

977

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARJORIE B. POTTER, Complainant

vs.

ROBERT F. POTTER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Con-~~
~~fesso on ANSWER & 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 here-
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and
that the said MARJORIE B. POTTER is forever divorced from the
said ROBERT F. POTTER 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 per-
mitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that MARJORIE B. POTTER
the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 5th day of August, 1943.

F. W. HARE
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 3rd day
of July, 1947.

Register of Circuit Court, in Equity.

CIRCUIT COURT IN EQUITY

No. 979 Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

Marjorie B. Patten
vs. Complainant.

Robert J. Patten
Respondent.

DIVORCE DECREE

FILED

It is further ordered that the parties to this case shall appear in court on the date specified herein for the purpose of showing cause why they should not be granted the relief requested in the petition of the complainant.

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The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Marjorie B. Potter Complainant
 VS
Robert F. Potter 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 Marjorie B. Potter is forever divorced from the said

Robert F. Potter
 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 Marjorie B. Potter and Robert F. Potter be, and ~~are~~ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Marjorie B. Potter the Complainant pay the cost herein to be taxed, for which execution may issue.

This 5th day of August, 1943.
F. M. 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.

The State of Alabama, Baldwin County

CIRCUIT COURT, BALDWIN COUNTY

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant.

Vs.

Respondent.

DIVORCE DECREE

MARJORIE B. POTTER,
COMPLAINANT
VS
ROBERT F. POTTER,
Respondent

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

And now comes the Respondent in his own proper person and accepts service of the summons and Complaint in this cause, and denies each and every allegation contained therein, and demands strict proof of the same.

The Respondent waives notice of the time of taking testimony on behalf of Complainant, the right to cross examine Complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without further notice.

WITNESS:

L. A. Schovel S/C
J. H. Lisinger Ens.

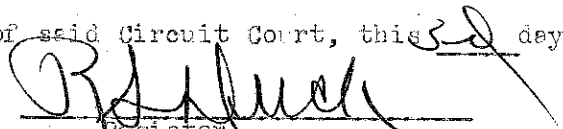
Robert Francis Potter S/C
U. S. N.

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

WE COMMAND YOU, that you summon ROBERT F. POTTER to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama exercising Chancery jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of Complaint, lately exhibited by MARJORIE B. POTTER against the said ROBERT F. POTTER, 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, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register, of said Circuit Court, this 23 day of August, 1943.


Register.

MARJORIE B. POTTER
COMPLAINANT

VS

ROBERT F. POTTER
RESPONDENT

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

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

Now comes your complainant, Marjorie B. Potter, and humbly complaining against the Respondent, Robert F. Potter, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

Your Complainant, Marjorie B. Potter is a bona fide resident of the State of Alabama and is nineteen years of age; that she has been a resident of Baldwin County, Alabama for more than three years next preceeding the filing of this bill of complaint. That the Respondent is more than twenty-one years of age and a resident of the State of Alabama but at the present time is in the Navy stationed at Miami, Florida.

2.

That your Complainant and the Respondent were married at Fairhope, in Baldwin County, Alabama on March 20, 1942, where they lived together as husband and wife until May, 1942. That on to-wit May, 1942 the Respondent drank heavily and often while under the influence of drink cursed and abused and often

committed violence to the person of the Complainant which necessarily endangered her life and health; that the conduct of the Respondent was such as to give the complainant reasonable apprehension to believe and she did actually believe that if she continued to live with him he would do further violence to her person which necessarily would endanger her life and health.

PRAYER FOR PROCESS.

Wherefore, the premises considered, your Complainant prays that your Honor will, by proper process, make the said ROBERT F. POTTER, party Respondent to this Bill of Complaint, 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 give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive and as in duty bound she will ever pray.

BEEBE & HALL

By: 

Solicitors for Complainant.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To Virginia Keel

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 Marjorie B. Potter and Annie Myrl Biggs

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

Marjorie B. Potter

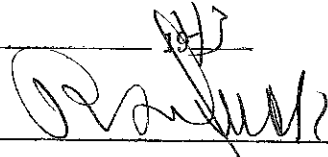
Complainant

and Robert P. Potter

Defendant,

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

Witness 3 day of Aug 1943



REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

.....Marjorie B. Potter.....
Complainant,
VS.
.....Robert F. Potter.....
Respondent.

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 ofBaldwin.....

Alabama, the place of trial of said cause, to-wit:.....

.....Marjorie B. Potter and Annie Myrl Biggs.....

