

PETER MORTON

Complainant

vs.

JOSEPHINE BURTIS MORTON

Respondent

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

CASE NO. 4506

Comes now your Respondent in the above styled cause and demurs to the amended Bill of Complaint and to each and every aspect thereof and as grounds of demurrer sets down and assigns the following:

1. There is no equity in the Bill.
2. For aught that appears the Bill does not state an equitable cause of action.
3. The Bill is duplicitous.
4. The Bill is multifarious.

And the Respondent further demurs to that aspect of the Bill which seeks a divorce for cruelty and as grounds of demurrer assigns the grounds heretofore assigned to the Bill as a whole and the following additional grounds, to-wit:

1. For that the same fails to allege with sufficient particularity the character of the conduct purportedly constituting the cruelty charged.
2. For aught that appears from the Bill the conduct alleged was not attended with danger to Complainant's life or health or was there a reasonable apprehension on his part of such danger.

3. That this aspect is indefinite, vague and inconclusive.

4. For aught that appears this aspect does not state a cause of action.

And the Respondent further demurs to that aspect of the Bill which seeks a divorce on the grounds of abandonment and as ground for demurrer assigns the grounds heretofore assigned to the Bill as a whole and the following additional grounds, to-wit:

1. For that the same fails to set out with sufficient particularity the time and/or circumstances of such alleged abandonment.

2. For that this aspect is indefinite, vague, and inconclusive.

ANSWER

Comes now the Respondent in the above styled cause and for answer to the amended Bill of Complaint heretofore filed says as follows:

1. She denies the allegations of Paragraph 1, and demands strict proof thereof, except that portion thereof which relates "that the Respondent is over twenty-one years of age and a non-resident of the State of Alabama, whose address is 323 Chilian Avenue, Palm Beach, Florida", which Respondent admits.

2. She admits that she and Complainant were and are married, but expressly denies the allegations as to place and time thereof, and demands strict proof thereof; she admits that the parties lived

together as husband and wife until sometime in May of 1956, but being without knowledge as to the exact date thereof, denies that portion of said Bill relating "until May 1, 1956".

3. Respondent expressly denies each and every allegation of Paragraph 3, and demands strict proof thereof.

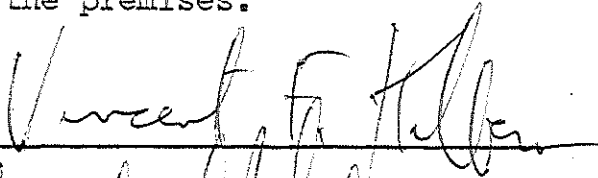

4. Respondent expressly denies each and every allegation of Paragraph 4, and demands strict proof thereof.

And for further answer Complainant states that she is without sufficient funds to pay attorneys to defend this cause, and that she has a good and meritorious defense to the same. She alleges that she has employed Vincent F. Kilborn and Michael J. Salmon to appear and defend the same for her, and that she is without funds to compensate such attorneys for their services in her behalf.

5. Cross-Respondent is well able to pay any reasonable attorneys fees that may be awarded her attorneys for the defense of the said suit. Said Cross-Respondent is wealthy, having ownership, or access to for purposes of the relief prayed herein, of property valued at the least at FOUR HUNDRED FIFTY THOUSAND AND NO/100THS (\$450,000.00) DOLLARS and likely more.

WHEREFORE, the premises considered, Respondent prays that upon hearing of this cause, this Honorable Court will render an order denying to Complainant the relief sought, and further requiring such

Complainant to pay to her said attorneys a reasonable attorneys fee for their services herein, and to pay to Respondent such suit moneys and expenses as she has had to incur in the defense of the same. She prays such other, further, and different relief as she may show herself entitled to receive, and as may be appropriate in the premises.

VINCENT F. KILBORN
MICHAEL J. SALMON
307 First National Bank Building
Mobile, Alabama

Solicitors for Respondent

FILED

JUL 22 1959

ALICE I. DUCK, CLERK
REGISTER

1025
PETER MORTON,

Complainant,

JOSEPHINE BURTIS MORTON,

Respondent.

)
)
) IN THE
)
) CIRCUIT COURT OF BALDWIN COUNTY,
)
) ALABAMA. IN EQUITY.
)
) NO. 4506
)

JOSEPHINE BURTIS MORTON, THE RESPONDENT-CROSS COMPLAINANT,
BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Kilborn.

MR. KILBORN: If your Honor please, may I direct your Honor's attention to the amended answer and cross bill filed in this cause on June 14, 1960. I wish now, in open Court, to strike from the answer and cross bill the paragraph numbered six thereof, wherein there was a charge that the Complainant had committed adultery with divers persons, and I wish to amend that orally, if I may, and reduce it to writing, and direct your Honor's Attention that the cross bill charges two grounds of divorce on the part of Mrs. Morton. First, there is an allegation of cruelty and, s econd, there is an allegation of willful and voluntary abandonment, without fault on Mrs. Morton's part, said abandonment taking place in May of 1956.

Q. You are Mrs. Josephine Burtis Morton, the Respondent in this case?

A. I am.

Q. While this cause has been in progress in this Court here today, you are aware that the parties have come to a settlement of property differences, are you not?

A. Yes sir.

Q. And you are aware that the settlement of the property differences calls for you to obtain a judgment against

Mr. Peter Morton, the Complainant, for \$92,500.00, in full settlement of any claims whatsoever against Mr. Morton, including Attorneys' fees?

A. I understand that.

Q. Is that agreeable to you?

A. Yes.

Q. In the light of that, are you willing to join with Mr. Morton's repudiation of the document filed in this cause -- Are you willing to join with Mr. Morton in his repudiation as contained in the pleading filed by his counsel on January 13, 1961, repudiating an agreement which was entered into heretofore between Lewis Peter Morton and Josephine Burtis Morton, a copy of which was filed June 14th. 1960 in this cause?

A. It is being repudiated?

Q. Yes. Are you willing to join in on that?

A. Yes sir.

Q. You are?

A. Yes.

MR. KILBORN: In connection with that, I would like for the Reporter to mark the repudiation agreement as Respondent's Exhibit 9.

And the agreement she just referred to as being repudiated as a part of the pleadings filed June 14, 1960; I would like that marked Respondent's Exhibit 10.

Q. Now, therefore, Mrs. Morton, you understand that should the Court see fit to grant a divorce in this cause to you, \$92,500.00 as a judgment will be awarded you in full, final and complete settlement and satisfaction and discharge

of all claims, past, present or future, for all Attorneys' fees, settlement or any other type of award?

