

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

WANDA LOUISE LANMON JOHNSTON

, Complainant

vs.

GEORGE MCCARTNEY JOHNSTON

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro 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 heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said

WANDA LOUISE LANMON JOHNSTON

is forever divorced from the

said GEORGE MCCARTNEY JOHNSTON for and on account of

Cruelty. It is further ORDERED, ADJUDGED AND DECREED that the care, custody and control of the minor children of this marriage, Scott Erwin Johnston and Jill Allyson Johnston, be in Complainant, and that the Respondent shall pay to Complainant the sum of \$150.00 per month as and for support and maintenance of said minor children.

It is further ORDERED, ADJUDGED AND DECREED that the agreement as to disposition of property between Complainant and Respondent is hereby ratified and confirmed.

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 payment of the cost of this suit.

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

This 24 day of April 1958.

Hubert M. Ware
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

WANDA LOUISE LANMON

JOHNSTON

Complainant

vs.

GEORGE MCCARTNEY JOHNSTON

Respondent

DIVORCE DECREE

FILED
APR 18 1958
ALICE J. DUCK, Register

WANDA LOUISE LANMON JOHNSTON

vs.

GEORGE McCARTNEY JOHNSTONTHE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and Oral Testimony taken before Commissioner of Wanda Louise

Lanmon Johnston and Nancy Chute.

and in behalf of Defendant upon Answer and Waiver

James H. Bailey
Solicitor for Complainant

Alice J. Duck
Register.

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

WANDA LOUISE LANMON JOHNSTON

VS.

GEORGE MCCARTNEY JOHNSTON

Note of Testimony

Filed in Open Court this _____

FILED

day of _____ **APR 8** 1958, 19____

ALICE J. DUCK, Register

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: MRS. BETTY CLARK

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine WANDA LOUISE LANMON JOHNSTON
and NANCY CHUTE

a witnesses in behalf of COMPLAINANT in a cause pending in our Circuit Court in Baldwin County, of said State, wherein WANDA LOUISE LANMON JOHNSTON

_____, Complainant
and GEORGE MCCARTNEY JOHNSTON

_____, Respondent
on oath, to be by you administered, upon Wanda Louise Johnston and Nancy Chute to take and certify the deposition^S of the witness^S and return the same to our Court, with all convenient speed, under your hand.

Witness 7th day of April, 1958

Alice J. Clark
Register.

Commissioner's Fee, \$ 5

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

WANDA LOUISE LANMON JOHNSTON

Complainant

VS.

GEORGE MCCARTNEY JOHNSTON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Mrs. Betty Clark

WITNESSES:

Wanda Louise Lanmon Johnston

Nancy Chute

FILED

APR 7 1958

ALICE J. DUCK, Registered

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

WANDA LOUISE LANMON JOHNSTON, COMPLAINANT

vs.

GEORGE MCCARTNEY JOHNSON, RESPONDENT

I, Betty Clark

as Register and Commissioner

have called and caused to come before me Wanda Louise Lanmon Johnston and
Nancy Chute

witnesses named in the requirement for Oral Examination, on the 8th day of April,
1958, at the office of Ernest M. Bailey, Attorney at Law,

in Fairhope, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Wanda Louise Lanmon Johnston

and Nancy Chute doth depose and say as follows:

STATEMENT OF WANDA LOUISE LANMON JOHNSTON:

My name is Wanda Louise Lanmon Johnston and I am the Complainant in the above styled cause. I am over the age of twenty-one years and a resident of Fairhope, Baldwin County, Alabama. The Respondent's name is George McCartney Johnston and he is over the age of twenty-one years. The Respondent and I were married in New Orleans, Louisiana on March 25, 1950 and lived together as husband and wife until on January 13, 1958. On that date and on numerous prior occasions, the Respondent has threatened to inflict physical harm to my person. I am of the opinion that if I continue to live with him as his wife, he will commit actual violence upon my person or will injure me permanently.

Wanda Louise Lanmon Johnston
WANDA LOUISE LANMON JOHNSTON

STATEMENT OF NANCY CHUTE:

My name is Nancy Chute and I am over the age of twenty-one years. I have known the Complainant for at least five years and on several occasions have seen her when she was emotionally upset and disturbed by reason of domestic difficulties with her husband.

Nancy Chute
NANCY CHUTE

ORAL EXAMINATION

I, **Betty Clark,** 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 **Ernest M. Bailey, Attorney at Law,** at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses 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 **8th** day of **April**, 1958.

Betty Clark (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

WANDA LOUISE LAMON JOHNSTON

COMPLAINANT

vs.

GEORGE MCCARTNEY JOHNSTON

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

, Register.

