

# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

Ruth C. Nelson, Complainant

vs.

J. C. Nelson, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Waiver and Answer 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 Ruth C. Nelson is forever divorced from the said J. C. Nelson for and on account of cruelty.  
The parties shall be bound by an agreement dated February 16th, 1952, executed by the parties before a Notary Public and the said J. C. Nelson shall pay the sum of \$4000.00, to the said Ruth C. Nelson as set out in said agreement.

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 J. C. Nelson the Respondent pay the cost herein to be taxed, for which execution may issue.

This 18<sup>th</sup> day of February, 1952

Julian J. Maschere, Jr.  
Judge Circuit Court, In Equity

I, Alice J. Duck, 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 February, 1952

\_\_\_\_\_  
Register of Circuit Court, In Equity.

No. 2778 Page \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

In Circuit Court, In Equity

RUTH C. NELSON  
Complainant.

vs.

J. C. NELSON

Respondent.

**DIVORCE DECREE**

**FILED**

**FEB 19 1952**

**ALICE I. DUCK, Register**

THE STATE OF ALABAMA )  
BALDWIN COUNTY )

This agreement made and entered into by and between RUTH C. NELSON, Complainant, hereinafter referred to as the wife and J. C. NELSON, Respondent hereinafter referred to as the husband.

Witnesseth: Whereas, said parties have definitely concluded that under conditions now existing it is impracticable for them to live together as man and wife.

Now therefore, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to a complete separation under the following express terms and conditions;

1. That the respondent, J. C. NELSON, agrees to pay the sum of \$4000.00, to the Complainant, RUTH C. NELSON, which is payable as follows: \$1761.40, which is represented by registered check # 70 drawn on the Bank of Fairhope, Fairhope, Alabama dated February 15, 1952, and by a check drawn by J. C. NELSON to the order of Klumpp Motor Co. in the amount of \$2138.60, which is to pay the balance on an automobile which will be delivered to the Complainant and the balance of \$100.00, has already been paid to the Klumpp Motor Co. as a down payment on said automobile.

2. The Complainant does forever release and discharge the Respondent from all claims whatsoever,

3. And the Respondent does forever release and discharge the Complainant from all claims whatsoever.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 16th day of February, 1952.

J. C. Nelson (SEAL)  
Ruth C. Nelson (SEAL)

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

I, FOREST A. CHRISTIAN, a Notary Public in and for said County and State do hereby certify that RUTH C. NELSON AND J. C. NELSON, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said agreement, they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this the 16th day of February, 1952.

My commission expires:

Forest A. Christian  
Notary Public

*[Handwritten signature]*  
C. Nelson

BY \_\_\_\_\_

2728  
J. C. NELSON  
RUTH C. NELSON

FEB 18 1952  
RECORDED

**AGREEMENT**

J. C. NELSON  
RUTH C. NELSON

RESPONDENT

COMPLAINANT

(NAME)

(NAME)

IN WITNESS WHEREOF, I have hereunto set my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

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Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

Witness my hand and seal at the City of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1952.

RUTH C. NELSON,  
COMPLAINANT

VS:

J. C. NELSON,  
RESPONDENT

IN THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER AND WAIVER

Now comes J. C. NELSON, 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 the age of twenty-one years 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 of same.
3. 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.

J. C. Nelson  
J. C. Nelson, Respondent

THE STATE OF ALABAMA )  
BALDWIN COUNTY )

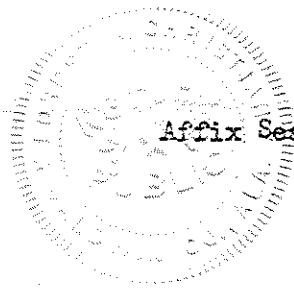
I, FOREST A. CHRISTIAN, a Notary Public in and for said County and State, do hereby certify that J. C. NELSON, whose name is signed to the foregoing answer and waiver, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said answer and waiver, he executed the same voluntarily on the day the same bears date.

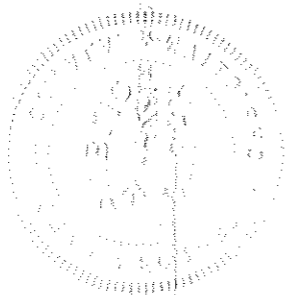
GIVEN under my hand and official seal this the 16 day of February, 1952.