A. I do

Q. That includes, do you understand, a complete settlement and award made to you by way of separate maintenance by the Circuit Court of the 15th Judicial Circuit of Florida, for Palm Beach County, Florida, in case No. 35703 A entitled Josephine B. Morton vs. Lewis Peter Morton, entered in that cause by Judge Culver Smith on October 3, 1957?

A. I understand that.

Q. Mrs. Morton, you were married to Mr. Peter Morton about the year 1950, I believe?

A. Yes.

Q. After your marriage, you all lived together as husband and wife until about May 1, 1956, is that correct?

A. Approximately May 12, 1956.

Q. Since May 12, 1956, have you and your husband been and remained separate and apart from one another?

A. Yes we have.

Q. At that time did Mr. Morton abandon you?

A. Mr. Morton chose not to live with me.

Q. He did that voluntarily, without fault on your part?

A. Yes.

Q. Has he remained separate and apart from you since that time?

A. Yes he has.

- Q. Have you, at any time, lived with Mr. Morton since about May 12, 1956?
- A. No I have not.
- Q. Now in connection with the abandonment, and prior to the time he abandoned you, Mrs. Morton, did Mr. Lewis Peter Morton commit actual physical violence on your person, attended with danger to your life and health?
- A. A number of times.
- Q. Specifically on one occasion during the time you and he resided in Delaware --
- A. --No Annapolis Maryland --
- Q. On an occasion at that time in Annapolis, or thereabout, did Mr. Morton attempt to shoot you?
- A. Yes sir.
- Q. On that particular occasion, did he arm himself with a high-powered rifle?
- A. Yes sir.
- Q. On that occasion, did he chase you out of the house?
- A. Mr. Morton came home about 2:30 in the afternoon - I am not positive of the year, but it was approximately 1952, and he had been drinking and he came home in a taxi -
- Q. After he came home he became irate?
- A. Yes sir.
- Q. And he picked up this rifle and chased you out of the house with it, did he not?
- A. Yes sir.
- Q. So that you had to run to the neighbor's house?
- A. I went behind a little well house to hide.
- Q. When friends came to see you shortly thereafter they found him with green grass stains on his shirt where he had thrown

himself in the grass, aiming the rifle at you?

A. I know he was found that way.

Q. In addition to that, on another occasion, prior to your separation, did he attempt to throw a large cake of ice down the stairs at you?

A. It was aboard his boat.

Q. It was aboard a boat?

A. Yes sir.

Q. This was a 75 pound block of ice?

A. It was the companion way; I was at the bottom --

Q. -- He started to throw the ice on you?

A. Yes sir.

Q. On another occasion, in Palm Beach, Florida, or some other place in Florida, did he point a pistol at you?

A. Yes, I believe it was another rifle.

Q. Did he have an apparent intention to hit you with it?

A. I was under the impression that he was, because he was aboard the boat.

Q. Were there other and additional acts of violence from time to time?

A. Yes sir.

Q. Did you form a reasonable apprehension that he would commit other and further and additional acts of violence on your person, attended with danger to your life or health?

A. Yes sir.

Q. There are no children of your marriage?

A. Not to Mr. Morton.

Q. How old are you, Mrs. Morton?

A. 42.

Q. He is about how many years younger than you?

A. I believe he is 36.

PETER MORTON, THE COMPLAINANT, BEING FIRST DULY SWORN,

TESTIFIED AS FOLLOWS:

Examination by Mr. Kilborn.

Q. You are Mr. Lewis Peter Morton, the Complainant in this case, are you not?

A. Yes sir.

Q. Mr. Morton, do you understand that this proceeding is a divorce proceeding?

A. Yes sir.

Q. Do you understand that your wife is now asking for a decree of divorce against you?

A. Yes sir

Q. Finally and forever dissolving the bonds of matrimony existing between you?

A. Yes sir.

Q. Do you understand that you have heretofore repudiated a property settlement agreement that had been entered into before this time between you and your wife?

A. Yes sir.

Q. Do you also understand that your wife has likewise repudiated the property settlement agreement that had been entered into before this time between you and your wife?

A. Yes.

Q. Do you also understand that your wife has likewise repudiated that agreement?

A. Yes.

Q. So you are willing that the agreement be repudiated in toto in it's entirety?

A. Yes.

C E R T I F I C A T E:

I hereby certify that the foregoing, is a true and correct transcript of the testimony as taken by me in the above styled cause, before Hon. Hubert M. Hall, on the 19th day of January, 1961, in open Court.

This 20th day of January, 1961.

Court Reporter

FILED
JAN 20 1967
ALICE J. DUCK, CLERK
REGISTER

Q. In connection with that, do you also understand that your wife will obtain, in settlement of property differences, a judgment against you for \$92,500.00?

A. Yes.

Q. Are you agreeable to the judgment for \$92,500.00 in full and complete settlement of all claims your wife has under this Florida settlement or decree for maintenance, all claims that she has or might ever have for any support, alimony, Attorney's fees or award?

A. Yes sir.

Q. You understand all of that?

A. Yes sir.

Q. Are you in accord and agreement with the property settlement?

A. Yes.

Q. You are satisfied and agree to that?

A. Yes.

Res Ex 6

PETER MORTON,	)	IN THE CIRCUIT COURT OF
Complainant	)	BALDWIN COUNTY, ALABAMA
vs.)	
JOSEPHINE BURTIS MORTON,	)	IN EQUITY
Respondent	)	NO. 4,506

Comes now your Respondent in the above styled cause and amends her answer to the Bill of Complaint as last amended by adding thereto the following:

And for further answer to the Bill of Complaint, your Respondent alleges as follows:

1. That on, to-wit, June 19th, 1956, Respondent, Josephine Burtis Morton commenced an action for Separate Maintenance in the Circuit Court of the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County, in Chancery, against Complainant, Peter Morton; that to said complaint, Complainant, Peter Morton filed a counter-claim seeking absolute divorce. A copy of the entire pleadings in said action, duly certified, together with the decree rendered therein, marked "Exhibit A", is attached hereto and made fully a part hereof as if set out at length.

2. That the parties in the foregoing action are identical with the parties in the action herein and the said Circuit Court of the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County, was a competent court of record and had jurisdiction over the parties in said action; that the facts and evidence constituting Complainant, Peter Morton's alleged cause of action herein are identical with the facts as alleged by him in said former above-entitled action, and the evidence in support of the allegations in the complaint in this cause will be substantially identical to that adduced at the trial of the said former action, which was tried on the merits before Judge Culver Smith on the

9th and 29th day of July, 1957 during the 1957 Spring Term of the Circuit Court of the Fifteenth Judicial Circuit of Florida, in and for Palm Beach County.

