

4546

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MYRTICE VIRGINIA SMITH JOHNSON, Complainant

vs.

WALTER JOHNSON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint ~~Proces Pro Confesso~~ 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 Myrtice Virginia Smith Johnson is forever divorced from the said Walter Johnson for and on account of Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Myrtice Virginia Smith Johnson, shall resume the use of her maiden name, Myrtice Virginia Smith.

It is futher 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 futher ordered that Myrtice Virginia Smith Johnson the Complainant pay the cost herein to be taxed, for which executed may issue.

This 15 day of April 19 59

[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. 4546 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MYRTICE VIRGINIA SMITH

JOHNSON

Complainant

vs.

WALTER JOHNSON

Respondent

DIVORCE DECREE

FILED

APR 15 1959

ALICE J. DUCK, CLERK
REGISTER

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: MOIS WILSON

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 Myrtice Virginia Smith Johnson and Charlie Smith

a witness in behalf of Myrtice Virginia Smith Johnson in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Myrtice Virginia Smith Johnson

, Complainant

and Walter Johnson

Respondent

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

Witness 7 day of

Apr

, 1959

Alvin J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4546

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MYRTICE VIRGINIA SMITH JOHNSON

Complainant

VS.

WALTER JOHNSON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

MOIS WILSON

FILED

APR 8 1950

WITNESSES:

ALICE J. DUCK

CLERK

MYRTICE VIRGINIA SMITH JOHNSON
CHARLIE SMITH

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

MYRTICE VIRGINIA SMITH JOHNSON

COMPLAINANT

vs.

WALTER JOHNSON

RESPONDENT

I, LOIS WILSON

as Register and Commissioner

have called and caused to come before me Myrtice Virginia Smith Johnson and
Charlie Smith

witness es named in the requirement for Oral Examination, on the 7th day of April
19 59 , at the office of C. LeNoir Thompson

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 Myrtice Virginia Smith Johnson

and Charlie Smith doth depose and say as follows:

That my name is Myrtice Virginia Smith Johnson, I am over the age of 21 and have been a resident of Baldwin County since birth. The respondent Walter Johnson is over the age of 21 and has been a resident of Baldwin County more than two years next preceding. We were married in Baldwin County on January 26, 1952 and lived together as husband and wife until the respondent abandoned me without fault on my part on March 24, 1957. We have not lived together as husband and wife since that date. I do not believe we will ever live together again as husband and wife. We have no children as fruits of our marriage and no property to be divided. I respectfully ask permission of this Honorable Court to resume my former name of Myrtice Virginia Smith.

Myrtice Virginia Smith Johnson

That my name is Charlie Smith, I know both parties to this cause, they are both over the age of 21 and have been residents of Baldwin County more than two years next preceding. They were married in Baldwin County on January 26, 1952 and lived together as husband and wife in Baldwin County until the respondent abandoned the complainant without fault on her part on or about March 24, 1957. They have not lived together as husband and wife since that time and I do not believe they will ever live together again as husband and wife. They have no children as fruits of their marriage and no property to be divided.

Charlie Smith

ORAL EXAMINATION

I, Lois Wilson 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. LeNoir Thompson 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 7th day of April, 19 59 .

Lois Wilson (L. S.)

No. *4846* Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MYRTICE VIRGINIA SMITH JOHNSON

COMPLAINANT

vs.

WALTER JOHNSON

RESPONDENT

ORAL DEPOSITION

Filed _____, 19

FILED

, Register.

APR 9 1959
RECORDED IN
ALICE J. DUCK, CLERK
REGISTER Record

Vol. _____ Page _____

, Register.

MYRTICE VIRGINIA SMITH JOHNSON

vs.

WALTER JOHNSON

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, _____
Testimony of Myrtice Virginia Smith Johnson and Charlie Smith

and in behalf of Defendant upon Answer and Waiver

Walter Johnson

Charlie Smith

Register.

127

No. H 546

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MYRTICE VIRGINIA SMITH JOHNSON

vs.

