

(2819)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Leah Driver Johnson

, Complainant

vs.

Robert Gaston Johnson

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 Leah Driver Johnson is forever divorced from the said Robert Gaston Johnson for and on account of Voluntary abandonment

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 Leah Driver Johnson the Complainant pay the cost herein to be taxed, for which execution may issue.

This 6th day of August, 1952

[Signature] 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

Leah Driver Johnson

Complainant

vs.

Robert Gaston Johnson

Respondent

DIVORCE DECREE

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons ROBERT GASTON JOHNSON 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 LEAH DRIVER JOHNSON as Complainant and against LEAH DRIVER JOHNSON, as Respondent.

WITNESS my hand this the _____ day of June, 1952.

Register

LEAH DRIVER JOHNSON)	
)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA,
)	
VS)	IN EQUITY
)	
ROBERT GASTON JOHNSON)	
)	
RESPONDENT)	

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

Your Complainant, Leah Driver Johnson, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant, Leah Driver Johnson, is over twenty-one years of age, a resident of Baldwin County, Alabama, and has been for more than one year next preceding the filing of the bill of complaint in this cause; that the Respondent, Robert Gaston Johnson, is over twenty-one years of age, a non-resident of the State of Alabama, and his address cannot be determined after a diligent search and inquiry;

2.

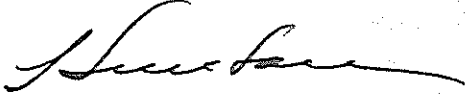
That your Complainant and the Respondent married in Atlanta, Georgia, on October 11, 1930, and lived together as husband and wife until February 1950.

3.

That in February, 1950, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, The premises considered, the Complainant prays that your Honor will by proper process make the said Robert Gaston Johnson, party respondent to this cause of action, 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.

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



Solicitor for the Complainant

NO 2819

LEAH DRIVER JOHNSON

COMPLAINANT

VS

ROBERT GASTON JOHNSON

RESPONDENT

BILL OF COMPLAINT

FILED
JUN 3 1952
Alice J. Beck, Register

STATE OF ALABAMA

COUNTY OF

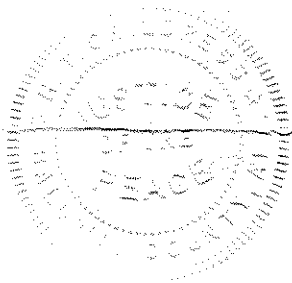
Baldwin

Before me the undersigned authority in and for said County, in said State, personally appeared Leah Driver Johnson, who is known to me and who having been by me first duly sworn, deposes and says: that Robert Gaston Johnson is a non-resident of the State of Alabama; that she has made and caused to be made a diligent search and inquiry to ascertain the present address of the said Robert Gaston Johnson, but it is unknown; that the said Robert Gaston Johnson is not a member of the Armed forces of the United States.

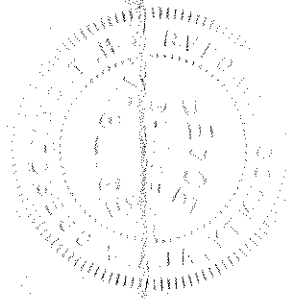
Leah D. Johnson

Sworn to and subscribed before me on this the 2 day of April, 1952.

H. D. Childers J. P.
Notary Public, Baldwin County
Alabama



MD 2819



LEAH DRIVER JOHNSON

COMPLAINANT

VS

ROBERT GASTON JOHNSON

RESPONDENT

AFFIDAVIT OF NON-RESIDENT

FILED

JUN 3 1952

ALICE J. DWCK, Register

The BALDWIN *Times*

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER
BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

NOTICE TO NON-RESIDENT
LEAH D. JOHNSON
No. 2819
vs.
ROBERT GASTON JOHNSON
The State Of Alabama, Baldwin County
Circuit Court in Equity
This the 3rd day of June, 1952

In this cause it being made to appear to the Clerk of this Court by the affidavit of Leah D. Johnson that the Defendant, Robert Gaston Johnson is a non-resident of the State of Alabama and further, that, in the belief of said affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Defendant to answer or demur to the Bill of Complaint in this cause by the 3rd day of July, 1952, or after thirty days therefrom a decree Pro Conesso may be taken against him.