3. That at close of trial of said former action on the merits, the said Court rendered, on the 3rd day of October, 1957, a judgment, order and decree, set forth in "Exhibit A", granting Respondent Josephine Burtis Morton the relief therein prayed by her, and denying Complainant Peter Morton the relief therein prayed by him.

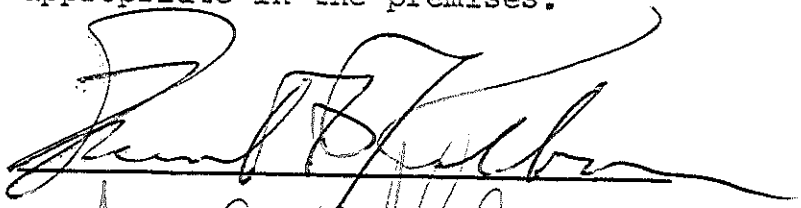
4. That the present cause of action by Complainant Peter Morton is predicated on the same cause of action as was the former above related action, and that the issues herein raised by the complaint are identical with those litigated and adjudicated by the said decree of October 3, 1957, as above related, that said adjudication is final and that the same is entitled to full faith and credit in this Honorable Court.


5. Respondent Josephine Burtis Morton pleads the said final judgment as res judicata in bar of the Complainants right to maintain this action, and avers that Complainant is thereby estopped to prosecute this action.

6. Respondent says that this action is without merit, is brought vexatiously and for the purpose of harassing her, and that in the defense of same she has been required to retain counsel in Philadelphia, Pennsylvania, S. Gordon Elkins, Esquire, in West Palm Beach, Florida, where she resides, Irwin L. Langbein, Esquire, besides employing Vincent F. Kilborn and Michael J. Salmon, her solicitors of record herein, and that she is without funds to compensate her attorneys for their services in her behalf.

WHEREFORE, the premises considered, your Respondent prays that upon hearing of this cause, the Court will grant her the relief prayed in her original answer, and will further

require and order that Complainant pay to her out-of-state attorneys a reasonable attorney's fee for their services in her behalf together with such other, further, and different relief as she may show herself entitled to receive, and as may be appropriate in the premises.





VINCENT F. KILBORN
MICHAEL J. SALMON
307 FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

Solicitors for Respondent

Induced

FILED

JUN 19 1956

ALEX ARNETTE
CLERK OF CIRCUIT COURT
BY *Thaler & Reed o.e.*

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT OF FLORIDA, IN AND FOR
PALM BEACH COUNTY. IN CHANCERY.

NO. 35.703
+

JOSEPHINE B. MORTON,
Plaintiff,

vs.

LEWIS PETER MORTON,
Defendant.

BILL FOR SEPARATE MAINTENANCE

Plaintiff JOSEPHINE B. MORTON by her undersigned attorneys brings this her bill of complaint against defendant LEWIS PETER MORTON and alleges:

1. Defendant has resided in the Town of Palm Beach, County of Palm Beach, Florida from March 7, 1956 to date and plaintiff resided with defendant at 151 Worth Avenue, Palm Beach, Florida, until the latter part of May, when she was compelled to leave defendant for the reasons hereinafter stated.
2. Plaintiff and defendant were married in Stuart, Florida, on February 17th, 1950 and lived together from that date on until May 18th, 1956.
3. No children were born of the marriage of the parties and none are expected.
4. At all times during the marriage plaintiff has been a loyal and loving wife and has done everything in her power to make the marriage happy and successful.
5. Defendant has been guilty of habitual intemperance for several years.
6. Defendant has been guilty of extreme cruelty to plaintiff and has habitually indulged in a violent and ungovernable temper as more fully appears from the following:

(a) In March 1955 while enroute from Annapolis, Maryland to Palm Beach on his sailing vessel, defendant, without provocation and while under

the influence of intoxicating liquors, beat plaintiff;

(b) Almost continuously from the time the parties rented an apartment at 151 Worth Avenue, Palm Beach, Florida, defendant in fits of rage and while under the influence of intoxicating liquor has cursed, vilified and used obscene language directed at plaintiff in such a loud and disorderly voice and manner that it was heard by neighbors. In such fits of rage said defendant slammed the doors and furniture, and threw articles about the apartment at such late hours as to arouse and disturb the neighbors.

7. Defendant's aforesaid conduct has caused plaintiff humiliation and anguish, loss of sleep, and placed plaintiff in such fear for her personal safety as to require her to leave defendant.

8. Defendant is a person of substantial means who has not been gainfully employed during the married life of the parties. He is the beneficiary of a trust, created by himself, from which he receives the sum of \$750 per month net after taxes.

9. Plaintiff is not gainfully employed. Plaintiff has no personal estate except about \$10,000, being remainder of proceeds of sale of the parties' former home in Maryland, which is invested in securities producing about \$350 per year from income.

WHEREFORE, plaintiff prays:

(1) That this court take jurisdiction of the parties and subject matter hereof;

(2) That this court grant the plaintiff separate maintenance without divorce in such amount as to the court shall seem just, both pending this suit and permanently;

(3) That this court order the defendant to pay the plaintiff's attorneys' fees, and suit money pendente lite, and after final hearing.


JOSEPHINE B. MORTON

POTTER, LANGBEIN & BURDICK
205 Datura Street
West Palm Beach, Florida
Attorneys for Plaintiff

By 

PAUL W. POTTER

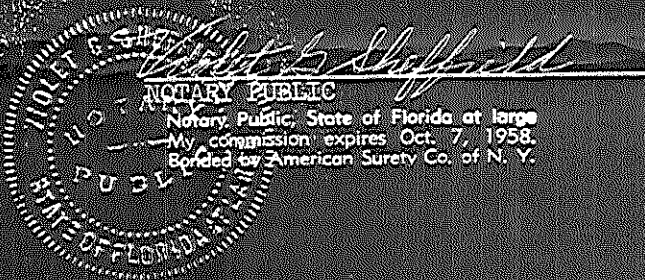
STATE OF FLORIDA

COUNTY OF PALM BEACH

Before the undersigned authority this day personally appeared
JOSEPHINE B. MORTON who being first duly sworn on her oath deposes and says
that she is the plaintiff named in the foregoing complaint; that she has
read said bill of complaint and knows its contents and that the allegations
thereof are true.

Josephine B. Morton
JOSEPHINE B. MORTON

Subscribed and sworn to before me
this 19th day of June, A.D. 1956.



