

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Virginia Arlene Collier, Complainant  
vs.

Otest Owen Collier, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Answer~~ 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 Virginia Arlene Collier is forever divorced from the said Otest Owen Collier for and on account of Cruelty and Abandonment

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, the custody of the minor children, be awarded to their father, Otest Owen Collier, subject to the right of their mother, Virginia Arlene Collier, to visit them from time to time, and to have them visit her at reasonable times.

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 Virginia Arlene Collier the Complainant pay the cost herein to be taxed, for which execution may issue.

This 9th day of April, 1954

[Signature]  
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 9th day of April, 1954

[Signature]  
Register of Circuit Court, In Equity.

No. 3232 Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Virginia Arlene Collier

Complainant

vs.

Otest Owen Collier

Respondent

**DIVORCE DECREE**

FILED

APR 12 1954

WILLIAM A. JACK, CLERK

Virginia Arlene Collier

vs.

Otest Owen Collier

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, \_\_\_\_\_  
Answer and waiver of Respondent, and testimony of Virginia Arlene  
Collier and W. J. Ard

and in behalf of Defendant upon \_\_\_\_\_

J. Connor Owens

Miss J. G. G. G.

Register.

No. 3237

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

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

Virginia Arlene Collier

vs.

Otest Owen Collier

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of **FILED**, 194.....

**APR 9 1954**

**ALICE J. GUY** Register

**Register.**

Printed By The Baldwin Times

VIRGINIA ARLENE COLLIER,

COMPLAINANT

VS.

O TEST OWEN COLLIER,

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences, and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

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

O test O. Collier

STATE OF ALABAMA  
BALDWIN COUNTY

I, Frank P. Probst, A Notary Public, in and for said County, in said State, hereby certify that Otest Owen Collier, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 9<sup>th</sup> day of April, 1954.

Frank P. Probst  
Notary Public, Baldwin County, Ala.

NO 3232

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

\*\*\*\*\*

VIRGINIA ARLENE COLLIER,  
COMPLAINANT

VS.

OTEST OWEN COLLIER,  
RESPONDENT

\*\*\*\*\*

*and*  
ANSWERING WAIVER

\*\*\*\*\*

FILED  
APR 9 1954

\*\*\*\*\*  
ALICE A. DICK, REVISION

J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

.....Virginia Arlene Collier.....  
Complainant,  
VS.  
.....Otest Owen Collier.....  
Respondent.

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

NO.....

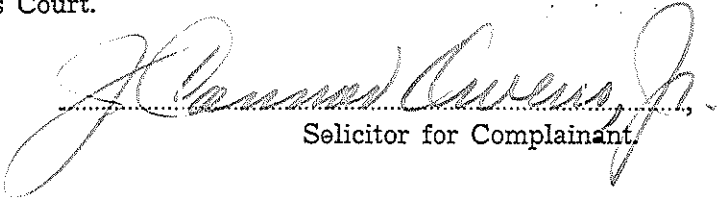
DEMAND FOR ORAL EXAMINATION.

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 of Baldwin.....

Alabama, the place of trial of said cause, to-wit:.....Virginia Arlene Collier and  
W. J. Ard.....

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

  
Solicitor for Complainant.

NOTE:

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

  
Solicitor for Complainant.

NO 3232

BT-6-40-500

DEMAND FOR ORAL EXAMINATION.

.....Virginia Arlene Collier.....  
Complainant,

Vs.

.....Otest Owen Collier.....  
Respondent.

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

Filed this ..... day of .....  
194.....

.....  
Register.

FILED  
APR 9 1954  
ALICE J. BECK, Register



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Valeria Kilcreas

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 Virginia Arlene Collier and W. J. Ard

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

Virginia Arlene Collier

\_\_\_\_\_, Complainant  
and Otest Owen Collier

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

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

Witness 9th day of

April

1954

Rebecca French

Register.

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

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

No. 3232

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Virginia Arlene Collier

Complainant—

vs.

Otest Owen Collier

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Valeria Kilcreas

WITNESSES:

Virginia Arlene Collier

W. J. Ard

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Virginia Arlene Collier Complainant

VS.

Otest Owen Collier Respondent

I, Valeria Kilcreas

as Register and Commissioner

have called and caused to come before me Virginia Arlene Collier and W.J. Ard

witness named in the Requirement for Oral Examination, on the 9 day of April  
19454, at the office of J. Connor Owens, Jr.  
in Bay Minette, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said Virginia Arlene Collier  
and W. J. Ard doth depose and say as follows:

My name is Virginia Arlene Collier, and I am a bona fide resident of Baldwin County, Alabama, and have been all of my life. I am over twenty-one years of age.

