

1135

Divorce Decree

Printed by The Baldwin Times, Bay Minette.

The State Of Alabama, Baldwin County  
CIRCUIT COURT, IN EQUITY

MARGARET BAILEY JOHNSON,

Complainant

VS

OLIVER B JOHNSON,

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Defendant's 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 Margaret Bailey Johnson,

Oliver B Johnson,

for and on account of Cruelty.

It is further ordered, Adjudged and decreed that the complainant may resume the use of her maiden name, Margaret Bailey,

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

It is further ordered that Margaret Bailey Johnson, the Complainant, pay the cost herein to be taxed, for which execution may issue.

This July, 19 44

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.

The State Of Alabama, Baldwin County  
CIRCUIT COURT, IN EQUITY

MARGARET BAILEY JOHNSON. Complainant

VS

OLIVER R JOHNSON. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,  
and that the said Margaret Bailey Johnson.  
is forever divorced from the said

Oliver R Johnson.

for and on account of Cruelty.

It is further ordered, adjudged and decreed that the

complainant may resume the use of her maiden name, Margaret Bailey,

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 Both parties hereto.

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

It is further ordered that Margaret Bailey Johnson.  
the Complainant. pay the cost herein to be taxed, for which execution may issue.

This 8<sup>th</sup> day of July. 19 44.

A. W. Hare  
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.

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

TO ANY SHERIFF IN THE STATE OF ALABAMA:

You are hereby commanded to summon Oliver R. Johnson to appear and plead, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in this court, and herinafter set out, by Margaret Bailey Johnson against him.

HEREIN fail not, and make due return, as the law directs.

WITNESS my hand this the 9<sup>th</sup> day of June, A. D. 1944.

R. S. Uuck  
Register



Complainant further prays for all such other, further and different relief, orders and decrees as in Equity she may be entitled to receive, the premises considered, as in duty bound she will ever pray, etc.

*J. E. Smith*

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SOLICITOR for the Complainant

RECORDED

No. 135 Page .....

**The State Of Alabama**

Baldwin County

In Circuit Court, In Equity

.....  
vs. Complainant.  
.....

.....  
Respondent.  
.....

**DIVORCE DECREEE**

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118p 1235

Margaret Bailey Johnson,  
Complainant,

VS

Oliver R. Johnson,  
Respondent.

BILL OF COMPLAINT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

*Filed*

*6-9-44*

*R. S. Duck*

Executed 6/20 1944  
by serving copy of within Summons and  
Complaint on

*Oliver Johnson*

*W. R. Stewart* Sheriff  
By *Grady Wall* Deputy Sheriff



THE STATE OF ALABAMA  
Baldwin County

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

Margaret Bailey Johnson COMPLAINANT

VS.

Oliver R. Johnson RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me Margaret Bailey Johnson and

Pete ~~Switzer~~ Congleton

witnesses named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of July

1944, at the office of myself

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Margaret Bailey Johnson

doth depose and say as follows:

My name is Margaret Bailey Johnson. I am the complainant in this cause for divorce against the respondent, Oliver R. Johnson. We are both over the age of twenty-one years. I am now and have been for more than one year next preceding the filing of my bill of complaint in this cause a bona fide resident of Baldwin County, Alabama. The respondent is also a resident of Baldwin County, Alabama.

The respondent and myself were lawfully married to each other on the 9th day of January, 1941, and lived together as man and wife until the first day of May, 1944. On said last date of May 1, 1944, the respondent committed actual violence on my person attended with danger to my life or health, and from his conduct there was reasonable apprehension of further acts of such violence on the part of respondent on my person attended with danger to my life or health. On said last date respondent also threatened to do ~~my~~ me serious bodily injury, and he having struck and choked me on several occasions immediately preceding said last date, I, fearing for the safety of my life or health, refused to live with him further as his wife and we have not lived together as man and wife or otherwise since said last date. On or about July 1943 the respondent got so bad in his treatment of me that he knocked me down and then got on me and choked me so that some of my friends had to pull him off. I had him arrested for this before Mr. Chas. C. Hand, a justice of the peace here, who convicted him and I attach to this deposition and mark Exhibit "A" to my testimony a copy of the record of conviction. After that I was persuaded to go back to live with him as his wife but he never quit his abuse of me and was always threatening to shoot me or do me serious harm. He was very high tempered and would not only threaten me but strike me on the slightest excuse. He slapped me on the day I left him and threatened to shoot me. I had gotten to be a nervous wreck, and fearing that he would carry out his threats, I for the safety of my life and health went to my folks to live. I have been working and making my own living ever since without any help from him. My maiden name was Margaret Bailey and I would like to have it restored to me.