1956 June 19
Violet B. Sheffield
Notary Public
State of Florida

IN THE CIRCUIT COURT OF THE
FIFTEENTH JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR PALM BEACH
COUNTY. IN CHANCERY.

NO. 35,703 - A

JOSEPHINE B. MORTON,

Plaintiff,

vs.

LEWIS PETER MORTON,

Defendant.

FILED

AUG 10 1956

ALEX ARNETTE
CLERK OF CIRCUIT COURT
BY *[Signature]*
oc.

A N S W E R

Comes now the defendant, LEWIS PETER MORTON, by his undersigned attorney and for his Answer to Bill for Separate Maintenance heretofore filed herein and says:

1. Defendant admits that plaintiff is a resident of the State of Florida, but denies that plaintiff was "compelled" to leave defendant as set forth in plaintiff's complaint.

Affirmatively pleading, defendant alleges that plaintiff's leaving the parties' residence was a frolic of plaintiff's own idea, that defendant had nothing to do with it; that plaintiff had left the residence of the parties' to go to Pennsylvania on business, and upon his return, he found that plaintiff had disappeared, and defendant knew nothing of her whereabouts until these proceedings were begun.

2. Defendant admits the allegations in Paragraph Two of Plaintiff's complaint as to the parties' marriage, but is without knowledge, and thus can neither admit nor deny the allegations as to the date of plaintiff's leaving the residence of the parties'.

3. Defendant admits the allegations contained in Paragraph Three of plaintiff's complaint.

4. Defendant denies each and every allegation contained in Paragraph Four of plaintiff's complaint.

Affirmatively pleading, defendant charges plaintiff with acts of connubial misbehavior calculated to disrupt the marriage of the parties, extreme cruelty, habitual intemperance and an habitual

indulgence in a violent and ungovernable temper, as will be set forth hereafter in detail.

5. Defendant denies each and every allegation contained in Paragraph Five of plaintiff's complaint.

Affirmatively pleading, defendant charges plaintiff with habitual intemperance, as will be set forth in detail hereafter.

6. Defendant denies each and every allegation contained in Paragraph Six, Paragraph Six (a) and Paragraph Six (b) of Plaintiff's complaint.

(a) Affirmatively pleading, defendant alleges that plaintiff was a grasping, greedy individual who, after the parties were married, believed sincerely that defendant was unduly wealthy, and his pockets were inexhaustible. Plaintiff conned defendant into the purchase of a 55 acre farm and insisted defendant exhaust himself financially to make the farm liveable.

(b) Throughout the course of the marriage of the parties, plaintiff would overindulge in alcoholic beverages, and defendant alleges that her alcoholism was and is habitual with her.

(c) On one occasion during one of plaintiff's alcoholic campaigns, she indulged in a fracas with the manager of the Annapolis Yacht Club and others there present at the Club, breaking the manager's nose, blacking his eye, and vigorously assaulting other prominent members of the Club, all of which resulted in the Morton family being barred from the Club for 90 days, and intensely humiliated defendant in the eyes of his friends and associates.

(d) Many times during the marriage of the parties, plaintiff, sober or inebriated, would assault, beat and bruise defendant without just cause, striking him in fits of rage with candlesticks or whatever other instrument of pain or woe was at hand.

(e) Beginning in the Summer of 1955 and continuing until the time when plaintiff left defendant, plaintiff has vigorously and unreasonably denied to defendant the physical comforts of marriage, and has refused to join him the connubial bed, all of which has caused defendant much pain and discomfort.

(f) Around Thanksgiving of 1955, while the parties were living in Annapolis, Maryland, plaintiff engaged in such a calculated course of nagging, arguing and fussing at defendant, without just cause, as to make living with her an intolerable pain and impossible burden. Throughout this period, plaintiff was over-intoxicated, and her alcoholism was a continuing source of irritation to defendant.

(g) One evening in the Spring of 1956, while the parties were living in Palm Beach, Florida, plaintiff became enraged at defendant, and in her temper, stabbed him in the leg with a kitchen knife, severely injuring him and causing him great mental anguish. Moreover, defendant charges that plaintiff's frequent rages were habitual and quite loud.

7. Defendant denies each and every allegation of Paragraph Seven of plaintiff's complaint.

Affirmatively pleading, defendant alleges that plaintiff's conduct, enumerated heretofore in part, has caused him great pain, humiliation and embarrassment, and has driven him to the brink of despair, and has greatly affected defendant's health and peace of mind.

8. Defendant admits that he is the cestui que trust of an irrevocable "spendthrift" trust paying to him approximately \$750.00 per month. As to the rest and remainder of Paragraph Eight of plaintiff's complaint, defendant denies each and every allegation therein contained.

9. Defendant admits the allegations contained in Paragraph Nine of plaintiff's complaint.

Affirmatively pleading, defendant alleges that plaintiff is a healthy, intelligent and capable female of above average ability, and labors under no known disability other than alcoholism and shrewishness, and although she is presently unemployed, she has every capacity to care for her own personal needs, and is not a creature of want, nor a prospective ward of the State of Florida or any other

jurisdiction. Moreover, the securities in which plaintiff's money is invested, can be reached and readily converted into funds to care for herself and pay her own expenses in this cause.

WHEREFORE, having fully answered the Complaint herein filed, defendant respectfully prays that the relief thereby sought be denied by this Court, and that this Court determine that plaintiff bear her own costs and attorneys' fees in this action.

COUNTERCLAIM

Comes now defendant and counter-claimant (hereinafter referred to as "defendant"), LEWIS PETER MORTON, by his undersigned attorney, and counterclaims for divorce and sues plaintiff and counter-defendant (hereinafter referred to as "plaintiff"), JOSEPHINE B. MORTON, and says:

1. Defendant and plaintiff were married on February 17, 1950, in Stuart, Florida, and cohabited as man and wife until mid-May, 1956, at which time plaintiff left defendant, and the parties have not cohabited since that time.

2. There have been no children born of this marriage.

3. Throughout the marriage, defendant has done all that he could to make the marriage of the parties a success, and has more than adequately provided for plaintiff's every whim and need.

4. Nonetheless, defendant charges plaintiff with extreme cruelty, habitual intemperance, and habitual indulgence in a violent and ungovernable temper, and incorporates by reference and makes a part hereof each and every affirmative allegation contained in the Answer hereinabove set forth, as a basis to sustain defendant's charges against plaintiff.

5. As a direct result of plaintiff's conduct throughout the marriage, defendant's life has been made a living hell, and he has suffered extreme anguish, humiliation, pain and embarrassment

all of which has been detrimental to his health and peace of mind.

