

115

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Frederik Johansen

Complainant.....

vs.

No.....

Vina Olsen Johansen

Defendant.....

Now comes the Complainant by Stone & Stone

Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witness....., who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Frederik Johansen

Foley, Ala.

Patrick J. Cooney

Foley, Alabama.

And they suggests the name of T. W. Richerson, Register

who resides at Bay Minette, Ala. as a suitable person to be appointed Commissioner to take the testimony of said witness.

This 30th day of April 1919

Stone & Stone

Solicitor for Complainant.

The Applicant for said Oral Examination is hereby required to give in writing..... days notice thereof, before the examination is taken, to the adverse party, or to..... Solicitor..... of Record, if either reside..... in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the Clerk.

T. W. Richerson

Register.

We hereby consent to the taking of the above testimony on April 29th, 1919 without further notice to us.

Stone & Stone
Solicitors for Defendant.

No.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL
EXAMINATION.

Frederik Johansen

vs.

Vina Olsen Johansen

Filed in office this **28th**

day of **April** 19 **19**

D. W. Rice

Register.

Frank Johnson

THE STATE OF ALABAMA,

BALDWIN COUNTY

vs.

Vina Olsen Johnson

IN EQUITY,

CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, *summons,*

*answer of defendant, request for
oral examination, consent to taking
deposition of Frank Johnson
and Patrick Cooney, witnesses
for complainant*

and in behalf of Defendant upon

answer

D. W. Richardson

Register

No.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Frederick Johnson

vs.

Henry Olson Johnson

NOTE OF TESTIMONY.

Filed in Open Court this *30th*

day of *Apr* 191*9*

T. W. Riccison

Register

THE STATE OF ALABAMA,
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. Spring Term, 1919

Frederik Johansen

Complainant.....

vs.

Vera Olav Johansen

Defendant.....

To J W Beckison, Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the

Complainant, by Stones Stone

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Stones Stone

Solicitor for Complainant.

No. Page

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

Frederick Johansen,

vs.

Vina Olse Johansen,

REQUEST FOR DECREE IN
VACATION.

Filed *April 30* 191*9*

J. W. Richardson

Register

Recorded in Record

Vol. Page

Register

Frederik Johansen,)
Complainant.)
vs.)
Vina Olsen Johansen,)
Defendant.)

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

Comes Mrs. Vina Olsen Johansen, named as defendant in this cause and for answer denies each and every allegation of the bill of Complaint and demands strict proof of same. She waives service by the Sheriff of Subpoena on said bill, notice of the filing of interrogatories, or any proceeding to take testimony on oral examination, as well as the right to cross examine, and consents that this cause be submitted for decree on note of testimony made by the Register either in term time or vacation.

Date of this 23rd day of April, 1919.

Witness:

J. W. [unclear] Page & Thomas

2nd

Handwritten scribbles

Handwritten scribbles

Filed 4/25--1919.
 T. W. Rice
 Register.

DEPARTMENT OF JUSTICE
 JAMES H. HANCOCK
 ATTORNEY GENERAL

DEPARTMENT OF JUSTICE
 JAMES H. HANCOCK
 ATTORNEY GENERAL

* * * * *
FREDERIK JOHANSEN.
Complainant.
Vs.
VINA OLSEN JOHANSEN.
Defendant.
* * * * *

IN THE CIRCUIT COURT*-EQUITY SIDE
STATE OF ALABAMA.
BALDWIN COUNTY.

To the Honorable, the Circuit Court of Baldwin County,
State of Alabama, and the Honorable A. E. Gamble, Judge thereof, sit-
ting in equity; FIRST

Your Orator, Frederik Johansen, respectfully represents
that he is a resident of Baldwin County, State of Alabama, and has
been for more than three years next preceding the filing of this bill,
and that he is over the age of twenty-one years; that the defendant,
Vina Olsen Johansen is a resident of the State of Wisconsin, residing
at ^{GREEN} Grand Bay, when last heard from, and is over the age of twenty-one
years. SECOND.

That on, to-wit, July 17th, 1907, your Orator was married
to Defendant in ^{GREEN} Grand Bay, Wisconsin, and that they lived to-gether as
man and wife until on to-wit; March, 1916.

THIRD.

That on to-wit; March, 1916, more than two (2) years ago
the said Vina Olsen Johansen voluntarily abandoned your Orator's bed
and board and ever since that time she has remained away voluntarily
and continuously.

PRAYER FOR PROCESS.

The Premises considered, Orator prays that a summons be
issued directed to the said Vina Olsen Johansen, requiring her to ap-
pear and plead, answer or demur, to this bill of complaint, within the
time required by law, under the pains and penalties of this court.

PRAYER FOR RELIEF.

The Premises considered, Orator prays that upon a final
hearing of this cause, your Honor will grant unto your Orator a decree
of absolute divorce from the said Vina Olsen Johansen, and that such

other and further, or further and different relief may be granted unto your Orator, as your Honor may deem meet and proper. And your Orator will ever pray etc., etc.,

Stone & Stone
Solicitors for Complainant.

