

(4125)

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

IDA MAE LINTON, Complainant

vs.

ALTON LINTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 IDA MAE LINTON is forever divorced from the said ALTON LINTON for and on account of

Habitual Drunkenness.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant, Ida Mae Linton, is entitled to the possession of the dwelling being rented by her and to the furniture fixtures and equipment located therein, which said premises the Respondent must forthwith vacate.

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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that the Complainant pay the cost herein to be taxed, for which executed may issue.

This 15 day of October 1957

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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

OCT 15 1957

MADE A. MOORE, CLERK

IDA MAE LINTON

vs.

ALTON LINTON

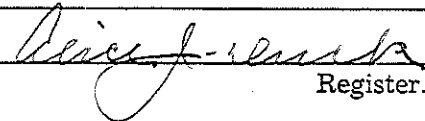
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Motion for Decree Pro Confesso on Personal Service, Decree Pro
Confesso on Personal Service and Testimony of Ida Mae Linton and
Ethelene Linton

and in behalf of Defendant upon _____


Solicitor for Complainant


Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

IDA MAE LINTON

vs.

ALTON LINTON

NOTE OF TESTIMONY

Filed in Open Court this **FILED**
day of **OCT 12**, 19**57**, 19**4**

ALICE J. BUCK, Register
Register.

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

September 4, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint in the Divorce
action of Linton -vs- Linton.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

October 11, 1957

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Testimony of Ida Mae Linton and
Ethelene Linton, Commission to take Deposition, Note
of Testimony and Decree in the divorce action of Linton
-vs- Linton.

Please have the Judge sign the Decree and I will pick it
up Tuesday when I am in Bay Minette.

Yours very truly,



C. G. Chason

CGC:fm

encls. 4

THE STATE OF ALABAMA, {

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

IDA MAE LINTON

COMPLAINANT

vs.

ALTON LINTON

RESPONDENT

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me Ida Mae Linton and Ethelene Linton

witness ES named in the requirement for Oral Examination, on the 11th day of October
1957, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said witness ES to speak the

truth, the whole truth, and nothing but the truth, the said Ida Mae Linton and Ethelene

Linton doth depose and say as follows:

Testimony of Ida Mae Linton:

My name is Ida Mae Linton. I am over the age of twenty-one years, and a resident citizen of Robertsdale, Baldwin County, Alabama, having been such a resident citizen of Alabama for over 5 years. Alton Linton is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, having been such a resident citizen for over 3 years, and having been a resident citizen of Alabama for over 5 years. We were married on July 7, 1934, and occupied the same house until the latter part of August, 1957, when, as a result of his continual drinking, I was forced to live separate and apart from him. Although occupying the same house, we had not lived together as husband and wife for a number of months, all as a result of his drinking. He has, since our marriage, become addicted to habitual drunkenness, and this habit continues to this day. For the last number of years he has been unable to hold steady employment as a result of his drinking, and on many occasions has lost jobs because of staying home while drunk, or because of drinking on the job. This has resulted in his failure to support me in any way. I have been forced to seek employment, and have been working for a number of years. I have also paid all of the house rent for some time. The house where we were last living, and which he is still occupying, I rented in my name more than one year ago, and have paid all of the rental on it. I have also purchased all of the furniture, fixtures and equipment in the house and it all belongs to me. I have made demand on him to move from the property, but as yet he has failed and refused to do so, though he tells me that he would do so at a future date. Alton Linton is now working in Mobile, such time as he works, and can easily obtain a place to live.

Signed: Ida Mae Linton

Testimony of Ethelene Linton:

My name is Ethelene Linton. I am over the age of twenty-one years and a resident citizen of Foley, Alabama. I am married to Alton Linton's nephew and am well acquainted with Alton Linton and Ida Mae Linton. Both are over the age of 21 years and have been resident citizens of Robertsdale for a number of years. They were married in July of 1934, and were separated in August of 1957. She has had to support herself for many

I, Frances G. Mallory as Register and Commissioner hereby certify that the foregoing deposition 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 C. G. Chason 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 11th day of October, 19 57

Frances G. Mallory

No. _____	Page _____
THE STATE OF ALABAMA,	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
IDA MAE LINTON	
COMPLAINANT	
vs.	
ALTON LINTON	
RESPONDENT	
ORAL DEPOSITION	
Filed _____	19 _____
FILED	
OCT 11 1957	
Vol. _____	Page _____
Record _____	Register _____

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 Ida Mae Linton and Ethelene Linton

as witnesses in behalf of Ida Mae Linton in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein
Ida Mae Linton

_____, Complainant
and Alton Linton

_____, Respondent

on oath, to be by you administered, upon them
to take and certify the depositions of the witnesss and return the same to our Court, with all
convenient speed, under your hand.

