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Ruby R. McKenzie

VS.

William Gordon McKenzie

NOTE OF TESTIMONY

Filed in Open Court this 2

day of Oct 1943

R. S. DeLoach

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

Ruby R. McKenzie, Complainant

Vs.

William Gordon McKenzie, Defendant

To R. S. Duck, 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 H. E. Smith,

_____ 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 vaca-

No. 1004 Page _____

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

Ruby R. McKenzie

Vs.

William Gordon McKenzie

**REQUEST FOR DECREE IN
VACATION**

Filed Sept 3, 1945

R. S. [Signature]

Register.

Recorded in _____ Record

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Register.