

1801

NORDE WINSTON,  
Complainant,  
VS  
ROSE WINSTON,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FINAL DECREE

This cause coming on to be heard on this date is submitted for Final Decree on the original Bill of Complaint, Answer and Testimony as noted by the Register, upon consideration of all of which, the Court is of the opinion that the Complainant is entitled to the relief prayed for by him in his said Bill of Complaint WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Norde Winston and the Respondent, Rose Winston, be and they are hereby dissolved and the said Complainant is forever divorced from the said Respondent on the ground of abandonment.

2. The said Complainant and the said Respondent are each hereby permitted to again contract marriage, but they shall not remarry, except to each other, until after the expiration of sixty days from the date of this Decree and if an appeal is taken in the said cause within sixty days, they shall not remarry, except to each other during the pendency of the said appeal.

3. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 11<sup>th</sup> day of

January, 1947.

*F. W. Hare*

Judge.

FINAL DECREE

NORDE WINSTON,

Complainant,

VS

ROSE WINSTON,

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FILED of January, 1947.

Register

about

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

VS. Your Orator, Norde Winston, BALDWIN COUNTY, ALABAMA  
ROSE WINSTON, Rose Winston and thereupon your Orator complains  
IN EQUITY NO. 1801  
and shows Respondent Court and your Honor as follows:

1. Your Orator and the Respondent are each over twenty-  
one years of age and residents of Baldwin County, Alabama.

2. Your Orator and the said Respondent were lawfully  
married in Bay Minette, Alabama in 1939 and lived together as man  
and wife until about March 17, 1944 when the Respondent voluntarily  
abandoned your Orator without fault on his part. The said parties  
said Bill of Complaint, WHEREUPON, it is, therefore, ORDERED, ADJUDGED AND DE-  
CREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between  
the Complainant, Norde Winston and the Respondent, Rose Winston, be and they  
are hereby dissolved and the said Complainant is forever divorced from the  
said Respondent on the ground of abandonment.

2. The said Complainant and the said Respondent are each  
hereby permitted to again contract marriage, but they shall not remarry, ex-  
cept to each other, until after the expiration of sixty days from the date of  
this Decree and if an appeal is taken in the said cause within sixty days, they  
shall not remarry, except to each other during the pendency of the said appeal.

3. The costs of this proceeding are hereby taxed against the  
Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 11th day of January, 1947.  
from her on the ground of abandonment.

2. Your Orator further prays for such other, further and  
general relief as he may be equitably entitled to the premises con-  
sidered.

F. W. Hare  
Judge  
J. B. Blankinship  
Solicitor for Complainant.

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

Your Orator, Norde Winston, presents this Bill of Complaint against Rose Winston and thereupon your Orator complains and shows unto the Court and your Honor as follows:

1. Your Orator and the Respondent are each over twenty-one years of age and residents of Baldwin County, Alabama.

2. Your Orator and the said Respondent were lawfully married in Bay Minette, Alabama in 1929 and lived together as man and wife until about March 17, 1944 when the Respondent voluntarily abandoned your Orator without fault on his part. The said parties have not lived together since the said date.

PRAYER FOR PROCESS

Your Orator prays that the usual process of this Honorable Court forthwith issue to the Respondent requiring her to appear and answer, plead to or demur to the Bill of Complaint filed against her in this cause within the time and under the pains and penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Orator prays for the following separate and several relief:

1. That the bonds of matrimony now existing between your Orator and the said Respondent be dissolved and that he be divorced from her on the ground of abandonment.

2. Your Orator further prays for such other, further and general relief as he may be equitably entitled to the premises considered.

*J. B. Blackburn*  
Solicitor for Complainant.

# BILL OF COMPLAINT

RECORDED

NORDE WINSTON,

Complainant

VS

ROSE WINSTON

Respondent.

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

Filed 28th of December, 1946.