Witness 11th day of October, 1957

Devin J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

IDA MAE LINTON

Complainant—

vs.

ALTON LINTON

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

IDA MAE LINTON,)	
Complainant,)	IN THE CIRCUIT COURT OF
-vs-)	BALDWIN COUNTY, ALABAMA
ALTON LINTON,)	IN EQUITY
Respondent.)	

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes your Complainant, Ida Mae Linton, and files this her
Bill of Complaint for Divorce against Alton Linton, and respect-
fully represents and shows unto your Honor:-

1. That the complainant is over the age of twenty-one years
and is a bona fide resident citizen of Baldwin County, Alabama,
having been such a bona fide resident citizen for over five years.
That Alton Linton is over the age of twenty-one years and is a
bona fide resident citizen of Baldwin County, Alabama, having
been such a bona fide resident citizen for over five years.

2. That the Complainant and Respondent were married on,
to-wit, July 7, 1934.

3. Your Complainant further avers and alleges that the
Respondent has since his marriage with her, become addicted to
habitual drunkenness, and that said habit has continued to the
filing of this Bill.

4. Complainant further shows unto the Court that the home
in which she lives is rented by her and is in her name, and that
she has regularly paid the rental therefor, and that all furniture,
fixtures and equipment in the residence are the property of the
Complainant. Complainant further shows that she has demanded of
the Respondent to remove himself from the premises and that he
has failed and refused to do so, although, for a great length of
time they have not lived together as husband and wife.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, Your Complainant prays that Alton
Linton be made a party defendant of this cause by the usual pro-
cess of this Honorable Court, requiring him to plead, answer or
demur, within the time and under the penalties prescribed by the
rules of this Court and the Statutes in such cases made and pro-

c. g. c.

IDA MAE LINTON
 Complainant,
 vs.
ALTON LINTON
 Respondent.

In the Circuit Court.
 In Equity No. _____

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____
ALTON LINTON

by the Sheriff of Baldwin County, on the 10th day of September,
 194 57

And it further appears to the Register, that that the said _____
ALTON LINTON

_____ the Respondent, having to the date hereof,
 failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
 on motion of C. G. CHASON Solicitors
 for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
 and it hereby is, in all things taken as confessed against the said _____

ALTON LINTON

This 11th day of October, 19457


 Register.

No. _____

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

IDA MAE LINTON

Complainant,

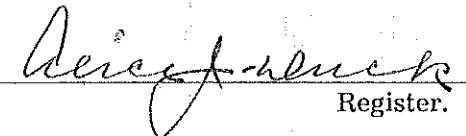
Vs.

ALTON LINTON

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 11 day of Oct
1957.


Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

No. _____ Circuit Court, In Equity.

IDA MAE LINTON _____ Complainant_____

Vs.

ALTON LINTON _____ Defendant_____

Motion is hereby made for a Decree Pro Confesso against ALTON LINTON

_____ Defendant_____

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant_____; and that said summons was duly served according to law, and that said Defendant_____ has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 11th day of October 19 57

 _____ Solicitor.

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

IDA MAE LINTON

Vs.

ALTON LINTON

Motion for Decree Pro Confesso on
Personal Service

Filed 10-11 1957


W. J. ...
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

vided; that upon a final hearing of this cause that she be granted a divorce from the said Respondent. Complainant further prays to the Court that the Respondent, Alton Linton, be ordered and directed by said Court to remove himself and his possessions from her premises, and that upon his failure to so do, that he be adjudged in contempt. Should your Complainant be mistaken in the relief prayed for, that she be granted such other, further and different and general relief to which she may be entitled and as in duty bound she will ever pray.


Solicitor for the Complainant

Respondent is a resident
of Robertsdale.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. 4123

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon ALTON LINTON

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

ALTON LINTON, Defendant

by IDA MAE LINTON

, Plaintiff

Witness my hand this 5th day of Sept 1957

Alice J. Duck, Clerk

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

IDA MAE LINTON

Plaintiffs

vs.

ALTON LINTON

Defendants

SUMMONS and COMPLAINT

Filed ~~8/8/57~~ 9/5/57, 19.....

Alice J. Duck, Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

9-5-57, 19.....

Sheriff

I have executed this summons

this 9-10, 1959

by leaving a copy with

Alton Linton

Sheriff claims 50 miles

Ten Cents per mile Total \$ 5.00

TAYLOR WILKINS, Sheriff

BY *Eddigh Steadham*
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Eddigh Steadham Sheriff

Robertshale, Ala

years because of his drinking, and has paid all house rents, etc., for
sometime. He did, after marriage, become addicted to habitual drunken-
ness, and this habit has continued to this date.

Signed: Ethelene Linton