WHEREFORE, defendant prays this Court:

1. To grant to defendant a divorce a vinculo matrimonii of and from plaintiff.

2. To grant to defendant such other relief as the Court may deem meet and proper.

Richard T. Stierer
Richard T. Stierer

RICHARD T. STIERER
916 Harvey Building
West Palm Beach, Florida
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy hereof has been furnished to POTTER, LANGBEIN & BURDICK, 205 Datura Street, West Palm Beach, Florida, Attorneys for Plaintiff, by mail, this 10th day of August, A. D. 1956.

Richard T. Stierer
Attorney

IN THE CIRCUIT COURT OF THE FIFTEENTH
JUDICIAL CIRCUIT OF FLORIDA, IN AND
FOR PALM BEACH COUNTY, IN CHANCERY.

NO. 35,703-A
+

JOSEPHINE B. MORTON,

Plaintiff,

vs.

LEWIS PETER MORTON,

Defendant.

FINAL DECREE

This cause came on for trial on Plaintiff's Complaint for separate maintenance, unconnected with divorce and the Answer of the Defendant interposed thereto, as well as Defendant's Counterclaim seeking divorce from the Plaintiff. The Court has heard all of the evidence in the cause submitted by the parties and has considered the same, together with the exhibits introduced at the trial and the final arguments of counsel. It is the opinion of the Court that the equities are with the Plaintiff and that the Plaintiff has sustained the essential allegations of her Complaint by a preponderance of that evidence, and further, that the Defendant has failed to establish the allegations of his Counterclaim by the necessary preponderance of evidence. The Plaintiff is entitled to be reimbursed, in cash, for certain sums she advanced for the living and expenses of the parties. It appears from the evidence that the Defendant is well able to pay from his income the sum of \$350.00 per month as support and separate maintenance for the Plaintiff. It is to be noted that Defendant's income is derived from investments, without any personal effort on his part. The Defendant is a young man and there appears to be no reason why he should not be able to pursue some type of

gainful employment, should he wish to increase his income.

In the assessment of attorney's fees, the Court has taken into consideration the Defendant's ability to pay, the undisputed evidence presented by the Plaintiff as to reasonable attorney's fees, the voluminous file in this cause and the great amount of work which it reveals. It is, thereupon

ORDERED, ADJUDGED and DECREED that the Plaintiff, Josephine B. Morton and the Defendant, Lewis Peter Morton, shall hereafter live separate and apart one from the other, and neither shall be liable for any debts of the other, nor shall either have any obligation to the other, except as hereinafter provided. The Defendant is hereby ordered to pay to the Plaintiff, by way of separate maintenance, the sum of \$350.00 each month, beginning as of October 1, 1957. The first payment shall be made within five days hereof and subsequent monthly payments shall be due and payable on the first day of each month. The Defendant is further ordered to pay to the Plaintiff, within 20 days from the date of this Decree, the sum of \$4,000.00 in cash.

IT IS FURTHER ORDERED AND DECREED that the Defendant pay to Potter, Langbein & Burdick, counsel for the Plaintiff, the sum of \$7,500.00 as attorney's fees. The Defendant is allowed to take credit against this sum for the amount of attorney's fees already paid to Plaintiff's counsel in this cause. Said payment of attorney's fees shall be made in full, by the Defendant, on or before 20 days from this date.

Copy furnished counsel.

DONE AND ORDERED this 3rd day of October, A. D. 1957.

✓ Filed this 3rd day of October, 19 57 at 4:30
P.M.
and recorded in CHANCERY ORDER
BOOK, No. 246, at
Page 561, Record verified
by ALEX ARNETTE, Clerk
By Thos. P. Plant, D.C.

Charles D. Smith
Circuit Judge

STATE OF FLORIDA
COUNTY OF PALM BEACH } SS.

I, J. ALEX ARNETTE, Clerk of the Circuit Court of the Fifteenth
Judicial Circuit of Florida, in and for Palm Beach County, do hereby
certify that the above foregoing _____ are _____
true and correct _____ Photostatic _____ cop ies _____
of the following, to-wit:

BILL FOR SEPARATE MAINTENANCE - Filed
June 19th, 1956;

ANSWER and COUNTERCLAIM - Filed August
10, 1956, and

FINAL DECREE - Entered and filed October
3rd, 1957 at 4:30 P.M. and recorded in
CHANCERY ORDER BOOK, No. 246 at Page
561,

In Chancery No. 35,703-A in the case of
JOSEPHINE B. MORTON, Plaintiff vs.
LEWIS PETER MORTON, Defendant.

IN WITNESS WHEREOF, I have hereunto set my hand and seal
of said Court at West Palm Beach, Florida, this the _____
27th day of February, A. D. 195_9_

J. ALEX ARNETTE,
Clerk of Circuit Court,
Palm Beach County, Florida

By


Clerk.

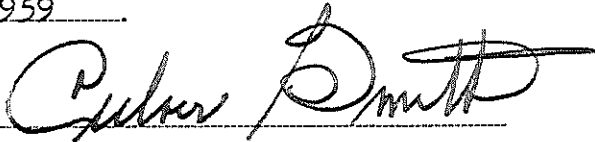


STATE OF FLORIDA,
COUNTY OF PALM BEACH.

} ss.

I, Culver Smith, Judge of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, DO HEREBY CERTIFY that J. Alex Arnette, whose name is subscribed to the foregoing certificate and attestation, is the duly elected and qualified Clerk of the Circuit court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, and that the seal thereto affixed is the genuine seal of the said Court, and that the said certificate and attestation are in due form and made by the proper officer, and that full faith and credit are due and ought to be given to all of the official acts of said Clerk, as well in courts of judicature as elsewhere.

IN TESTIMONY WHEREOF, I have hereunto set my hand at West Palm Beach, Palm Beach County, Florida, this the 27th day of February, A. D. 1959.



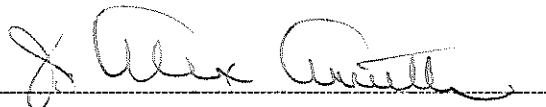
Judge of the Circuit Court of
Palm Beach County, Florida

STATE OF FLORIDA,
COUNTY OF PALM BEACH.

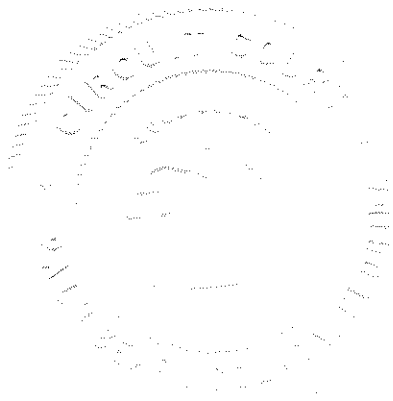
} ss.

