23/9)

STATE OF ALABAMA O BALDWIN COUNTY O

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Robert Horton, 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 Hazel Horton, as Complainant and against Robert Horton, as Respondent.

WITNESS my hand this 2/2 day of July, 1949.

Alice Such

HAZEL HORTON 

COMPLAINANT 

BALDMIN COUNTY, ALABAMA

VS. 

IN EQUITY

ROBERT HORTON 

RESPONDENT 

RESPONDENT

TO HON. TELFAIR J. MASHBURN JE., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Hazel Horton, respectfully represents and shows unto your Honor and this Honorable Court as follows:

l.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabara, and nineteen years of age.

2.

That your Complainant and the Respondent married in Montgomery, Alabama, on January 28, 1949, and lived together as husband and wife, until on to-wit, June 29, 1949.

3.

That on June 29, 1949, and on various occasions prior thereto, the Respondent threatened and abused the Complainant, and did actual viclence to her person which necessarily endangered her life and health; that the conduct of the Respondent is such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats and do further violence to her person

which would necessarily endanger har life and health.

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

Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that she is granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

SULMON AND COMPLAINT

HAZEL HORTON

ROBERT HORTON

In law office of H. M. Hall Filed this g/2 Tay of July, 1949.

Mice Register

HAZEL HORTON

COMPLAINANT

IN THE CIRCUIT COURT OF

BALIDWIN COUNTY, ALABAMA

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.

IN EQUITY

ROBERT HORTON

RESPONDENT

Now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences and marriage, but denies all other allegations contained in the bill of complaint, 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.

Robert D. Thorton C. Le Jain Monyso

STATE OF ALABAMA O

County, in said State, hereby certify that Robert Horton, 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 \_\_\_\_day of July, 1949.

Motory Public, Baldwin County, Alabama.

AMSWER AND WAIVER

HAZEL HORTON

COMPLAINANT

VS

ROBERT HORTON

RESPONERENT

FILED
JUL 21. 1949
ALICE J. DUCK, Register

#### THE STATE OF ALABAMA, Baldwin County.

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

•		
	FAZET, HORTON	Complainant
	VS.	
	ROBERT HORTON	Respondent
I,	Louise Morris	-
as Register and Comi	missioner	
have called and cause	d to come before me Hazel Ho	rton
- 537 201 201 200 200 200 200 200 200 200 200		
	Appropriate the second of the	
194, at the office	the Requirement for Oral Examination, e of H. M. Hall	<u> </u>
truth, the whole truth,	Alabama, and having first swo and nothing but the truth, the said	orn said Witness to speak the
	doth depose and say as follow	s:
County, Alabama	ame is Hazel Horton. I am a bona a, and nineteen years of age. The Ldwin County, Alabama, and ninetee	e Respondent is a bona fide
The B	Respondent and I married at Montgo	omery, Alabama, on January

29, 1949.

The Respondent scon after our marriage began to mistreat me and often abused and threatened me and threaten to do violence to my person, which would necessarily endanger my lift and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with him, he would carry out his threats, and do violence to my person which would necessarily endanger my life and health.

The Respondent and I have no children, nor is there a possibility of any children.

I have thoroughly considered the matter and am to the conclusion that the Respondent and I can never get along as husband and wife. I have concluded that it is better for us to separate, get a divorce and each go our respective ways.

Hazel Harlo

I, — <u>Louise Morris</u>	, as Register and Commissioner hereby	certify
	nation was taken down by me in writing in the	
of the witness—and read over to her	andshesigned the same in the prese	nce of
myself H. M. Hall		
at the time and place herein mentioned; that	at I have personal knowledge of personal iden	tity of
said witness—or had proom made before me	e of the identity of said witness—; that I am	not of
counsel or of kin to any of the parties to said	d cause, or any manner interested in the result t	hereof
I enclose the said Oral Examination in an	n envelope to the Register of said Court.	
Given under my hand and seal, this20	) day of <u>Judy</u> , 194_	9
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	n de la companya de La companya de la co	
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ion  194  2, Register  Record  Register	BAMA TY EQUITY. Complainant complainant	
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8581. NOTE OF TESTIMONY	1M-7-46	Printed By The Baldwin Times
PAZRI HORRON	THE	STATE OF ALABAMA
Vs.		Baldwin County
ROBERT HORTON		IN EQUITY
This cause is submitted	in behalf of Complaint upon the	original Bill of Complaint
Answer and waiver o	f Respondent and testimopy	of Complainant.
nd in behalf of Defendant	upon	
		blic f. Duch
H.M. HAJ. L		Register.