ALICE J. DUCK
Register.

H. M. HALL
Solicitor for Complainant 20-4tc.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Leah D. Johnson vs.
Robert Johnson

COST STATEMENT

161 WORDS @ 6 1/2 cents --- \$ 10 42

I hereby certify this is correct, due and unpaid (paid)

Jimmy Faulkner
Publisher.

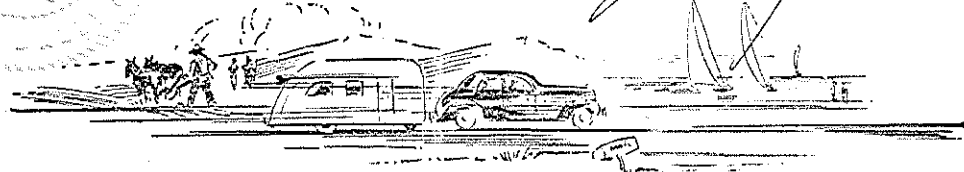
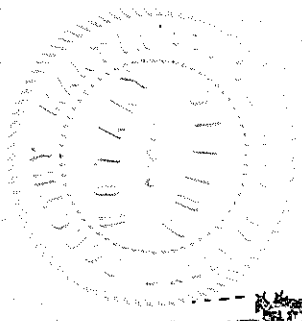
Was published in said newspaper for 4 consecutive weeks in the following issues:

- Date of 1st publication June 5, 1952 Vol. 63 No. 20
- Date of 2nd publication June 12, 1952 Vol. 63 No. 21
- Date of 3rd publication June 9, 1952 Vol. 63 No. 22
- Date of 4th publication June 26, 1952 Vol. 63 No. 23

Subscribed and sworn before the undersigned this 26 day of June, 1952

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

LEAH D. JOHNSON
No. 2819

The State of Alabama.

BALDWIN County.

vs.

ROBERT GASTON JOHNSON

Circuit Court, in Equity

This the 3rd day of

June, 1932

In this cause it being made to appear to the Clerk of this Court by the affidavit of

LEAH D. JOHNSON

that the Defendant ROBERT GASTON JOHNSON

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant IS over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said DEFENDANT

to answer or demur to the Bill of Complaint in this cause by the 3rd day of July 1932, or after thirty days therefrom a decree Pro Confesso may be taken against him

Wesley W. ...

Register.

H. M. HALL
Solicitor for Complainant

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Leah Driver Johnson

Complainant

Vs.

Robert Gaston Johnson

Defendant

Motion is hereby made for a Decree Pro Confesso against Robert Gaston Johnson

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 10th day of August 1952

746 Code

J. L. Lee

Solicitor.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Leah Driver Johnson

Complainant _____

Vs.

Robert Gaston Johnson

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed 8-1 1952

Archie J. ...
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

Leah Driver Johnson Complainant

Vs.

Robert Gaston Johnson Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of June, 1952, in the Baldwin Times, a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in _____ County, on the _____ day of _____, 194____ and _____

And it now further appearing to the Register Alice J. Duck, that the said Robert Gaston Johnson

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Robert Gaston Johnson

This 4th day of August, 1952
Alice J. Duck, Register.

No. _____ Page _____

**THE STATE OF ALABAMA,
Baldwin County**

CIRCUIT COURT, IN EQUITY

Leah Driver Johnson

Vs.

Robert Gaston Johnson

Decree Pro Confesso of Publication

Issued 8-6, 1952

Archie J. French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

1952

LEAH DRIVER JOHNSON vs. ROBERT GASTON JOHNSON

DECEED PRO CONFESSO OF PUBLICATION

52-044-00

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Leah D. Johnson and Edna Driver

as witnesses in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Leah D. Johnson

and Robert Gaston Johnson, Complainant

Respondent

on oath, to be by you administered, upon Leah D. Johnson and Edna Driver
to take and certify the deposition of the witness and return the same to our Court, with all
convenient speed, under your hand.