Register

Alice J. Luck  
Register

01 02 03 04 05 06 07 08 09 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 10

NORD WINSTON,

Complainant,

VS

ROSE WINSTON,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

ANSWER

Now comes the Respondent, Rose Winston and for answer to the Bill of Complaint filed in this cause against her denies each and all of the allegations thereof and demands strict proof of same.

The Respondent, Rose Winston, consents and agrees that a Commissioner be appointed, testimony taken and this cause submitted for final Decree without notice to her, all of which is hereby expressly waived.

Rose Winston (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

I, Betty R. Buck, a Notary Public, within and for said County in said State, hereby certify that Rose Winston, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 28th day of December, 1946.

Betty R. Buck  
Notary Public, Baldwin County, Alabama

1801  
ANSWER RECORDED

NORDE WINSTON,

Complainant,

VS

ROSE WINSTON,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Filed 28th day of December, 1946

Alice J. Duck  
Register

THE STATE OF ALABAMA, }  
Baldwin County

CIRCUIT COURT

TO Betty R. Buck

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

Norde Winston

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

NORDE WINSTON

is Complainant

and ROSE WINSTON

is Defendant,

on oath to be by you administered, upon Norde Winston

to take and certify the deposition of the witness and return the same to our Court, with all Convenient speed, under your hand.

Witness 28th day of December, 19 46.

Alice J. Buck

REGISTER

Commissioner's Fee \$

Witness' Fees, \$



NO. 1801

**THE STATE OF ALABAMA**

**Baldwin County**

**CIRCUIT COURT**

**NORDE WINSTON**

**Complainant**

**VS.**

**ROSE WINSTON**

**Defendant**

**Commission To Take Deposition**

**COMMISSIONER:**

**Witnesses:**

NORDE WINSTON,

Complainant

VS

ROSE WINSTON,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

NOTE OF TESTIMONY

This cause was submitted for Final Decree on behalf  
of the Complainant upon the following:

1. Original Bill of Complaint.
2. Answer.
3. Oral Deposition of the Complainant, Norde Winston,  
taken before Betty R. Buck, as Commissioner.

DATED this 9th day of January, 1947.

Alice J. Buck  
Register

J. B. Blochman  
Solicitor for Complainant.

## NOTE OF TESTIMONY

NORDE WINSTON,

RECORDED

Complainant,

VS

ROSE WINSTON,

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Filed Jan. 9th 1947

Alice J. Luck  
Register

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

NORDEWINSTON

Complainant

VS.

ROSE WINSTON

Respondent

I, Betty R. Buck

as ~~Register and~~ Commissioner

have called and caused to come before me Norde Winston and Lucy Winston

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 30th day of December 1946, at the office of J. B. Blackburn in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the truth, the whole truth, and nothing but the truth, the said Norde Winston and Lucy Winston doth depose and say as follows:

TESTIMONY OF NORDEWINSTON

My name is Norde Winston. I am the Complainant in this suit; I am over twenty-one years of age and a resident of Baldwin County, Alabama. The Respondent, Rose Winston, is over twenty-one years of age and a resident of Baldwin County, Alabama.

I was lawfully married to the Respondent, Rose Winston, in Baldwin County, Alabama about the year of 1929 and we lived together as man and wife until March 17, 1944 at which time she voluntarily abandoned me without fault on my part. We have not lived together since March 17, 1944.

Norde Winston

TESTIMONY OF LUCY WINSTON

My name is Lucy Winston. I am the mother of Norde Winston. Rose Winston left Norde Winston about March 17, 1944 and they have not lived together since that date.

Lucy Winston

**ORAL EXAMINATION.**

I, Betty R. Buck, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~son~~ 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 J. B. Blackburn 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 30th day of December, 194 6.

Betty R. Buck (L. S.)

NO. 1861

PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

NORME WINSTON

vs. Complainant

JOSE WINSTON

Respondent.

**Oral Deposition**

Filed December 30, 194 6

W. J. Black Register.  
Recorded in

Record

Vol. \_\_\_\_\_

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, Register.