

(3317)

The State of Alabama, Baldwin County

Circuit Court, In Equity

Genell Barton, _____, Complainant

vs.

John H. Barton, _____, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso on answer and waiver by Respondent~~ 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 _____ Genell Barton _____ is forever divorced from the said _____ John H. Barton _____ 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 _____ John H. Barton _____ the Respondent _____ pay the cost herein to be taxed, for which execution may issue.

This 10th day of August, 1954.

Hubert M. Hall
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

Genell Barton,

Complainant

vs.

John H. Barton,

Respondent

DIVORCE DECREE

FILED
AUG 10 1954

ALICE J. Dyer, Registrar

GENELL BARTON,

Complainant,

VS

JOHN H. BARTON,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

Now comes the respondent in the above styled cause and waives notice of the filing of the bill of complaint in this cause, waives notice of the taking of testimony and consents and agrees that the said testimony be taken and a final decree rendered in this cause without further notice to him.

For answer to the bill of complaint heretofore filed in this cause the respondent says:

1. He denies each and every allegation of the said bill of complaint and demands strict proof thereof.

John H. Barton
Respondent

NO 3317

FILED

AUG 4 1954

ALICE J. DUCK, Register

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

GENELL BARTON,

Complainant

VS.

JOHN H. BARTON,

Respondent

I, Alice J. Duck

as Register and Commissioner

have called and caused to come before me Genell Barton, a

witness named in the Requirement for Oral Examination, on the day of August
194~~5~~ 54, at the office of Alice J. Duck, Register
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Genell Barton
 doth depose and say as follows:

That she is over the age of twenty-one years and is
a resident of Baldwin County, Alabama and has been a bona fide
resident of the State of Alabama for more than one year next
preceding August 4, 1954. That the Respondent John H.
Barton is over the age of twenty-one years and a resident of
the State of New York.

That she and the Respondent were married on or about;
to-wit: September 27, 1952 in Pascagoula, Mississippi and lived
together as man and wife until January 22, 1954. There were no
children born of this marriage.

That the said Respondent did on or about the 23rd day
of January, 1954, and many times subsequent thereto assault, beat,
hit and strike her; that the said Respondent has committed actual
violence on her person attended with danger to her life or health;
that the said Respondent has made numerous threats of doing her
physical harm and from his manner and conduct toward her, she is
reasonably convinced that he will commit an actual violence upon
her person, attended with danger to her life or health.

Genell Barton

ORAL EXAMINATION.

I, Alice J. Duck, as Register and Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to her and she signed the same in the presence of myself and James R. Owen at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom made before me of the identity of said witness—; 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 27th day of August, 1945.

Alice J. Duck (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

GENELL BARTON,

vs. Complainant

JOHN H. BARTON

Respondent.

Oral Deposition

Filed 8-24, 1945

Alice J. Duck, Register.

Recorded in

Record

Vol. _____

Page _____

, Register.

Genell Barton, Complainant

vs.

John H. Barton, Respondent

THE STATE OF ALABAMA


Baldwin County

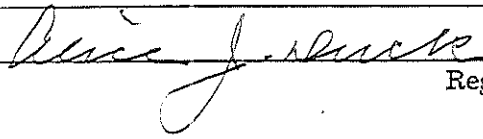
IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Answer and Waiver of Respondent, Testimony of Complainant, _____

and in behalf of Defendant upon Answer and Waiver.


Solicitor for Complainant


Register.

GENELL BARTON,)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
JOHN H. BARTON,)	IN EQUITY
Respondent.)	

BILL OF COMPLAINT

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Genell Barton, respectfully represents
and shows unto the Court and your Honor as follows:


1. That your Complainant is over the age of twenty-one
years and is a resident of Baldwin County, Alabama, and has been
a bona fide resident of the State of Alabama for more than one year
next preceding the filing of this bill of complaint; that John H.
Barton is over the age of twenty-one years and a resident of the
State of New York, but presently resides in the State of Tennessee
in the Armed Forces of the United States.

2. That your Complainant and the Respondent were married
on or about, to-wit, September 27, 1952, at Pascagoula, Mississippi,
and lived together as man and wife until January 22, 1954. There
were no children born of this marriage.

3. Your Complainant alleges and charges that the said
Respondent did on or about the 23rd day of January, 1954, and at
times subsequent thereto assault, beat, hit and strike Complainant;
that said Respondent has committed actual violence on her person
attended with danger to her life or health; Complainant alleges
and charges that the Respondent has made numerous threats of doing
her physical harm and from his manner and conduct toward her, she
is reasonably convinced that he will commit an actual violence upon
her person, attended with danger to her life or health.

The premises considered, your Complainant makes the
said John H. Barton a party respondent to this bill of complaint
and in order that Complainant may have the relief prayed for, may

it please the Court and your Honor, on a final hearing of this cause, to make and enter a decree divorcing your Complainant from said Respondent, granting the Complainant the right to remarry and make such other, further and different orders and decrees as may be just and proper, the premises considered.


Solicitor for Complainant