Witness 4 day of August, 1954

Arcy J. Smith
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Leah Driver Johnson

Complainant

VS.

Robert Gaston Johnson

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn / [unclear]

WITNESSES:

Leah D. Johnson

Edna Driver

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Leah Driver Johnson

Complainant

VS.

Robert Gaston Johnson

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Leah D. Johnson and Edna Driver

witnesses named in the Requirement for Oral Examination, on the _____ day of _____
194____, at the office of Hubert M. Hall
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 Leah D. Johnson and Edna Driver
doth depose and say as follows:

My name is Leah Driver Johnson. I am over twenty-one years of age and a resident of Baldwin County, Alabama, and have been for more than one year next preceding the filing of the bill of complaint in this cause. The Respondent, Robert Gaston Johnson, is over twenty-one years of age, a non-resident of the State of Alabama, and his address was unknown at the time of the filing of the suit in this cause. He is now a resident of the State of Georgia, in Atlanta.

The Respondent and I married in Atlanta, Georgia, on October 11, 1930, and we lived together as husband and wife until in February 1950.

The Respondent voluntarily abandoned my bed and board and he has remained away voluntarily and continuously since that time.

The Respondent and I have no children.

Leah D. Johnson

Edna Driver, a witness for the Complainant being first duly sworn, deposes and says:

The Complainant in the above styled cause is my sister. I know that she and the Respondent, Robert Gaston Johnson, have not lived together as husband and wife for more than one year prior to the filing of the bill of complaint in this cause. The Complainant and the Respondent have no children.

E. Edna Driver

ORAL EXAMINATION.

I, Evelyn Watts, 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 es and read over to them and they signed the same in the presence of myself and Robert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 _____ day of _____, 194_____

Evelyn Watts (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Leah Driver Johnson

vs. Complainant

Robert Gaston Johnson

Respondent.

Oral Deposition

Filed _____, 194_____

Register.

Recorded in

Record

Vol. _____

Page _____

Register.

Leah Driver Johnson

vs.

Robert Gaston Johnson

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,
decree pro confesso on publication of respondent, and testimony of
Leah D. Johnson and Edna Driver

and in behalf of Defendant upon

Leah Driver Johnson
Plaintiff

Archie Johnson
Register.

M

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Leah Driver Johnson

vs.

Robert Gaston Johnson

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of Aug, 1967

Alfred J. French
Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons ROBERT GASTON JOHNSON 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 LEAH DRIVER JOHNSON as Complainant and against LEAH DRIVER JOHNSON, as Respondent.

WITNESS my hand this the _____ day of June, 1952.

Register

LEAH DRIVER JOHNSON

COMPLAINANT

VS

ROBERT GASTON JOHNSON

RESPONDENT

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

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

Your Complainant, Leah Driver Johnson, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant, Leah Driver Johnson, is over twenty-one years of age, a resident of Baldwin County, Alabama, and has been for more than one year next preceding the filing of the bill of complaint in this cause; that the Respondent, Robert Gaston Johnson, is over twenty-one years of age, a non-resident of the State of Alabama, and his address cannot be determined after a diligent search and inquiry;

2.

That your Complainant and the Respondent married in Atlanta, Georgia, on October 11, 1930, and lived together as husband and wife until February 1950.

3.

That in February, 1950, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

P188

WHEREFORE, The premises considered, the Complainant prays that your Honor will by proper process make the said Robert Gaston Johnson, party respondent to this cause of action, 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.

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


Solicitor for the Complainant

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NOV 10 1917
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COURT

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2819

LEAH DELIVER JOHNSON
COMPLAINANT
VS
ROBERT GASTON JOHNSON
RESPONDENT

FILE OF COMPLAINT
ATTENTION FOR THE COMPLAINANT

JUN 3 1952
ALICE L. DICK, Register

Your Complaints were filed upon a certain date, your Honor will
the practice of said Respondent's Com.

to the same within the time and upon the description described by you and
respondent to the same of which redacting herein being answer on same.
Honor will in proper process make the said Robert Gaston Johnson being
MINUTE, the premises considered, the Complaints were that you.

6182