I, J. Alex Arnette, Clerk of the Circuit Court of the Fifteenth Judicial Circuit, in and for Palm Beach County, Florida, DO HEREBY CERTIFY that the Honorable Culver Smith is Judge of the Circuit Court of Palm Beach County, Florida, duly commissioned, qualified and acting, and that the signature to the foregoing certificate and attestation is genuine and in his own proper handwriting, and that full faith and credit are due and ought to be given to all of his official acts as well in courts of judicature as elsewhere.

IN TESTIMONY WHEREOF, I have hereunto set my hand and the seal of said court at West Palm Beach, Palm Beach County, Florida, this 27th day of February, A.D. 1959.



Clerk of the Circuit Court of
Palm Beach County, Florida



Know all Men by these Presents

THAT I, JOSEPHINE BURTIS MORTON, in consideration of the payment to me of \$92,500.00 pursuant to Decree of the Circuit Court of Baldwin County, Alabama, entered January 19, 1961 do hereby remise, release, and forever discharge
LEWIS PETER MORTON, his

heirs, executors and administrators, of and from all, and all manner of, actions and causes of action, suits, debts, dues, accounts, bonds, covenants, contracts, agreements, judgments, claims and demands whatsoever in law or equity, especially any related to or arising from such Decree, or any other decree or judgment of any other Court whatsoever, and from any for maintenance, support, alimony, property settlement and any other matter whatsoever

which against the said Lewis Peter Morton she

ever had, now has, or which her heirs, executors, administrators, successors or assigns, or any of them, hereafter can, shall or may have, for, or by reason of any cause, matter or thing whatsoever, from the beginning of the world to the date of these presents.

In witness whereof, I have hereunto set my hand and seal the
8th day of February in the year of our Lord one thousand nine hundred and
sixty-one

SIGNED, SEALED AND DELIVERED }
IN THE PRESENCE OF

Lewis P. Morton

NOTARY PUBLIC OF NEW JERSEY

My Commission Expires Nov. 12, 1963

Josephine Burtis Morton
Josephine Burtis Morton



bility of the same founded upon failure to include in such offer any other portions of such proceeding in the form of pleadings, docket entries or exhibits, or any other portion of said record:

The parties herein further agree and stipulate that the decree of the Court in said Florida proceeding dated October 3, 1957 is ~~THE LAST ONE ENTERED~~ ^{THE LAST ONE ENTERED} ~~MADE~~ ^{W₂}, that no appeal was taken from the same within the time allotted by law, and that there has been no modification of the said decree since its said rendering, nor attack in initial or collateral proceeding.

They further stipulate and agree that in the event of any offer in evidence of all or any portions of A) through E) that any objections based upon improper certification are waived.

They further agree that in the event of an offer in evidence of the record and decision in the case of JOSEPHINE B. MORTON and Paul W. Potter, Irwin L. Langbein, Sylvan B. Burdick, individually and trading as Potter, Langbein and Burdick, Plaintiffs, vs. Lewis Peter Morton, Defendant, and Central-Penn National Bank, Garnishee-Appellant No. 316, in The Supreme Court of Pennsylvania, that any objection to the paper bound printed booklet containing same on the ground of lack of due certification or incompleteness is waived, saving any and all other objections.

Any objections not expressly herein waived are saved.

Done this 20 day of October, 1959

FILED

JAN 16 1961

ALICE J. DUCK, CLERK
REGISTER


SOLICITOR FOR PETER MORTON


SOLICITOR FOR JOSEPHINE BURTIS
MORTON

PETER MORTON,

Complainant

vs.

JOSEPHINE BURTIS MORTON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 4506

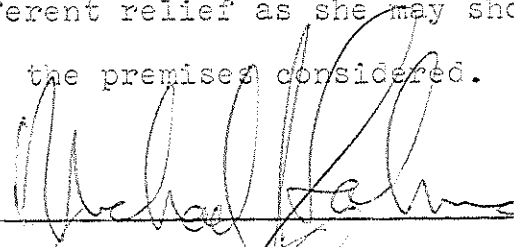

Comes now your Respondent and amends her cross-bill heretofore filed herein so that the last paragraph thereof shall read as follows:

"Wherefore, the premises considered, Respondent prays that this, her amended answer and cross-bill be set down for hearing, that notice be given Complainant through his solicitors of record and that upon hearing of the same, this Court enter an order denying Complainant the relief prayed by him and granting Respondent on her cross-bill dissolution of the bonds of marriage between the parties, and further granting to Respondent permanent alimony according to the agreement of the parties, in the sum of thirty per centum (30%) of the assets in said trust of Respondent, and further granting to the Respondent a reasonable attorney's fee for the efforts of her solicitors in this cause, to-wit, Vincent F. Kilborn, Michael J. Salmon, S. Gordon Elkins and Irwin Langbein together with suit money and expenses herein by her incurred and that the Court grant such other, further and different relief as she may show herself entitled to receive, the premises considered.

FILED

JAN 16 1966

ALICE J. DUCK, CLERK
REGISTER



SOLICITORS FOR RESPONDENT

PETER MORTON)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
JOSEPHINE BURTIS MORTON	)	IN EQUITY
RESPONDENT)	

AMENDMENT TO AMENDED COMPLAINT AND ANSWER

Comes now the Complainant in the above styled cause and amends Section 3 of his amended complaint to read as follows:

3.

That on, to-wit, February 14, 1956, the Respondent assaulted the Complainant and hit him with a bottle; that on, to-wit, May 1, 1956, the Respondent assaulted the Complainant and cut him with a knife. The Complainant further avers that the Respondent assaulted him on many occasions during the time they lived together as man and wife. The Complainant further avers that the actions of the Respondent on May 1, 1956, and on February 14, 1956, of necessity endangered the life and health of the Complainant.

The answer of the Respondent is in the nature of a cross bill and the Complainant comes now and files the following answer to that portion of the Respondent's answer which seeks affirmative relief.

A. For answer to the second paragraph of Section 4 of the Respondent's answer, the Complainant says that the matters alleged therein are untrue, and demands strict proof of the same.

B. For answer to Section 5 of the Respondent's answer, the Complainant says that the matters alleged therein are untrue and demands strict proof of the same.

