

(295)

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

Barbara Jean Johnson, Complainant vs. Floyd Johnson, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, 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 Barbara Jean Johnson is forever divorced from the said Floyd Johnson for and on account of

cruelty, and further that Floyd Johnson shall have custody of the child, Regina Kay Johnson, subject to the right of Barbara Jean Johnson to visit the child at any time during reasonable hours and reasonable notice to Floyd Johnson, and further that Barbara Jean Johnson be allowed actual custody of the child one day in the week between the hours of 8AM and 6 PM, the certain day being subject to Respondent's approval.

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 the payment of the cost of this suit.

It is further ordered that Floyd Johnson, Respondent the pay the cost herein to be taxed, for which execution may issue.

This 9th day of February, 1953, Hubert M. Hall, Judge Circuit Court, In Equity.

I, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file end 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

~~Barbara Jean Johnson~~

Complainant

vs.

Floyd Johnson

Respondent

DIVORCE DECREE

FILED

FEB 9 1953

ALICE J. DUCK, Register

Barbara Jean Johnson

v.

Floyd Johnson

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. _____.

DEMAND FOR ORAL EXAMINATION

Comes the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay Minette, in the County of Baldwin, Alabama, the place of trial of said cause, to wit:

Barbara Jean Johnson

May Presnall

2. That said Complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of the Court.

J. Conrad Owens Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of Frank P. Propst as a suitable and competent person to act as commissioner upon the examination of said witnesses.

J. Conrad Owens Jr.
Solicitor for Complainant

DEMAND FOR ORAL EXAMINATION

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 2957.

BARBARA JEAN JOHNSON
V.
FLOYD JOHNSON

FILED 2-4-53

Barbara Jean Johnson

J. CONNOR OWENS, JR.
SOLICITOR
BAY MINETTE, ALA.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Barbara Jean Johnson Complainant

VS.

Floyd Johnson Respondent

Frank P. Propst

I,

as Register and Commissioner in the above-styled cause
have called and caused to come before me _____

Barbara Jean Johnson and
May Presnall

witnesses named in the Requirement for Oral Examination, on the 4 day of February
1953, at the office of J. Connor Owens, Jr.

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Barbara Jean Johnson
and May Presnall doth depose and say as follows:

My name is Barbara Jean Johnson and I am 20 years old, and a
resident of Baldwin County, Alabama. I was married on February
4, 1950, to Floyd Johnson, and we have one child, Regina Kay
Johnson, age 20 months.

My husband and I first started having our troubles about two mon-
ths ago, and around December 24, 1952, Floyd struck me, and threw
me against the bed, and threatened me. From the way he acted I was
again afraid that my life and health would be in danger if I
continued to live with him. I avoided him around the house for a
few days, and then I decided that I had better move out for I
was still afraid that my life and health was in danger. So on
January 16, 1953, I left him, and lived apart from him.

I am willing to let him have Regina Kay Johnson under the terms
that we have agreed upon, since my mother is dead and my father
does not live in Alabama, and he can have his mother look after
her.

Barbara Jean Johnson

My name is May Presnall, and I am 18 years old and a resident
of Baldwin County. I knew Barbara Jean and Floyd and lived
in the house with them from August through November in 1952.
I saw that they did not get along, and that they fought and
argued. I also saw him when he hit Barbara Jean and threw her
against the bed.

May Presnall

ORAL EXAMINATION.

I, Frank P. Propst, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself _____

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witnesses 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 5 day of Feb, 1943

Frank P Propst (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Barbara Jean Johnson

vs. Complainant

Floyd Johnson

Respondent.

Oral Deposition

Filed 2-9, 1943

Recorded in _____, Register.

Vol. _____ Page _____
Record _____, Register.

THE STATE OF ALABAMA
BALDWIN COUNTY

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CIRCUIT COURT

TO FRANK P. PROPST

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Barbara Jean Johnson and May Presnall as witnesses in behalf of Barbara Jean Johnson in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Barbara Jean Johnson, Complainant, and Floyd Johnson, Respondent, on oath, to be by you administered, upon the witnesses and to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness my hand this 4th day of February, 1953.

Richard J. Smith
Register

Commissioner's Fee, \$ _____

Witness' Fee \$ _____

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

BARBARA JEAN JOHNSON,
COMPLAINANT

V.

FLOYD JOHNSON,
RESPONDENT

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FRANK P. PROPST

WITNESSES:

BARBARA JEAN JOHNSON

MAY PRESNALL

between the Complainant and the Respondent that Mrs. Myrtle Johnson, mother of the Respondent, and a resident of Baldwin County, Alabama, shall have care, control and custody of the child while the Respondent is at work or engaged in other duties which might call him away from home.

Barbara Ann Johnson
Complainant

Floyd L. Johnson
Respondent

STATE OF ALABAMA
BALDWIN COUNTY

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IN THE CIRCUIT COURT--IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summon Floyd 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 Barbara Jean Johnson, as Complainant, against Floyd Johnson, as Respondent.

Witness my hand this _____ day of February, 1953.

Register

PRAYER FOR PROCESS

The premises considered your Complainant respectfully prays that the above named Floyd Johnson be made a party Respondent 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.

PRAYER FOR RELIEF

The premises considered your Complainant respectfully prays that upon final hearing of this cause that your Honor will enter an order divorcing your Complainant from the Respondent; your Complainant further prays that your Honor will also enter an order or decree awarding the care, custody and control of the said Regina Kay Johnson to your Complainant. That your Honor will also enter a decree allowing the Complainant to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other further and different relief to which she may be entitled and as in duty bound she will ever pray.

Barbara Ann Johnson
Complainant

J. Connor Owens, Jr.
Solicitor for Complainant

Barbara Jean Johnson,
Complainant

vs.

Floyd Johnson,
Respondent

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, And

the testimony of Barbara Jean Johnson
and Mary Fredmall-

and in behalf of Defendant upon _____

J. Conrad Duran

Solicitor for Complainant

Wesley J. Duck

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Barbara Jean Johnson,

Complainant

vs.

Floyd Johnson,

Respondent

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

Register.

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