Forest A. Christian  
Notary Public

Affix Seal:

My Commission expires:





2778

*[Handwritten signature]*

1. ...

... in the ...

... vs ...

... vs ...

... vs ...

... vs ...

J. C. NELSON  
RUTH C. NELSON,

ANSWER AND WAIVER

FILED  
FEB 18 1952  
RECORDED  
ALICE I. DUCK, Register

COMPLAINANT

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SUMMONS

THE STATE OF ALABAMA, )  
(  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA \* GREETING:

WE COMMAND YOU, that you summon J. C. NELSON, 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 RUTH C. NELSON, against the said J. C. NELSON, 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, ALICE J. DUCK, Register of said Court, this the \_\_\_ day of February, 1952.

\_\_\_\_\_  
Register

/-/-/-/-/-/-/-/-/-/-/-/-/-/-/-/

BILL OF COMPLAINT

RUTH C. NELSON,	(	
COMPLAINANT		IN THE CIRCUIT COURT OF
VS:		BALDWIN COUNTY, ALABAMA
J. C. NELSON,		IN EQUITY
RESPONDENT		)
		)

TO THE HONORABLE TELFAIR J. MASHBURN, JR. JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Complainant, RUTH C. NELSON, a bona fide resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor, that on or about February 7, 1951, Complainant intermarried with said J. C. NELSON at Bay Minette, Alabama, and they lived together as man and wife until about ten (10) days ago at Fairhope, Alabama, most of the time residing at Baldwin County, Alabama, and Complainant has been a bona fide resident citizen of Alabama for more than one year next preceding the filing of this bill.

2. That said respondent has committed actual violence on her person attended with danger to her health or life; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said J. C. NELSON 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:

Complainant further prays that upon a final hearing hereof, your Honor will grant unto him an absolute decree of divorce forever barring the bonds of matrimony existing between him 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.

Ruth C. Nelson  
Complainant  
Wm. J. O'Connell  
Solicitor for Complainant

RESPONDENT

COMPLAINANT

J. C. NELSON

AR:

RUTH C. NELSON

Wm. J. O'Connell



BILL OF COMPLAINANT

RUTH C. NELSON,  
COMPLAINANT

VS:

J. C. NELSON,  
RESPONDENT

RECEIVED FOR COMPLAINANT  
*[Handwritten signature]*  
COMPLAINANT

to receive, any or to such party any mty case, but.  
that the such party, unless, it is not of the party, as the may be empriog

\_\_\_\_\_

\_\_\_\_\_

RUTH C. NELSON

vs.

\_\_\_\_\_

J. C. NELSON

\_\_\_\_\_

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, ~~testimony~~  
of Ruth C. Nelson and George Welborn and an agreement between the parties.

And commission of Vivian Engel to take testimony of the above witnesses.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

and in behalf of Defendant upon ~~Answer and Waiver and an agreement~~

\_\_\_\_\_

\_\_\_\_\_

*Vivian Engel*  
Register

*George Welborn*  
Register.

*George Welborn*  
Solicitor

No. \_\_\_\_\_

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

RUTH C. NELSON

vs.

J. C. NELSON

**NOTE OF TESTIMONY**

Filed in Open Court this \_\_\_\_\_

day of \_\_\_\_\_, 194\_\_\_\_\_

**FILED**  
**FEB 18 1952**

Register.

Printed by The Baldwin Times, Bay Minette.  
ALL BOOK REGISTER

SUMMONS

THE STATE OF ALABAMA, )  
BALDWIN COUNTY )

TO ANY SHERIFF OF THE STATE OF ALABAMA \* GREETING:

WE COMMAND YOU, that you summon J. C. NELSON, 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 RUTH C. NELSON, against the said J. C. NELSON, 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, ALICE J. DUCK, Register of said Court, this the \_\_\_ day of February, 1952.