FOOT NOTE. The Defendant, Vina Olsen Johansen, is required to answer each and every paragraph of the above bill of complaint from "FIRST" to "THIRD.", both inclusive, but not under oath, answer under oath being hereby expressly waived.

Stone & Stone
Solicitors for Complainant.

..

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Frederik Johansen Complainant

vs.

Vina Olsen Johansen Defendant

Oral examination before the Register of the following witnesses:

Frederik Johansen, the complainant,who reside in Alabama, said examination being conducted in Bay Minette, Alabama,on this the 29th day of April 1919, and there being presentmyselfThe said witness being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Frederik Johansen. I am a resident of Baldwin County, State of Alabama, at Foley. I have lived there for nearly twelve years, have been there continuously all of that time. I am the husband of Vina Olsen Johansen. When last heard of she resided in or near Green Bay, Wisconsin. We are both over the age of twenty one years.

Vina Olsen and myself were married on July 17th, in the year of 1907. We were married at Green Bay, Wisconsin. We lived together as man and wife until the month of March 1916.

In the month of March, 1916, while we were living at Foley, in this county and state, Vina Olsen Johansen voluntarily deserted and abandoned me. She went back to Green Bay Wisconsin. She has remained away continuously since that time. She had no just cause or legal excuse to leave me at that time

That ^{was} ~~has been~~ more than two years from the time that I filed
my suit for divorce against her in the Circuit Court of Baldwin County,
Alabama.

Frederik Johansen

I, *J. W. Jones*, as *Register*

hereby certify that the foregoing deposition *S* on oral examination taken down by me in writing in the words of the witness *es* and read over to *the* and *Ray* signed the same in the presence of *_____*, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the 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 in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the *29* day of *April*, 19*19*
J. W. Jones (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

_____	days' attendance at \$1.50 per day	\$
_____	days' attendance at \$1.50 per day	\$
_____	days' attendance at \$1.50 per day	\$
_____	days' attendance at \$1.50 per day	\$
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_____	days' attendance at \$1.50 per day	\$
_____	days' attendance at \$1.50 per day	\$

REGISTER'S FEES.

_____	days at \$1.50 per day	\$
_____	words at 20 cents per hundred	\$

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Frederik Johansen

vs. Complainant,

Vina Olsen Johansen

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of *Frederik Johansen*

for *Complainant*

Filed *29* day of *April*, 19 *19*

Published by order of the Court,

day of *November*, 19 *19*

Register.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Frederik Johansen Complainant

VS.

Vina Olsen Johansen Defendant

Oral examination before the Register of the following witnesses:

Patrick J. Cooney

who reside in Alabama, said examination being conducted in Bay Minette, Alabama, Alabama,

on this the 30th day of April, 1919, and there being present

myself and attorney for complainant

witness

The said being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Patrick J. Cooney. I am a resident of Baldwin County, State of Alabama, and reside at Foley. I have lived there about ten years past. I am acquainted with Frederik Johansen and his wife Vina Olsen Johansen. They lived near Foley, Baldwin County, Alabama, as man and wife for many years.

She left Frederik Jahansen and went back north about three years ago. She has never been back since that time that I have seen.

Frederik Johansen is a resident of Baldwin County, Alabama, and was living here when I moved to Foley. He and Vina Olsen Johansen are both over the age of twenty one years. Vina Olsen Johansen is not a resident of Foley, Baldwin County, Alabama, any longer, nor has she been, qto my knowledge, since she left here about three years ago.

Patrick J. Cooney

I, J. W. Riccison, as Register
hereby certify that the foregoing deposition..... on oral examination made taken down by me in writing
in the words of the witness..... and read over to him and her signed the same in the presence
of myself, at the time and place herein mentioned; that I have
personal knowledge of the personal identity of the said witness....., or had proof made before me of the identity
of said witness.....; that I am not of counsel or of kin to any of the parties to said cause; or in any manner
interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on
file in my office.

Given under my hand and seal this the 30 day of April, 1919
J. W. Riccison (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

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- days' attendance at \$1.50 per day..... \$.....

REGISTER'S FEES.

- days at \$1.50 per day..... \$.....
- words at 20 cents per hundred..... \$.....

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Frederik Johansen

vs. Complainant,

Vina Olsen Jahansen

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of **Patrick J. Cooney**

for **complainant.**

Filed *30* day of *Apr*, 19 *19*

Published by order of the Court, *4/30/1919*

day of *J. W. Rievers*

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

No. 115. CIRCUIT COURT, IN EQUITY.

Frederick Johansen

Complainant

vs.

Vina Olsen Johansen,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso

and testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in

his 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 the said

Frederick Johansen,

is forever divorced from the said

Vina Olsen Johansen,

for and on account of

Abandonment.

and as alleged in said Bill of Complaint;

It is further ordered, that the said Frederick Johansen, Vina Olsen Johansen, are be, and they are hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Frederick Johansen, pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Vina Olsen Johansen

It is further ordered, adjudged and decreed that said Frederick Johansen shall not again marry except to said Vina Olsen Johansen until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Vina Olsen Johansen during the pendency of said appeal.

This 5th day of May 1919.

A. G. Gable
Judge of the Circuit Court of Baldwin County.