Wilters & Brantley

BY: *W. Wilters*
Solicitors for the Complainant

FILED

AUG 12 1959

ALICE J. DUCK, Register

4506

PETER MORTON

COMPLAINANT

VS

JOSEPHINE BURTIS MORTON

RESPONDENT

AMENDMENT TO AMENDED COMPLAINT
AND ANSWER

FILED

AUG 12 1959

ALICE J. DUCK, Register

AMENDED COMPLAINT

PETER MORTON	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA,
VS	Ø	IN EQUITY
JOSEPHINE BURTIS MORTON	Ø	
RESPONDENT	Ø	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY

Comes now Your Complainant, Peter Morton, and amends his complaint to
read as follows:

1.

That your Complainant is over the age of twenty-one years and a bona
fide resident citizen of Baldwin County, Alabama, and has been for more
than one year next preceding the filing of the bill of complaint; that
the Respondent is over twenty-One years of age and a non-resident of the
State of Alabama, whose address is 323 Chilian Avenue, Palm Beach, Florida.

2.

That your Complainant and the Respondent married at Stewart, Florida,
on, to-wit, February 10, 1950, and lived together as husband and wife until
May 1, 1956.

3.

That on, to-wit, May 1, 1956, the Respondent assaulted the Complainant
with a knife and cut him with it; that on to-wit, February 14, 1956, the
Respondent hit the Complainant with a bottle; that on numerous occasions
prior to this date the Respondent has assaulted the Complainant with various
objects. These actions of the Respondent endanger the life and health of
the Complainant.

4.

Your Complainant further avers that the Respondent voluntarily abandoned
the bed and board of the Complainant for more than one year next preceding
the filing of this bill of complaint, since which time Complainant and
Respondent have not lived together nor in any way recognized each other
as husband and wife.

5.

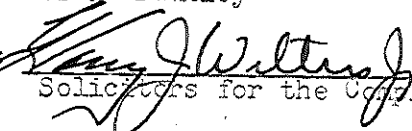
The Complainant further avers that since the time of the marriage of the Complainant and Respondent, the Respondent, Josephine Burtis Morton, has become addicted to habitual drunkenness.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Josephine Burtis Morton party Respondent to this cause of action, requiring her 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 final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Wilters & Brantley

BY:


Solicitors for the Complainant

4506
PETER MORTON

COMPLAINANT

VS

JOSEPHINE BURTIS MORTON

RESPONDENT

AMENDED COMPLAINT

FILED

JUN 11 1959

ALICE J. DUCK, CLERK
REGISTER

PETER MORTON	)	IN THE CIRCUIT COURT OF
Complainant	)	BALDWIN COUNTY, ALABAMA
vs.	)	IN EQUITY
JOSEPHINE BURTIS MORTON)	
Respondent	)	CASE NO. 4506

Comes now your Respondent in the above styled cause and demurs to the Bill of Complaint and as grounds of demurrer sets down and assigns the following:

1. There is no equity in the Bill.
2. For aught that appears, the Bill does not state an equitable cause of action.
3. The Bill is duplicitous.
4. The Bill is multifarious.

And the Respondent further demurs to that aspect of the Bill which seeks a divorce for cruelty and as grounds of demurrer, assigns the grounds heretofore assigned to the Bill as a whole and the following additional grounds, to-wit:

1. For that the same fails to allege with sufficient particularity the character of the conduct purportedly constituting the cruelty charged.
2. For that the allegation of the conduct of Respondent "would necessarily endanger his life and health" is a mere conclusion of the pleader, and no facts are alleged as basis therefor.
3. For aught that appears from the Bill the conduct alleged was not attended with danger to Complainant's life or health, or was there a reasonable apprehension on his part of such danger.
4. For that this aspect is indefinite, vague and in-

conclusive.

5. For aught that appears this aspect does not state a cause of action.

6. For aught that appears, this aspect has no equity.

7. For aught that appears, this aspect is multifarious.

ANSWER

Comes now the Respondent in the above styled cause and for answer to the Bill of Complaint heretofore filed says as follows:

1. She denies the allegations of Paragraph 1, and demands strict proof thereof, except that portion thereof which relates "that the Respondent is over twenty-one years of age and a non-resident of the State of Alabama, whose address is 323 Chilian Avenue, Palm Beach, Florida", which Respondent admits.

2. She admits that she and Complainant were and are married, but expressly denies the allegations as to place and time thereof, and demands strict proof thereof; she admits that the parties lived together as husband and wife until sometime in May of 1956, but being without knowledge as to the exact date thereof, denies that portion of said Bill relating "until May 1, 1956".

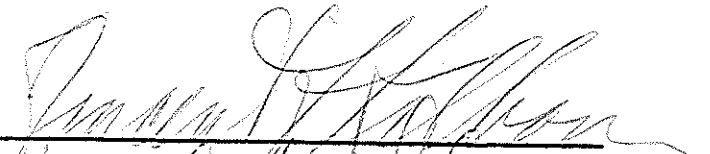
3. Respondent expressly denies each and every allegation of Paragraph 3, and demands strict proof thereof.

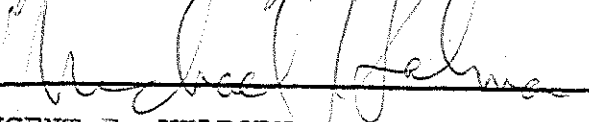
And for further answer Complainant state that she is without sufficient funds to pay attorneys to defend this cause, and that she has a good and meritorious defense to the same. She alleges that she has employed Vincent F. Kilborn and Michael J. Salmon to appear and defend the same for her, and that she is without funds to compensate such attorneys for their services in her behalf.

4. Cross-Respondent is well able to pay any reasonable

attorneys fees that may be awarded her attorneys for the defense of the said suit. Said Cross-Respondent is wealthy, having ownership, or access to for purposes of the relief prayed herein, of property valued at the least at FOUR HUNDRED FIFTY THOUSAND AND NO/100THS (\$450,000.00) DOLLARS and likely more.

WHEREFORE, the premises considered, Respondent prays that upon hearing of this cause, this Honorable Court will render an order denying to Complainant the relief sought, and further requiring such Complainant to pay to her said attorneys a reasonable attorneys fee for their services herein, and to pay to Respondent such suit moneys and expenses as she has had to incur in the defense of the same. She prays such other, further, and different relief as she may show herself entitled to receive, and as may be appropriate in the premises.





VINCENT F. KILBORN
MICHAEL J. SALMON
307 First National Bank Building
Mobile, Alabama

Solicitors for Respondent

4506

FILED

MAR 10

ALICE L. DUNK, CLERK
REGISTERED

FILED

MAR 18 1959

ALICE L. DUNK, CLERK
REGISTERED

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOSEPHINE BURTIS MORTON 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 PETER MORTON as Complainant and against Josephine Burtis Morton, as Respondent.