WALTER JOHNSON

NOTE OF TESTIMONY

Filed in Open Court this _____
day of _____, 194

FILED
APR '8 1959

ALICE J. DUCK, CLERK
Register

127-546

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon WALTER 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 MYRTICE VIRGINIA SMITH JOHNSON, as Complainant and against WALTER JOHNSON, as Respondent.

WITNESS my hand this the 8 day of April, 1959.

Miss J. Duke
Register.

* * * * *

MYRTICE VIRGINIA SMITH JOHNSON	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA.
VS	*	IN EQUITY.
WALTER JOHNSON	*	CASE NO. _____
RESPONDENT	*	

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

Your Complainant, Myrtice Virginia Smith Johnson, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceding; The Respondent is over the age of 21 and a resident of Baldwin County, Alabama and have been more than two years next preceding.

2.

That your Complainant and the Respondent married in Baldwin County, Alabama on January 26, 1952 and lived together as husband and wife until on to-wit: March 24, 1957.

3.

That on to-wit: March 24, 1957, while your Complainant and the respondent were living together as husband and wife, the respondent voluntarily abandoned the bed and board of your complainant and has remained away voluntarily and continuously since that time.

4.

There are no children as fruits of this marriage between the Complainant and the Respondent and no property to be divided.

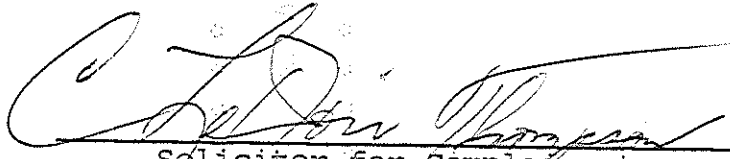
WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said Walter Johnson, party respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of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

Your Complainant further 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; your complainant prays for such other, firther, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

APR 8 1959

ALICE J. DUCK, CLERK
REGISTER


Solicitor for Complainant.

no. 4546

MYRTICE VIRGINIA SMITH JOHNSON

COMPLAINANT

VS

WALTER JOHNSON

RESPONDENT

* * * * *
SUMMONS AND COMPLAINT
* * * * *

FILED

APR 8

ALICE J. DUCK, CLERK
REGISTER

MYRTICE VIRGINIA SMITH JOHNSON * IN THE CIRCUIT COURT OF
 COMPLAINANT * BALDWIN COUNTY, ALABAMA.
 VS * IN EQUITY.
 WALTER JOHNSON * CASE NO. _____
 RESPONDENT *

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

The Respondent admits the allegations as to the ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

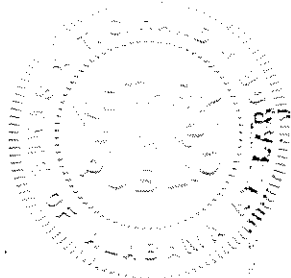
The Respondent waives notice of the time of taking of testimony on behalf of the complainant, the right to cross-examine complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Walter Johnson

STATE OF ALABAMA
 BALDWIN COUNTY

I, T.C. Hand, a Notary Public, in and for said County, in said State, hereby certify that Walter Johnson, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that being informed of the contents of the conveyance he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 7 day of April, 1959.



FILED

APR 8 1959

ALICE J. DUCK, CLERK REGISTER

T.C. Hand

Notary Public, Baldwin County, Alabama.

MY COMMISSION AS A NOTARY PUBLIC
 EXPIRES 30 OF Jan. 1960.

W. 4546

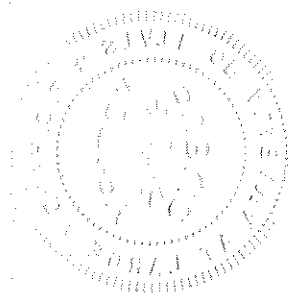
MYRTICE VIRGINIA SMITH JOHNSON

COMPLAINANT

VS

WALTER JOHNSON

RESPONDENT



* * * * *

ANSWER AND WAIVER

* * * * *

FILED
APR 8 1950
ALICE J. DUCK, CLERK
REGISTER