THE	STATE Baldw			BAM.	A
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T (	MZEL HO	RTON			
		vs.			
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	ROBERT	HORTON			
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of			eranis Eranis	194	
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ALICE J. DUCK, Register

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THE	STATE	OF	ALAB	AMA
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# Circuit Court

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ircuit C	ourt in	Baldwin	County, of	said State, v	wherein _	*********					
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No. <u>×.3.19</u>	÷
THE STATE OF ALA Baldwin Count	
CIRCUIT CO	URT
HAZET HOSTON	
137,51, (Ca (Ca)	
Co	mplainant_
VS.	
•	
ROBERT HORTON	
The state of the s	
	Defendant_
COMMISSION TO TAKE DE	POSITION
COMMISSIONER:	
7.7 2.7 2.6 2.7	
LOUISE MORRIS	
WITNESSES:	
	~ <u> </u>

## The State of Alabama, Baldwin County

### CIRCUIT COURT, IN EQUITY

	HAZEE HORYON		, Complainant
t e	V:	s.	·
agasan sangan magasan makan maka	ROBERT HORTON	man, a stage of the same of th	Respondent
This cause coming	on to be heard was subj	mitted upon Bill of	Complaint, Decree Prox Confess
			ted by the Register, and upor
	· ·		nt is entitled to the relief prayed
			at the bonds of matrimony here same are hereby, dissolved, and
nat the said	Hazel Horton		is forever divorced from the
idRobert	Herton —	for and	on account of
	<u> </u>		where the state of
,	¶*		
			Will be the second of the seco
except to each other until exty days, neither party s It is further ordered gain contract marriage up	l sixty days after the renditi shall again marry except to	ion of this decree, a each other during Respondent be, and t of this suit.	y to this suit shall again marry nd that if appeal is taken within the pendency of said appeal.  nd they are hereby permitted to
ne Resnondent.	pay the cost herein	n to be tored for w	high execution may issue
1.4	day of Augus		., 19 <b>49</b> .
Nt.		Telfair	Jydge Circuit Court, In Equity.
<b>*</b>			Register of the Circui
Ϊ,	foregoing is a c Judge of the Cir	correct copy of the	na, do hereby certify that the original decree rendered by the bove stated cause, which said de
	Witness m	y hand and seal thi	s theday
	of		, 19
			,
		Regis	ter of Circuit Court, In Equity.

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No	Page

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

\_\_\_HAZEL HORTON

Complainant

vs.

ROBERT HORTON

Respondent

DIVORCE DECREE

FILED
AUG 18 1949
ALICE I. DUCK, Register





# THE STATE OF ALABAMA Baldwin County

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

	-			
Mo	artha D. Spence	e Malone	COMPLAINANT	
		VS.		
<u> </u>	lliam A. Malone	>	RESPONDENT	
I Ruth Fra	zer			
1,	Carlo No. of the Carlo			
as Register and Co	mmissioner			
en er en		i - Afartha Du	Spence Walleme and	
have called and caus	ed to come before me-	The second secon	Spence Malome and	The second of th
W. I. Sper	200			
•				
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			•	
witness <sup>28</sup> named in	the Requirement for	Oral Examination,	on the day of	
1940, at the office	e of W. C. Bee	<u>ane</u>		
				•
in Day allesse	, Alabama, a	and having first sw	orn said witnesses to speak t	he truth,
the whole truth, and	nothing but the truth	n, the said <u>Mart</u> i	na D.Spence Malone	· · · · · · · · · · · · · · · · · · ·
		.,		
	Spence Malone	doth depose and sa	ay as follows:	
the suit again county, Alabam rears old July octh have lived of the county of the county of the county fatther are any intentional county of the county, and county of the county, and cou	st William A. Ba in equity for I, 1949. Will din Baldwin Conning of July 9 and rode over the cuit Clerk. The control of being a see annulled.	Malone in the annullment liam 4. Malon bunty continu o, 1949, He are into Missi through a marked not incomple. We couple. We couple a ceremony is petition furried noith	ne. I am Complainar Circuit Court of Ba of marriage. I was a is 17 years old. ously for more than nd I and another boy ssippi into George Criage ceremony befor ntend to be married have not co-habited made us married I to annullment. We do ay at home with my say at h	ldwin 14 We 3 years. and County but to- calked id not
		marth	D. Spence M.	Jalone
	eposes and says	s as follows		ice 10-
My name	is W. L. Spenc	e . .7.7940	i am the father of h is not sufficently o	Tartha , the :
to be a wife. }	Monday July II	she told me	about the marriage o	eremmony
ind asked me i Tralbed with b	s she was marri Mhlliam . He sa	led. Sha said iid he did no	she čid not intend t intend to be marri	to be married. led. Both
said they thou	ght they were i	iust playing a	a joke on the other	couple. I
nave had a doc	tor examine her	r and attach	his cerificate to th	ns ceposition
		$\omega$	LSpence	August 4 dem hir e physiciae gen nagard <del>einnega</del>
		jan hiloada	V	
		en de la companya de La companya de la co		
and produced the second se	Description of the second of t			