The Respondent, Otest Owen Collier, is over twenty-one years of age, and a bona fide resident of Baldwin County, Alabama, and has been for more than twenty years. The Respondent and I married at Robertsedale, Alabama, on November 24, 1944. We lived together as husband and wife in Baldwin County, Alabama until December, 1950. At said time they separated and divorce proceedings were subsequently filed and said divorce was granted by this Honorable Court, on March 10, 1951. That before said divorce was made final on to-wit: March 5, 1951 your Complainant and the Respondent resumed married life and resumed cohabitation as husband and wife with the idea that they were husband and wife until December of 1952. Your complainant and the Respondent were regarded by all concerned as being husband and wife during said period.

During December, 1952, and on various occasions prior to that threatened and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe that if I continued to live with him he would carry out his threats and do actual violence to my person which would necessarily endanger my life and health. During said month the Respondent and I separated and he left me and took the children to the home of his father, W. P. Collier, near Loxley and refused to allow me to follow him and that the period has exceeded a year during which time the Respondent has refused to allow me to live with him and the children and by threats and persuasion has continued the separation.

The condition in our home prior to the separation was such as to render it absolutely impossible for us to get along.

The Respondent lives with his father, W. P. Collier, near Loxley, where he has suitable, fit and proper place to maintain and rear our children. He is better able to care and provide for the children than I and I believe that it is to their interest that they be permitted to live with him in the home of his father. The Respondent is in the Navy and has been for the past 14 years and is drawing a good salary and fully able to provide and care for the children.

The Respondent and I have three children, Virginia Carol Collier, age 8, Elva Joyce Collier, age 5, and Wanda Faye Collier, age 3½ years.

Virginia Arlene Collier

ORAL EXAMINATION.

I, Valeria Kilcreas, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness \_\_\_\_\_ and read over to them and they signed the same in the presence of myself J. Connor Owens, Jr. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proom 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 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 9 day of April, 1945.

Valeria Kilcreas (L. S.)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Virginia Arlene Collier

vs. Complainant

Otest Owen Collier

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_, 1945

Recorded in \_\_\_\_\_, Register.

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Record \_\_\_\_\_

Register.

**THE STATE OF ALABAMA**  
Baldwin County.Circuit Court of Baldwin County, Alabama  
(In Equity)Virginia Arlene Collier Complainant

VS.

Otest Owen Collier RespondentI, Valeria Kilcreas

as Register and Commissioner

have called and caused to come before me Virginia Arlene Collier and W. J. Ard

witness named in the Requirement for Oral Examination, on the 9 day of April  
19454, at the office of J. Connor Owens, Jr.  
in Bay Minette, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said Virginia Arlene Collier  
and W. J. Ard doth depose and say as follows:

My name is W. J. Ard. I live near Robertsdale, in Baldwin County, Alabama. I am personally acquainted with the Complainant and the Respondent in this cause and have had occasion to see them regularly from time to time during the time they have lived together as husband and wife. I know that the conditions are such that the Complainant and the Respondent cannot make a go of it, and it is better for their interest that they be granted a divorce.

The Respondent is in the Navy, Aviation Machinist Mate First Class. He is fully able to care and provide for the three minor children and is willing to assume full responsibility for caring for them. It is my opinion that it is to the best interest of the children that they be placed in the custody of the Respondent, who has a home near Loxley, with his father.

W. J. Ard

ORAL EXAMINATION.

I, Valeria Kilcreas, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness \_\_\_\_\_ and read over to them and they signed the same in the presence of myself J. Connor Owens, Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness \_\_\_\_\_ or had proom 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 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 9 day of April, 194 54

Valeria Kilcreas (L. S.)

NO. 3232 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Virginia Arlene Collier

vs. Complainant

Otest Owen Collier

Respondent.

Oral Deposition

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

Register.

Recorded in

1954

Record

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

Page \_\_\_\_\_

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are commanded to summons OTEST OWEN COLLIER, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint, filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Virginia Arlene Collier, as Complainant and against Otest Owen Collier as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of April, 1954.

\_\_\_\_\_  
Register

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VIRGINIA ARLENE COLLIER            |  
                                  COMPLAINANT       |     IN THE CIRCUIT COURT OF  
VS.                                   |     BALDWIN COUNTY, ALABAMA  
OTEST OWEN COLLIER                 |                   IN EQUITY  
                                  RESPONDENT        |

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Virginia Arlene Collier, respectfully represents  
unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one  
years of age and bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and Respondent married at Robertsdale,  
Alabama, on November 24, 1944 and lived together as husband and wife  
until on December 25, 1950; they separated and divorce proceedings  
were subsequently filed, and said divorce was granted by this  
Honorable Court on March 10, 1951; that before said divorce was made  
final your Complainant and the Respondent resumed co-habitation as  
husband and wife and did continue to live together as husband and  
wife until December of 1952.

