(140)

DIVORCE DECREE

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ROSE LANDON Complainant

VS.

WALTER LANDON Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said ROSE LANDON is forever divorced from the said WALTER LANDON for and on account of CRUELTY

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 Walter Landon the Respondent pay the cost herein to be taxed, for which execution may issue.

This 8th day of October, 1945

T. W. Hare

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. 1420 Page

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ROSE LANDON

vs. Complainant

WALTER LANDON

Respondent

DIVORCE DECREE

Filed this _____ day of

October, 1945

Register

8581. NOTE OF TESTIMONY

Moore Printing Co.

ROSE LANDON

VS.

~~WALTER LANDON~~

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,

~~Commission to take Testimony, Oral Depositions of Rose Landon and W. R.~~ Duckworth

and in behalf of Defendant upon

Answer and Waiver

Register.

No. 1420

The State of Alabama,

BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

ROSE LANDON

VS.

WALTER LANDON

NOTE OF TESTIMONY

Filed in Open Court this 16

day of October 1945

Register.

Moore Printing Co.

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

WE COMMAND YOU, that you summon Walter Landon, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Rose Landon, against the said Walter Landon, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this the 31 day of October, 1945.

R. S. Duck
Register

. . . . . .

ROSE LANDON, Complainant	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
WALTER LANDON, Respondent	)	IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Complainant, Rose Landon, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about May 22, 1944, Complainant intermarried with said Walter Landon, at Milton, Florida, and they lived together as man and wife until about October 1, 1945, most of the time residing in Baldwin County, Alabama. Complainant has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

2. That from the Respondent's conduct there is reasonable apprehension of violence upon the person of the Complainant which puts her in constant fear of danger of her life or health, for on to wit: On October 1, 1945, the Respondent, while intoxicated, threatened to kill her with a large piece of stove wood.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Walter Landon party Respondent to this cause of action, 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;

That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant; your Complainant specifically requests that your Honor have the Respondent convey unto her the following described real estate, situated in the County of Baldwin, State of Alabama, to wit:

> All of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section Twenty-one (21), Township Six (6) South, Range Four (4) East, EXCEPT, Two (2) acres in the Northeast corner of said tract of land.....

which property is now owned by them jointly with the right of survivorship, for the reason that your Complainant used her own money to purchase this property.

Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Rose Landon
Complainant

Forest A. Christian
Forest A. Christian, Foley, Alabama
Solicitor for Complainant

Filed this the 23rd day of Oct 1961
Ruby Pearl
Clerk

1450

Bell J Complaint

Rose Landon
Complainant

Vs.

Walter Landon
Respondent

Filed Oct 30 1945

Complaint

STATE OF OHIO
COUNTY OF CUYAHOGA
CITY OF CLEVELAND

Rose Landon being duly sworn states that she is a citizen of the United States and a resident of the City of Cleveland, County of Cuyahoga and State of Ohio; that she was married to the defendant on the 12th day of August 1940 at Cleveland, Ohio; that defendant is now a resident of Cuyahoga County, Ohio; that defendant has been guilty of gross neglect of duty and gross and barbarous treatment to the plaintiff to the extent that her life is endangered and her health impaired to such a degree that she can not live with the defendant.

Wherefore, plaintiff prays that the bonds of matrimony existing between plaintiff and defendant be dissolved and that she be granted the custody of her minor children, namely, Walter Landon, aged 3 years and Bonnie Landon aged 1 year and for her costs herein expended and for such other and further relief as to the court may seem just and equitable.

Rose Landon

ORAL DEPOSITION

Printed by The Baldwin Times, Bay Minette.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ROSE LANDON Complainant

VS.