words of the witness $_{\odot}$  and read over to

that the

foregoing deposition\_=

on Oral

Examination

was taken down in writing by me

in the

- signed the same in the presence

Register; and; Commissioner hereby

certify

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THE STATE OF ALABAMA Baldwin County	myself — the time and d witness— unsel or of k I enclose tl Given unde
IN CIRCUIT COURT, IN EQUITY	nd place or hawkin to the said der my
Martha DefenceMalance	lace herein mentioned; that I had proof made before me o to any of the parties to said said Oral Examination in an my hand and seal, this
Complainant	entioned; ade before parties mination seal, this
William A Malane	ed; that fore me ss to sai ion in a nis
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Respondent	re per ide ise, or relope—day
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# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

<u>Martha D.</u>	Spence Malone	9	, Complainant	
	vs	s.		
William A.	, Malone		, Respondent	engappana a site on sine nee myssesi i gapen
This cause coming on to	be heard was subr	mitted upon Bill	of Complaint, Decre	e Pro Con-
fesso on answer of defe	endant and	d Testimony as r	noted by the Register	r, and upon
consideration thereof, the Court for in said bill.	; is of the opinion tha	at the Complainar	nt is entitled to the re	elief prayed
It is therefore ordered, a tofore existing between the Co				<del>"</del>
that the said Martha I	D. Spence Malo	סייפ	is forever divorce	d from the
said <u>William A. Mal</u>	Lone	for and c	on account of the	o fact
That the marital cere	emony was not	entered int	o by the parti	ies with
the essential marital	l intent, and	the same is	s hereby annull	eđ and
ne <u>ld for raught and t</u>	the said part:	<u>ies are not</u>	now and never	have
peen husband and wife	<b>∂</b> •			
and the state of t	manner bet i literament i militari mendan i Mariangalan yangkaran			
within sixty days, neither particular appeal.  It is further ordered the mitted to again contract marries authorized to result is further ordered that the Complainant	at the Complainant lage upon the payr lime her maider at Mantha D.	t and Responden ment of the cost of n name, Mart Inence Malo	t be, and they are lof this suit. The Co	hereby per- omplainan
Tai	$\sim$		r which execution m	ay issue.
This day o	»·		, 19-4.	Λ
an en	<u> </u>	Jelyder J.	idge Circuit Court, I	n Equity.
I,			Register of	the Circuit
	foregoing is a co Judge of the Ci	orrect copy of the	ama, do hereby certi e original decree rend e above stated cause, n my office.	ered by the
	Witness my	y hand and seal th	is the	day
	of	( <u></u>	, 19	
		-		
•		Registe	er of Circuit Court, I	n Equity.

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No.2	2328 Page
T	he State of Alabama
In(	Eircuit Court, In Equity
The state of the s	
	Complainant.
	vs.
	Respondent.
]	DIVORCE DECREE

FILED

AUG 1 1949

AUGE 1. DUCK, Register

State of Alabama, Baldwin County.	}NO	:	TERM, 194
Mariha John	complainant	ue	
vs. Willemin	a Walace	<u>e</u>	
	Respondent—.	e de la companya de l	
TO DUCK, REGISTER:	Comme	v W	
having been Leel	y Willen	Malace	the Respondent,
and evidence having been taken no defense having been inter		11	_
Solicitor— of record, now file	es with the Register	of this Court this writt	ten request to deliver the
papers in this cause to the Jud	dge for final decree i	NG	eche
		Solicitor	— for Complaintant—.

Respondent......

Request For Decree In Vacation

No. 232/)	
THE STATE OF ALABAMA Baldwin County	
IN EQUITY Circuit Court of Baldwin County	
Morthad Spence Walance	
vs.	
Maligned Malane	ma a sa a
NOTE OF TESTIMONY	
Filed in Open Court this	error de construence (manuel Monagoli (del del construence )
day of Mag., 1949.  Register.	A distribution of the management of the second seco
Printed By The Baldwin Times	

THE STATE OF ALABAMA, BALDWIN COUNTY	Circuit	Court	
To Ruch Frazer			
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		with the second	·
KNOW YE: That we, having full faith in you	r prudence and com	ipetency,` have	appointed you
ommissioner, and by these presents do authorize you,	and the second of the control of the second	The second section of the second second second second	
efore you and examine Murcha of	Spine	Mal	all
and Wh Speen	<u> </u>		
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s witnesses in behalf of County, of said State, wherein	marth	in a cause	pending in ou
Malpul is			
			grave in a
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	700 6		Complainant—
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na William a 7	nalaic	e ls	Complainant
nd William a 7	nalaic.	e ls	
nà Millane a 7	nalace	e ls	Complainant
n oath, to be by you administered, upon Ord	Malaic  LUAN  and return the same	e l's	_Respondent