RECORDED IN

Record

Vol. _____ Page _____

FILED

APR 8 1958

, Register.

ALICE J. DUCK, Register

WANDA LOUISE LANMON JOHNSTON, X

Complainant

○

versus

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

GEORGE McCARTNEY JOHNSTON, 0

Respondent

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, separately and severally, says:

1. Respondent admits the allegations of the First Paragraph of the Bill of Complaint.

2. Respondent admits the allegations of the Second Paragraph of the Bill of Complaint as to the date of marriage and date of the separation but denies all other allegations of this Paragraph and demands strict proof of the same.

3. Respondent admits the allegations of the Third Paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. Respondent also waives notice of taking of testimony and notice of submission of this cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

James W. Welge
WITNESS

~~WITNESS~~

George McCaskey Johnston
RESPONDENT

RESPONDENT

STATE OF *Alabama*
COUNTY OF *Baldwin*

I, the undersigned notary public in and for said state and county, certify that George McCarty Johnston whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 8th day of April
1958.

My commission expires

Madeleine G. Scott
Notary Public, Baldwin Co.
My Commission Expires Sept. 9, 1959

Nadeane G. Scott
NOTARY PUBLIC

4262

ANSWER AND WAIVER

WANDA LOUISE LANMON JOHNSTON,

Complainant

versus

GEORGE MCCARTNEY JOHNSTON,

Respondent

IN THE CIRCUIT COURT OF

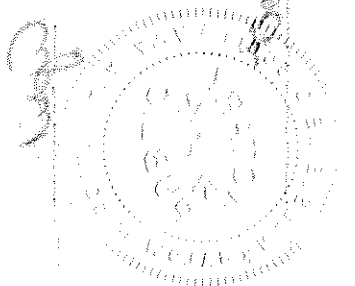
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

APR 7 1958

ALICE J. DUCK, Register



STATE OF ALABAMA

Q

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BALDWIN COUNTY

Q

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon GEORGE McCARTNEY JOHNSTON 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 WANDA LOUISE LANMON JOHNSTON, as Complainant, against GEORGE McCARTNEY JOHNSTON, as Respondent.

Witness my hand this the _____ day of April, 1958.

REGISTER

WANDA LOUISE LANMON JOHNSTON,

Q

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Complainant

Q

versus

IN EQUITY

GEORGE McCARTNEY JOHNSTON,

Q

Respondent

Comes your Complainant, Wanda Louise Lanmon Johnston, and files this her Bill of Complaint for divorce against George McCartney Johnston, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the ages of twenty-one years and are residents of Baldwin County, residing in Fairhope, Alabama.

SECOND:

That they Complainant and the Respondent were married on, to-wit, March 25, 1950 in New Orleans, Louisiana, and lived together as husband and wife until on, to-wit, January 13, 1958, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on January 13, 1958 and at times prior thereto, the Complainant

states that the Respondent, from his manner and conduct toward her, gave reasonable apprehension of committing violence upon her person, and that from his manner and conduct toward her, she is reasonably certain that if she continues to life with him as his wife, he will commit such actual violence upon her person, attended with danger to her life and health.

THIRD:

That there was born of this marriage between Complainant and Respondent the following named children: Scott Erwin Johnston, aged six years and Jill Allyson Johnston, aged three years. That your Complainant and the Respondent have heretofore entered into an agreement in which the Respondent recognizes the care, custody and control of said minor children in the Complainant and that the Complainant is a fit and proper person to have the care, custody and control of the said children. That the Complainant and Respondent have also entered into an agreement providing that the Respondent shall pay to the Complainant the sum of One Hundred Fifty (\$150.00) Dollars per month as and for support of the said minor children and the Complainant and Respondent have agreed between themselves as to a disposition of real and personal property.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named George McCartney Johnston be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and 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 provided. That upon a final hearing of this cause Your Honor will grant unto the Complainant an absolute divorce from the Respondent. That Your Honor will decree that the parties may remarry if they see fit. Your Complainant further prays that Your Honor will confirm the agreement between Complainant and Respondent as to the care, custody and control of the said minor children. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.


COMPLAINANT

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority, personally appeared Wanda Louise Lanmon Johnston, who after being by me first duly sworn, says:

That the allegations contained in the foregoing Bill of Complaint are true.

Wanda Louise Lanmon Johnston
WANDA LOUISE LANMON JOHNSTON

Sworn to and subscribed before me this the 8th day of April, 1958.

George H. Butler
NOTARY PUBLIC

SUMMONS AND BILL OF COMPLAINT

WANDA LOUISE LANMON JOHNSTON,

COMPLAINANT

VERSUS

GEORGE MCCARTNEY MOHNSTON,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

APR 7 1958

ALICE J. DUCK, Register