WITNESS my hand this the 12 day of February, 1959.

Alice J. Luck
Register

PETER MORTON

COMPLAINANT

VS

JOSEPHINE BURTIS MORTON

RESPONDENT

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

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY:

Your Complainant, Peter Morton, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of twenty-one years and a bona fide resident citizen of Baldwin County, Alabama, and has been for more than one year next preceding the filing of the bill of complaint; that the Respondent is over twenty-one years of age and a non-resident of the State of Alabama, whose address is 323 Chilian Avenue, Palm Beach, Florida.

2.

That your Complainant and the Respondent married at Stewart, Florida, on, to-wit, February 10, 1950, and lived together as husband and wife until May 1, 1956.

3.

That on to-wit, May 1, 1956, the Respondent beat the Complainant about the face and body and threatened to kill him, and cursed, threatened and abused your Complainant and threatened to do actual violence to his person, which would necessarily endanger his life and health; that the

conduct of the Respondent was such as to give your Complainant and he did actually believe that if he continued to live with the Respondent she would carry out her threats which would necessarily endanger her life and health.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Josephine Burtis Morton party respondent to this cause of action, requiring her 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 final hearing hereof, your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Wilters & Brantley

BY: 

Solicitors for the Complainant

4506

PETER MORTON

COMPLAINANT

VS

JOSEPHINE FURTIS MORTON

RESPONDENT

BILL OF COMPLAINT

FILED

FEB 13 1959

ALICE J. DUCK, Register

PETER MORTON,

COMPLAINANT,

VS.

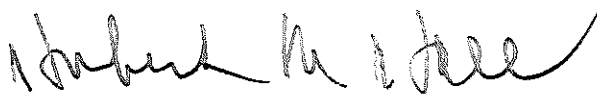
JOSEPHINE BURTIS MORTON,

Respondent.

)
)
) IN THE
)
) CIRCUIT COURT OF BALDWIN COUNTY,
)
) ALABAMA. IN EQUITY.
)
) NO. 4506
)
)

The above styled cause having been settled during the trial of the same, between the parties, and on request of the Respondent-Cross Complainant, the Respondent-Cross Complainant is hereby permitted to withdraw their Exhibits 1, 2, 3, 4 5, 7 and 8, which were introduced during the trial of this cause, and before the settlement was reached.

This 19th day of January, 1961.



JUDGE

FILED

JAN - 20 1961

ALICE L. DUCK, CLERK
REGISTER

a certain agreement entered into between them and executed by Josephine Burtis Morton on November 20, 1959, and executed by Peter Morton, also known as Lewis Peter Morton, November 17, 1959, a copy of which agreement is annexed to the Respondent's amended answer and cross bill filed June 14, 1960, which answer and cross bill is Respondent's Exhibit 10.

2. In addition to repudiating the aforesaid agreement, copy of which is Respondent's Exhibit 10 in part, the parties agree that the same is rescinded, annulled, set aside and made of no force and effect whatsoever.

3. That Josephine Burtis Morton be awarded a judgment for NINETY-TWO THOUSAND FIVE HUNDRED (\$92,500.00) DOLLARS against Peter Morton, also known as Lewis Peter Morton, by way of a lump sum award of alimony to her, which sum and judgment, when satisfied, shall constitute a full and final settlement, satisfaction and discharge of any and all claims or demands of any nature whatsoever which Josephine Burtis Morton has or might have against Peter Morton, also known as Lewis Peter Morton, for maintenance, support, alimony or any other purpose

4. That the amount of the judgment shall constitute satisfaction further of any and all awards heretofore made by any Court, and specifically by the Circuit Court of the Fifteenth Judicial Circuit Court of Florida, in and for Palm Beach County, being Chancery case number 35703, titled Josephine B. Morton VS. Lewis Peter Morton; by the terms of the decree in said cause it was provided in part that the sum of THREE HUNDRED FIFTY (\$350.00) DOLLARS a month was awarded to Josephine Burtis Morton for her maintenance and support.

And the Court having considered the foregoing agreement of settlement of property rights between the parties is of the opinion that the same is fair and equitable and ought to be approved. And it further appearing to the Court that both parties are in agreement that the same is fair and equitable and is due to be approved, it is, therefore

ORDERED, ADJUDGED AND DECREED BY THE COURT that the settlement agreement be, and the same is hereby ratified, confirmed and approved and adopted in all respects. It is , therefore,

ORDERED, ADJUDGED AND DECREED by the Court that Josephine Burtis Morton have and recover of Peter Morton, also known as Lewis Peter Morton, the sum of NINETY-TWO THOUSAND FIVE HUNDRED (\$92,500.00) DOLLARS, for which let execution issue.

And the Court continues with the hearing of this cause, and it appears to the Court that the Complainant is not entitled to relief on his bill of complaint and relief as prayed therein is hereby denied, and the Court proceeds to a hearing of the Cause made for the Respondent-Cross Complainant on her last amended cross bill, wherein she seeks a decree of final divorce from the Complainant, Peter Morton, also known as Lewis Peter Morton, and charges as a basis for the relief sought cruelty and abandonment, all as more fully charged in Respondent's last amended answer and cross bill. And the Court proceeds to hear the cause and take the evidence ore tenus, and observes the demeanor of the witnesses, and is of the opinion that the Respondent-Cross Complainant is entitled to the relief sought on her cross bill as last amended, and that she is due to be awarded a decree of divorce from the Complainant, Peter Morton, also known as Lewis Peter Morton.

It is, therefore considered, ordered, adjudged and decreed by the Court that the relief prayed for by Josephine Burtis Morton in her cross bill for divorce is granted, and that the bonds of matrimony heretofore existing between Josephine Burtis Morton and Peter Morton, also known as Lewis Peter Morton, be and they are hereby dissolved. It is further

ORDERED, ADJUDGED AND DECREED by the Court that neither party to this cause shall remarry, except to one another, within sixty days from the rendition of this decree, but after the expiration of sixty days from the rendition of this decree, either party may remarry without necessity for further permission from this Court. It is further

ORDERED, ADJUDGED AND DECREED that the costs incurred in this cause are hereby taxed against the Complainant, Peter Morton, also known as Lewis Peter Morton, for which let execution issue.

Dated at Bay Minette, Alabama, this 19th day of January, 1961.

FILED

JAN 20 1961

ALICE J. DUCK, CLERK
REGISTER

Robert M. Lee

Judge of the 28th Judicial
Circuit of Alabama.