Commissioner's Fee, \$\_\_\_\_

Witness' Fees, \$

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THE STATE OF ALABAMA				s.			-		
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VS. Complainant VS. AMalane					yee (***********************************				
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COMMISSION TO TAKE DEPOSITION					disso, Impaggio di i				
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COMMISSIONER:	The second secon		A CONTRACTOR OF THE CONTRACTOR		***************************************		7		
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Section Control

Mertha Desce Melanes Complainant,	
VS.	
William A Malace, Respondent.	

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

NO. .....

DEMAND FOR O	RAL EXAMINAT	ION.				
COMES the Complainant, by attorney, and represents to the Court as follows:						
1. That the following named witnesses	reside within one	hundred miles i	from Bluey			
Ministe , in the County	of Balk	mi				
Alabama, the place of trial of said cause, to-wit:	Marthe	Afre	uce.			
Miller and W	L' DIL	Luc	2			
	AND THE PROPERTY OF THE PROPER		Co.S.			
	Surface Control of the Control of th		Sund Sund Sund Sund Sund Sund Sund Sund			
2. That said complainant requires an oral	examination of s	aid witnesses be	fore a commis-			
sioner appointed by the Register of this Court.	Osca					
		Solicitor for Co	mplainant.			
NOTE:	y ,	11				
Complainant suggests the name of	with of	reger				
as a suitable and competent person to act as com	missioner upon the	e examination of	said witnesses.			
		Solicitor for Con	nplainant.			

#### DEMAND FOR ORAL EXAMINATION.

Martin Appence Malance Complainant,

Williamil Walance Respondent.

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

Filed this / day of Mug

194

Register.

MARTHA D. SPENCE MELCIEL COMPLAINANT

VS

WILLIAM A. MALONE DEFENDANT. IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,

IN EQUITY.

And now comes the Deferdant in his own proper person and accepts service of the summons and complaint in the above styled cause, and admits each and every allegations contained in the bill of complaint, and valves proof of the same.

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

William a Malone

Witnesses:

Mrs Q.C. Jackson

Martha HApence William a Walane Filed My 1, 1949 Alice Jaluch

STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIEF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, that you summon WILLIAM A. MALONE to be and appear before the Judge of Probate of the Circuit Court of Baldwin County, Alabama, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by MARTHA D. SPENCE MALONE against the said WILLIAM A. MALONE, and further to do and perform what the said Judge shall order and direct in that behalfand this the Defendant shall in no wise omit, under penalty of law. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

Register. J. nour la

MARTHA D. SPENCE MALONE COMPLAINANT

775

WILLIAM A. NOLONE DEFENDAVI. IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY.

TO THE HONORABLE TRIFAIR J. WASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Now comes your Complainant, Martha D. Spence Malone, and humbly complaining against the Defendant, William A. Malone, respectfully represents and shows unto your Honor and this Honorable Court as follows:

٦.

That I your momphains nt was 14 years of age July 1, 1949: that the said William &. Malone is 17 years of age; that they have both resided in Baldwin County for more than 3 years next continuously.

Complainant further shows unto this Honorable Court that on July 9, 1949, on a Saturday afternoon, your Complainant and the said William A. Malonewith another boy and girl went riding and rode over into George County, Mississippi, and in a childish play went through the ceremony of marriage before W. A. Rouse, Circuit Court of said County; that it was intended both your Complainant

and defendant as a joke and they neither intended to be married; that they have not co-habited together; that they are now advised that such ceremony, though not intended by them or either of them to make them man and wife, was a colorable marriage and that the same ought to be annulled and set aside and held for naught.

WHEREFORE this metition prays this Honorable court will take jurisdiction of the cause made by this bill of complaint and that the said William A. Malone be made party defendant hereto and by appropriate process, he required to plead, answer, or demur to this bill of complaint, within the time and under the pains and penalties prescribed by law and the practice of this Honorable court.

Complainant further prays to open this hearing of this cause this Honorable court will make and enter an order and decree forever dissolving the bonds of matrimony between Complainant and said defendant, and annulling the aforesaid marriage; that the such marriage be set aside and held for naught; and that it be further adjudged and decreed that Complainant and Defendant are not and never have been married; and that she be permitted to assume her maiden name, of Martha D. Spence; Complainant further prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

7 Northa D. Spence Male.