*Margaret Bailey Johnson*

ORAL EXAMINATION

I, R. S. Duck, as Register and Commissioner hereby certify that the foregoing deposition ~~s~~ 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 30 day of July, 1944.

R. S. Duck  
Register

(L. S.)

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THE STATE OF ALABAMA  
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Margaret Bailey Johnson

Complainant

Vs.

Oliver R. Johnson

Respondent

ORAL DEPOSITION

Filed July 3, 1944  
R. S. Duck, Register

RECORDED IN

Record \_\_\_\_\_

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register \_\_\_\_\_

Congleton

~~Pete Stark~~, being first by me duly sworn as a witness in behalf of complainant, testified in substance as follows:

Congleton

My name is ~~Pete Stark~~. I am a resident of Baldwin County, Alabama, and know well both parties to this suit. I saw both parties to this cause very frequently and am good friends to both of them. I have read over the testimony of the complainant and know that it is substantially true.

When he beat and choked her in July 1943, I did not see the occurrence but I did see her next day or two and she had blue marks on her throat for about three weeks afterwards.

About the tenth day of June, 1944, which was after they separated, the respondent got in the car with me here in Bay Minette, Alabama, and talked with me about their affairs. He was always of an extremely jealous disposition and very high-tempered, and he said that he was going to shoot her if he ever saw her out with anyone else. I do not see how she stayed with him as long as she did under the circumstances as his threats against and treatment of her had gotten her in a highly nervous and rundown condition. Since then she has obtained a job and has been working and taking care of herself without any help from him.

Pete Congleton

MARGARET BAILEY JOHNSON  
Complainant

-vs-

OLIVER R. JOHNSON  
Defendant

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER AND WAIVER OF RESPONDENT

Now comes the respondent, Oliver R. Johnson and for answer to the bill of complaint filed herein by the complainant, Margaret Bailey Johnson, he denies each and every allegation in said bill of complaint and demands strict proof thereof.

The respondent waives all service of the said bill of complaint, notice of taking testimony and the submission of said cause for final decree.

*Beberlye*  
*G. Hudson*  
Solicitors for Respondent.

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and  
Hauer

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STATE OF ALABAMA )  
BALDWIN COUNTY )  
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IN THE JUSTICE COURT OF  
CHAS. C. HAND, BEAT 4

I, Chas. C. Hand, justice of the Peace as afore-  
said, hereby certify that in cause numbered 1183, on the docket  
of my court, entitled State of Alabama versus Oliver Johnson,  
defendant, wherein the said Oliver Johnson was charged with  
assault and battery on the person of Margaret Johnson, the follow-  
ing judgment of conviction was, at the trial of said cause in my  
court on the date of July 17, 1943, made and entered, namely:

"On hearing the evidence in this  
case, Defendant found guilty as  
charged and a fine of \$5.00 and  
cost assessed. 7-17-43."

Witness my hand and official seal this the 3 day  
of July, 1944.


  
Justice of the Peace  
Beat 4, Baldwin Co., Ala.

EXHIBIT "A" to Testimony of Complainant

  
Register

Margaret Bailey Johnson.

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vs.

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Oliver R Johnson.

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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 Margaret Bailey Johnson and  
Pete Congeton.

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and in behalf of Defendant upon Answer and waiver.

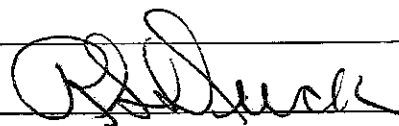
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 Register.

RECORDED

No. ~~1151.~~ 1135

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Margaret Bailey Johnson.

VS.

Oliver R Johnson.

NOTE OF TESTIMONY

Filed in Open Court this 7th.

day of July. 1944

  
Register.