WALTER LANDON Respondent

I, Alica A. Christian
as ~~Register and~~ Commissioner
have called and caused to come before me Rose Landon and W. R. Duckworth

witness~~es~~ named in the Requirement for Oral Examination, on the 5th day of October 1945, at the office of Forest A. Christian in Foley, Alabama, and having first sworn said Witness~~es~~ to speak the truth, the whole truth, and nothing but the truth, the said Rose Landon and W. R. Duckworth doth depose and say as follows:

My name is Rose Landon, I am 45 years of age. I married Walter Landon on May 22, 1944, and we lived together as man and wife until October 1, 1945. I have lived in Baldwin County since 1933. Last Monday, October 1, 1945, Walter came home intoxicated and raised a fuss and threatened to kill me with a stick of stove wood. A neighbor drove in and they saw Walter with a stick of stove wood and told him not to hit me. About three o'clock the next morning it was necessary to call the law because he was still threatening me and Mr. Duckworth, deputy sheriff, at Robertsdale, came and arrested him and took him to Bay Minette.

Rose Landon
Rose Landon

My name is W. R. Duckworth. I am deputy sheriff at Robertsdale, Alabama. Last Monday night, about three A. M., I was called to the Landon home and arrested Walter Landon and took him to Bay Minette. He pleaded guilty to assault and battery.

W R Duckworth
W. R. Duckworth

ORAL EXAMINATION.

I, Alica A. Christian, as Register and Commissioner hereby certify that the foregoing deposition s 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 and Forest A. Christian 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 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 5th day of October, 1945.

Alica A. Christian (L.S.)

NO. 1480 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ROSE LANDON
vs. Complainant

WALTER LANDON
Respondent.

Oral Deposition

Filed October 6, 1945
Register.

Recorded in
Record
Vol. Page
Register.

COMMISSION TO TAKE DEPOSITIONS

Moore Printing Co., Bay Minette, Ala.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

To Alica A. Christian

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 Rose Landon and W. R. Duckworth

as witnesses in behalf of Rose Landon in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Rose Landon

Complainant

and

Walter Landon

Respondent

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

Witness 12 day of October, 1945

R. L. Duck
Register

Commissioner's Fee, $

Witness' Fees, $

No. 1420

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ROSE LANDON

Complainant

VS.

WALTER LANDON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Alica A. Christian

WITNESSES:

Rose Landon and

W. R. Duckworth

ROSE LANDON, Complainant	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
WALTER LANDON, Respondent	)	IN EQUITY.

ANSWER

Now comes Walter Landon, the Respondent named in the above entitled cause, and for answer to the Bill of Complaint filed against him herein says:

1. He admits that the Complainant is over twenty-one years of age and a bona fide resident citizen of Baldwin County, Alabama, and that he is over twenty-one years of age and a resident of Baldwin County, Alabama.

2. The Respondent denies each and all of the other allegations of the Bill of Complaint and demands strict proof thereof.

3. The Respondent waives all formalities and requirements of law in connection with the taking of testimony in this cause, submission of the cause for final decree and any and all other notice or notices of every kind and nature which are or may be required in this cause.

Walter Landon
Respondent

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

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

Given under my hand this the 5th day of October, 1945.

Ruth Schultz
Notary Public

My commission expires:
3-25-49

1420

ANSWER

ROSE LANDON,
Complainant

vs.

WALTER LANDON,
Respondent

Filed Oct 6. 1945

THE STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

WE COMMAND YOU, that you summon Walter Landon, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Rose Landon, against the said Walter Landon, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this the 30 day of October, 1945.

R. S. Duck
Register

. . . . . .

ROSE LANDON, Complainant	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
WALTER LANDON, Respondent	)	IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Complainant, Rose Landon, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about May 22, 1944, Complainant intermarried with said Walter Landon, at Milton, Florida, and they lived together as man and wife until about October 1, 1945, most of the time residing in Baldwin County, Alabama. Complainant has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

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WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Walter Landon party Respondent to this cause of action, 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;

That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant; your Complainant specifically requests that your Honor have the Respondent convey unto her the following described real estate, situated in the County of Baldwin, State of Alabama, to wit:

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Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Rose Landon
Complainant

Forest A. Christian
Forest A. Christian, Foley, Alabama
Solicitor for Complainant