

1209

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

VIOLA E. RESMONDO Complainant

VS

RAYMOND RESMONDO Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Waiver~~
~~XX 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 VIOLA E. RESMONDO
is forever divorced from the said

RAYMOND RESMONDO

for and on account of Cruelty

It is further ordered and decreed that Complainant may resume
her former surname of Gauci.

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

It is further ordered that Raymond Resmondo
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 11th day of October, 1944

J. W. Hare
Judge Circuit Court, in Equity.

I, ROBERT S. DUCK, 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 October, 1944

Alice J. Duck
Register of Circuit Court, in Equity.

Original

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

.....
VIOLA E. RISMONDO.....

vs. Complainant.

.....
RAYMOND RISMONDO.....

Respondent.

DIVORCE DECREE

VIOLA E. RESMONDO
Complainant

E Q U I T Y

vs

CIRCUIT COURT OF

RAYMOND RESMONDO
Respondent.

BALDWIN COUNTY, ALABAMA

DEPOSITION OF VIOLA E. RESMONDO
WITNESS FOR COMPLAINANT

Said witness, being first duly sworn, upon examination of the Solicitor for Complainant, testifies as follows:

VIOLA E. RESMONDO

I am the Complainant in this cause, and with the Defendant, am over the age of twenty-one years. That Defendant and I were married in Pensacola, Florida, January 24, 1941, and have lived together as husband and wife in Baldwin County near Lillian until on or about the second day of September when we parted as hereinafter set out.

That the late years our marriage have not been happy and the attitude of Defendant has been such that as my health was delicate and for fear of this and my life, have been compelled to leave Defendant and which I did on September 2nd when we parted and have since lived separate and apart.

That in the month of January last, Defendant choked me and treated me so cruelly that I have since feared for my life and now because of his behavior have reasonable cause to apprehend further violence and injury.

Viola E. Resmondo

CERTIFICATE

I, Patricia F. Lord, acting as commissioner by agreement of parties hereby certify that in the case of VIOLA E. RESMONDO vs RAYMOND RESMONDO, pending on the Equity side of the Circuit Court of Baldwin County, I caused VIOLA E. RESMONDO, witness for Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor for the Complainant, she testified as is above written, and her testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 10th day of October, 1944.

Patricia F. Lord
Commissioner.

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Viola E Resmondo.

VS.

Raymond Resmondo.

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 ~~XXXXX~~. Viola. E Resmondo.

and in behalf of Defendant upon _____ Answer and Waiver.

 Register.

No. 1209

The State of Alabama,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

Viola. F. Resmondo

VS.

Raymond Resmondo,

NOTE OF TESTIMONY

Filed in Open Court this 11th

day of Oct 1944

R. B. Buel
Register.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA; IN EQUITY.

Comes VIOLA E. RESMONDO, and by this her Bill of Complaint, presented against RAYMOND RESMONDO, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that both are now and have been for more than five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Pensacola, Florida on January 25, 1941, and have lived together as husband and wife near Lillian in Baldwin County, Alabama, up to September 2, 1944, when they parted as hereinafter stated, since which date they have lived separate and apart.

THIRD: During their married life, and particularly of late, Defendant has shown great cruelty to Complainant; and in addition has threatened to kill her. On the night of January 25th in a fit of violent rage, he tried to choke her and dragged her out of bed by the hair. Later he seemed to regret his action, but his temper is so violent and in fits of rage he loses all sense of restraint, so that Complainant fears for her life should she continue to live with him.

FOURTH: That Defendant is a man of moderate means making a fair income, and in addition owns a farm worth about \$5000.00 and has several thousand dollars of money in the bank.

THE PREMISES CONSIDERED, Complainant prays that RAYMOND RESMONDO be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that an order of reference be made directed to the Register of this Court, authorizing him to ascertain and report a proper sum to be allowed Complainant for alimony pendente lite, and for her counsel fees in the prosecution of this cause as well as a proper sum to be allowed her either in lump sum or in monthly installments as permanent alimony, and that upon said report an order be made requiring

Defendant to pay to Complainant such counsel fees and alimony pendente lite.

COMPLAINANT FURTHER PRAYS that upon the hearing of this cause a decree be rendered forever divorcing her from said RAYMOND RESMONDO, granting her the right to marry again should she so desire, and such sum for permanent alimony and support as to your Honor shall seem proper, together with such other, further or different relief as to equity may seem meet.

Elliott S. Riskaly
Solicitor for Complainant.

VIOLA E. RESMONDO

Complainant

vs

RAYMOND RESMONDO

Respondent.

E Q U I T Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes RAYMOND RESMONDO, Respondent in the above styled cause, and for answer to the bill of complaint says he denies each and every allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony of time and place set for taking same and of the right to introduce evidence in his own behalf. He 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.

Raymond Resmondo
Respondent.

Before me the undersigned Notary personally appeared RAYMOND RESMONDO who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 10th day of October, 1944.

Mabel K. Nixon
Notary Public, Baldwin County, Alabama.

VIOLA E. RESMONDO
Complainant

vs

RAYMOND RESMONDO
Respondent

ANSWER and WAIVER

1209

Filed Oct 18, 1944

Benjamin B. [Signature]



5311

Answer + review

June 10, 1941
Dr. S. S. S. S.
Ref. 101

STATE OF ALABAMA)

BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU, that you summon WOODROW KIRKLAND to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within thirty days after the service of this summons, and there to plead, answer or demur without oath to a bill of complaint lately exhibited by DOROTHY KIRKLAND against the said WOODROW KIRKLAND, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of law. And we further command that you return this writ with your execution thereon to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Court on this the 13th day of September, 1944.

R. S. Duck
Register

DOROTHY KIRKLAND,
COMPLAINANT
VS
WOODROW KIRKLAND,
RESPONDENT

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

TO HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

Your Complainant DOROTHY KIRKLAND humbly complaining against the Respondent, WOODROW KIRKLAND, respectfully represents and shows 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 have been for more than three years next preceding the filing of the bill of complaint in this cause; that they are both over twenty-one years of age.

2.

That your Complainant and the Respondent are husband and wife

married at Robertsdale in Baldwin County, Alabama, on the 5th day of March, 1943; that they lived together as husband and wife in Baldwin County, Alabama, until the 25th day of March, 1943.

3.

That the Respondent on the 25th day of March, ¹⁹⁴³ voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

WHEREFORE the Premises considered your Complainant prays that your Honor will by proper process make the said Woodrow Kirkland party respondent to this bill of complaint, requiring him to plead, answer or demur to the same within the time and under the penalties of law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing hereof your Honor will enter an order and decree granting to the Complainant an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will give and grant to her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound, she will ever pray.

BEEBE & HALL,

BY John Lee
Solicitors for the
Complainant.

1199

Executed Sept 29th 1944
by serving copy of within Summons and
Complaint on

Woodrow Kirkland

WRS Stuart

By OS Stuenkel Deputy Sheriff

DOROTHY KIRKLAND

Complainant

vs

WOODROW KIRKLAND

Respondent.

SUMMONS AND COMPLAINT.

Filed

9-19-44

Rece

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA; IN EQUITY.

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Elliott S. Rickaby
Solicitor for Complainant.

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