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

Beebe & Hall
By:.....
Solicitors for Complainant.

NOTE:

Complainant suggests the name of.....Virginia Keel.....,
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beebe & Hall
By:.....
Solicitors for Complainant.

977

ET-6-40-500

DEMAND FOR ORAL EXAMINATION.

Marjorie B. Potter
Complainant,

Vs.

Robert F. Potter
Respondent.

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

Filed this 3rd day of Aug
1943

Robert F. Potter
Register.

NO. 977

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Marjorie B. Potter

Complainant_____
VS.

Robert F. Potter

Defendant_____

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Virginia Keel

WITNESSES:

Marjorie B. Potter

Annie Myrl Potter

977

RECORDED

MARJORIE B. POTTER

Complainant

vs

ROBERT F. POTTER

Respondent

SUMMONS AND COMPLAINT

Filed May 3, 1945
C. J. [Signature]

979

~~Palmer~~

~~Palmer~~

Palmer

Palmer

Palmer 3/19/43
Palmer

THE STATE OF ALABAMA }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

Marjorie B. Potter COMPLAINANT

VS.

Robert F. Potter RESPONDENT

I, Virginia Keel

as ~~Register and~~ Commissioner

have called and caused to come before me Marjorie B. Potter and

Annie Myrl Biggs

witnesses named in the Requirement for Oral Examination, on the 3 day of August

1943, at the office of Beabe & Hall

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Marjorie B. Potter

doth depose and say as follows:

My name is Marjorie B. Potter. I am nineteen years of age. I am the Complainant in that suit pending in the suit of Marjorie B. Potter Versus Robert F. Potter for divorce. We were married March 20, 1942 at Fairhope, Alabama. I have lived in the State of Alabama for more than three years next preceeding the filing of this divorce. I was living at Fairhope in Baldwin County at the time of our marriage. We separated in May, 1942 at Fairhope. He was a sailor. The cause of our separation was that whenever he would come home he would be drunk. He would then curse and abuse me and on his last trip which was in May, 1942 when we separated at Fairhope he got bestially drunk, and not only cursed and abused me but beat me severely. I feared from his conduct should I continue to live with him again he would do me bodily injury attendant ~~with danger~~ to my life and health. We separated and have not lived as husband and wife since. He is now in the Navy stationed in Miami, Florida. He is over the age of twenty-one years. My sister, Annie Myrl Biggs knew all of our trouble and of his treatment of me.

Marjorie B. Potter

Annie Myrl Biggs having first been duly sworn doth depose and say that:

My name is Annie Myrl Biggs. I am twenty-four years of age. I am the sister of Marjorie Potter. Robert F. Petter and Marjorie Potter married at Fairhope March 1942. They lived together until May, 1942. He was a sailor and on his trips in would come to see her and he would always be drunk. I have heard of him abusing her a number of times. I did not actually see him beat her in May, 1942 but I saw her the next day and she showed me bruises. She immediately left him and they have not lived together since.

Annie Myrl Biggs

ORAL EXAMINATION

I, Virginia Keel, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down in writing by me in the words of the witness es and read over to me and they signed the same in the presence of myself H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of 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 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 3 day of August, 1943
Virginia Keel (L. S.)

No. 977

Page

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Marjorie B. Potter
Complainant

Vs.

Robert F. Potter
Respondent

ORAL DEPOSITION

Filed Aug 3 1943

Virginia Keel
Register

RECORDED IN

Record

Vol. _____ Page _____

Register

 Marjorie B. Potter

 VS.

 Robert F. Potter

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, _____

~~Answer and Waiver Depositions of Marjorie B. Potter and Annie Myrl Biggs.~~

and in behalf of Defendant upon _____

 Register.

RECORDED

No. 977

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Marjorie B. Potter

VS.

Robert F. Potter

NOTE OF TESTIMONY

Filed in Open Court this 3rd

day of Aug

1947

Robert F. Potter
Register.

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__

Marjorie B. Potter
Complainant—

VS.

Robert F. Potter
Respondent—

TO R. S. DUCK, REGISTER:

In the above stated cause a n Answer and Waiver

having been filed by _____ the Respondent—,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant—, by Beebe & Hall _____,
Solicitor s 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.

Beebe & Hall
By [Signature]
Solicitor s for Complainant—

NO. 977

RECORDED

Marjorie B. Potter

Complainant—

VS.

Robert F. Potter

Respondent—

Request For Decree In Vacation

Filed Aug 3, 1943

[Handwritten Signature]

Register.