3.

That during December, 1952, the Respondent threatened and abused  
the Complainant and threatened to do actual violence to her person  
which would endanger her life and health. The conduct of the Respondent  
was such as to give the Complainant every reasonable apprehension to  
believe and she did actually believe that if she continued to live

with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

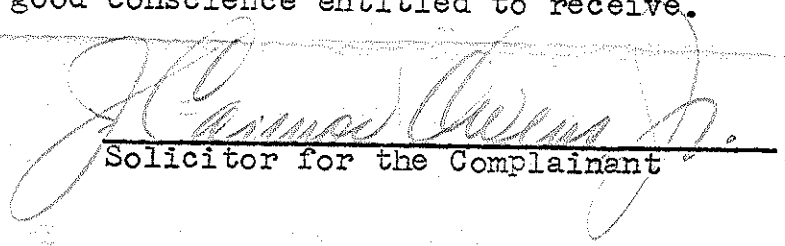
That during December, 1952, the Respondent abandoned the Complainant's bed and board and never returned to live. Said abandonment was without cause and sufficient reason and no preparations was made by the Respondent for the Complainant to follow him and that he took the minor children hereinafter mentioned with him and refused to allow your Complainant to accompany him.

5.

That there was born to the marriage between your Complainant and the Respondent three children, Virginia Carol Collier, age 8, Elva Joyce Collier, age 5, and Wanda Faye Collier age 3 years; that the Respondent is the suitable, fit and proper person to have the care, custody and control of the said children.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Otest Owen Collier, 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.

Your Complainant further prays that upon hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to the Respondent the care, custody and control of the minor children, Virginia Carol Collier, Elva Joyce Collier, and Wanda Faye Collier; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant



3232

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

RECORDED

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VIRGINIA ARLENE COLLIER,  
COMPLAINANT

VS.

O TEST OWEN COLLIER,  
RESPONDENT

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SUMMONS AND COMPLAINT

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FILED

FILED

APR 9 1954

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J. CONNOR OWENS, JR.  
ATTORNEY AT LAW  
BAY MINETTE, ALABAMA

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are commanded to summons OTEST OWEN COLLIER, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint, filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Virginia Arlene Collier, as Complainant and against Otest Owen Collier as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of April, 1954.

\_\_\_\_\_  
Register

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VIRGINIA ARLENE COLLIER

COMPLAINANT

VS.

OTEST OWEN COLLIER

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Virginia Arlene Collier, respectfully represents  
unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one  
years of age and bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and Respondent married at Robertsdale,  
Alabama, on November 24, 1944 and lived together as husband and wife  
until on December 25, 1950, they separated and divorce proceedings  
were subsequently filed, and said divorce was granted by this  
Honorable Court on March 10, 1951; that before said divorce was made  
final your Complainant and the Respondent resumed co-habitation as  
husband and wife and did continue to live together as husband and  
wife until December of 1952.

3.

That during December, 1952, the Respondent threatened and abused  
the Complainant and threatened to do actual violence to her person  
which would endanger her life and health. The conduct of the Respondent  
was such as to give the Complainant every reasonable apprehension to  
believe and she did actually believe that if she continued to live

with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

That during December, 1952, the Respondent abandoned the Complainant's bed and board and never returned to live. Said abandonment was without cause and sufficient reason and no preparations was made by the Respondent for the Complainant to follow

him and that he took the minor children hereinafter mentioned with him and refused to allow your complainant to accompany him.

That there was born to the marriage between your Complainant and the Respondent three children, Virginia Carol Collier, age 8, Elva Joyce Collier, age 5, and Wanda Faye Collier, age 3 years; that the Respondent is the suitable, fit and proper person to have the care, custody and control of the said children.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Orest Owen Collier, 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.

Your Complainant further prays that upon hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to the Respondent the care, custody and control of the minor children, Virginia Carol Collier, Elva Joyce Collier, and Wanda Faye Collier; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

*Kenneth C. Cusack*  
Solicitor for the Complainant

VIRGINIA ARLENE COLLIER, |  
COMPLAINANT | IN THE CIRCUIT COURT OF  
VS. | BALDWIN COUNTY, ALABAMA  
OTEST OWEN COLLIER, | IN EQUITY  
RESPONDENT |

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences, and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

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

Otest O. Collier

STATE OF ALABAMA  
BALDWIN COUNTY

I, Frank P. Probst, A Notary Public, in and for said County, in said State, hereby certify that Otest Owen Collier, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 9 day of April, 1954.

Frank P. Probst  
Notary Public, Baldwin County, Ala.