

14808

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

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 Cruelty.

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 Ida Mae Linton the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of February 1960

Robert 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.

FILED 2-8 1960 ALICE J. DUCK, CLERK REGISTER

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

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 respectfully 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, February 28th, 1959.

3. Complainant further avers that the Respondent has committed actual physical violence on her person attended with danger to her life and health, and from his conduct toward her, she is reasonable apprehensive of other and further violence, so much so that she can no longer live with the Respondent; that the Respondent has made numerous threats of doing her other and further physical harm, and from his manner and conduct toward her she is reasonably convinced that he will commit actual violence on her person attended with danger to her life or health.

4. 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.

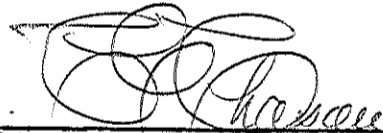
5. Complainant further shows unto the Court that the home in which she lives is rented by her and is in her name, and that she has regularly paid the rental therefor, and that all furniture, fixtures and equipment in the residence are the property of the Complainant. Complainant further shows that she has demanded of

C. G. C.

the Respondent to remove himself from the premises and that he has failed and refused to do so, although, for a considerable period 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 process 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 provided; that upona 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.

FILED

JAN 4 1960

ALICE J. DUCK, Register

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4808

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 4th day of January 19 60

Alice J. Luck, Clerk

No. 4808

Page

The State of Alabama
Baldwin County

CIRCUIT COURT

TDA MAE LINTON

Plaintiffs

vs.

ALTON LINTON

Defendants

Summons and Complaint

Filed January 4, 19.60

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

1/4 19 60

Sheriff

I have executed this summons

this 1-5 19 60

by leaving a copy with

Alton Linton

Sheriff claims 50 miles at

Ten Cents per mile Total \$ 3.00

TAYLOR WILKINS Sheriff

BY Edlidge Steadman DEPUTY SHERIFF

Taylor Wilkins Sheriff

Edlidge Steadman Deputy Sheriff

Robertsdale, Ala

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

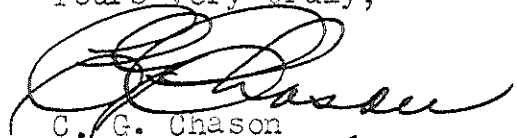
February 4, 1960

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

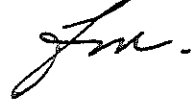
Dear Mrs. Duck:

Enclosed herewith is MOTION for Decree Pro Confesso on
~~Personal Service, and Decree Pro Confesso on Personal~~
Service, in the case of Linton -vs- Linton.

Yours very truly,



C. G. Chason



CGC:fm

encls. 2

CECIL G. CHASON

ATTORNEY-AT-LAW

FOLEY, ALABAMA

February 6, 1960

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 Depositions, Note
of Testimony and Divorce Decree in the case of Linton
-vs- Linton, being case #4808.

Please send the Cost Bill to us.

Yours very truly,


C. G. Chason

CGC:fm

encls. as noted.

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

IDA MAE LINTON
Complainant,
Vs. ALTON LINTON
Respondent.

In the Circuit Court.
In Equity No. 4808.

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 5th day of January
19460

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 5th day of February, 19460

Alice J. Duck
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

FILED
day of

194_____

FEB 4 1960

**ALICE J. DUCK, CLERK
REGISTER**

Register.

THE STATE OF ALABAMA,
Baldwin County

No. 4808 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 4th day of February



Solicitor.

No. _____ Page _____

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 _____ 19 _____

FILED

FEB 4 1960 Register.

Recorded in _____ Record

**ALICE J. DUCK, CLERK
REGISTER**

Vol. _____ Page _____

Register.

IDA MAE LINTON

vs.

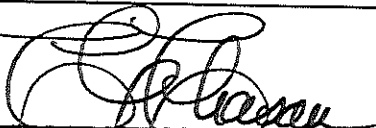
ALTON LINTON

THE STATE OF ALABAMA
Baldwin County

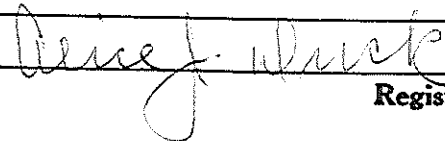
IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant 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 8 -----

day of Feb -----, 1960

Alvin J. Huest
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, as such time and place as you may appoint, to call before you and examine Ida Mae Linton and Ethelene Linton

a witness 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 deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 6th day of February

, 1956

Alton Linton
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4808

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

IDA MAE LINTON

Complainant

VS.

ALTON LINTON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

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

witnesses named in the requirement for Oral Examination, on the 6th day of February,
19 60, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said witnesses 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 for over five (5) years. Alton Linton is over the age of twenty-one years and is a citizen of Robertsdale, Baldwin County, Alabama. We were married in 1934, Divorced, and re-married on February 28, 1959. Since that time he has committed actual physical violence on my person by beating me with his fists and otherwise abusing me, and he has further made numerous threats of doing me other and further violence attended with danger to my life or health, so much so that I am afraid to continue to live with him. He also drinks constantly and is particularly mean and violent when drunk. The house in which we reside is mine, as well as all furniture, fixtures and equipment, etc., located therein. I demand of Alton Linton that he remove himself from the premises, and he refused to do so, and threatened to beat me again, at that time, so I had him arrested.

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 of Baldwin County, Alabama. I am personally acquainted with Ida Mae Linton and Alton Linton. They were married, divorced and then re-married on February 28, 1959. I know that he has beat her with his fists, and committed actual violence on her person attended with danger to her life and health. He also drinks almost constantly, and is very mean when drunk. I believe it reasonable that she is afraid to live with him any longer.

Signed: Ethelene Linton

4808

ORAL EXAMINATION

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 6th day of February, 1960.

Frances G. Mallory

Register

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

IDA MAE LINTON

COMPLAINANT

vs.

ALTON LINTON

RESPONDENT

ORAL DEPOSITION

Filed 2-8, 1960

Frances G. Mallory
Register

RECORDED IN

Record

Vol. _____

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Register.