\_\_\_\_\_  
Register

/---/---/---/---/---/---/---/---/---/

BILL OF COMPLAINT

RUTH C. NELSON,

COMPLAINANT

VS:

J. C. NELSON,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE TELFAIR J. WASHBURN, JR. JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Complainant, RUTH C. NELSON, a bona fide resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor, that on or about February 7, 1951, Complainant intermarried with said J. C. NELSON at Bay Minette, Alabama, and they lived together as man and wife until about ten (10) days ago at Fairhope, Alabama, most of the time residing at Baldwin County, Alabama, and Complainant has been a bona fide resident citizen of Alabama for more than one year next preceding the filing of this bill.

2. That said respondent has committed actual violence on her person attended with danger to her health or life; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

WHEREFORE, the premises considered your Complainant prays that your Honor will by proper process make the said J. C. NELSON 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:

Complainant further prays that upon a final hearing hereof, your Honor will grant unto him an absolute decree of divorce forever barring the bonds of matrimony existing between him 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.

~~Ruth C. Nelson~~  
Complainant  
*Angela Oberlin*  
Solicitor for Complainant

WITHE T DUCK REGISTERED  
FEB 18 1825  
FILED

RESPONDENT

J. C. NELSON

AS:

COMPLAINANT

RUTH C. NELSON

BILL OF COMPLAINANT

5111

2778

BILL OF COMPLAINT

RUTH C. NELSON

COMPLAINANT

VS:

J. C. NELSON,

RESPONDENT

*[Handwritten signature]*  
REGISTERED MAIL

FILED  
FEB 18 1952  
ALICE L. DUCK, Register

RUTH C. NELSON, COMPLAINANT VS. J. C. NELSON, RESPONDENT - PAGE 5 -

to be filed in the office of the clerk of the court in the county of ...

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

RUTH C. NELSON

Complainant

VS.

J. C. NELSON

Respondent

I, VIVIAN ENGEL

AS REGISTERED Commissioner

have called and caused to come before me RUTH C. NELSON AND GEORGE WELBORN

witnesses named in the Requirement for Oral Examination, on the 16 day of February 1952, at the office of Forest A. Christian in Foley, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Ruth C. Nelson and George Welborn doth depose and say as follows:

Testimony of Ruth C. Nelson:

RUTH C. NELSON first being duly sworn, deposes and says as follows:

My name is Ruth C. Nelson. I am the Complainant in this case. I live at Fairhope, Alabama, and I am fifty years of age. I married J. C. Nelson, who is sixty-three years of age, at Bay Minette, Alabama, on February 7, 1951, and we lived together as man and wife at Fairhope, Alabama, until about ten days ago, when my husband came home one night and beat me up. He made black and blue marks on my body and he committed actual violence upon my person, attended with danger to life or health and from his conduct there is reasonably apprehension of violence which puts me in reasonable apprehension of danger to my life and health. We have no children.

*Ruth C. Nelson*

Ruth C. Nelson, Complainant

Testimony of George Welborn:

GEORGE WELBORN first being duly sworn, deposes and says as follows:

My name is George Welborn. I live at Fairhope, Alabama, and I am a neighbor of Mr. and Mrs. J. C. Nelson, the parties in the case. About two weeks ago, I heard them quarrelling and fighting and although I didn't actually see her husband beating her up, I saw enough so that I believe and am satisfied that J. C. Nelson did use violence on his wife.

*George Welborn*  
George Welborn, Witness.

**ORAL EXAMINATION.**

I, Vivian Engel, 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 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 16th day of February, 1952.

Vivian Engel (L. S.)

NO. 2778 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

RUTH C. NELSON

vs. Complainant

J. G. NELSON

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_, 194 \_\_\_\_\_

**FILED**

FEB 18 1952, Register.

Recorded in ALICE J. DICK, Register. Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_, Register.



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Vivian Engel  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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 Ruth C. Nelson and George Welborne  
\_\_\_\_\_  
\_\_\_\_\_

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein  
RUTH C. NELSON  
\_\_\_\_\_

\_\_\_\_\_, Complainant  
and J. C. NELSON  
\_\_\_\_\_

\_\_\_\_\_, Respondent.

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

Witness 16th day of February, 1952

*W. J. ...*  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 2778

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

RUTH C. NELSON

Complainant—

vs.

J. C. NELSON

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

FILED  
WITNESSES:  
FEB 18 1952

ALICE J. DUCK, Register