

No. 2389 Page

The State of Alabama
Baldwin County

In Circuit Court, In Equity

PETER PETRONE,

Complainant
vs.

VELMA JEAN PETRONE,

Respondent

DIVORCE DECREE

FILED
NOV 12 1949
ALICE J. DUCK, Clerk

Ex # 2

Peter Petrone Complainant
 No. Vs.
 Welma Jean Petrone Defendant

Baldwin
 IN THE CIRCUIT COURT OF
 MOBILE COUNTY, ALABAMA
 IN EQUITY

ANSWER AND WAIVER

Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

The respondent further agrees that Margie Robinson be appointed commissioner to take testimony without the issuance of a summons.

Harry D. Hardy
 as Solicitor for Defendant
 Respondent

STATE OF Ala.
 COUNTY OF Mobile

I, SAM H. KING JR., a NOTARY PUBLIC in and for said State and County, do hereby certify that HARRY D. HARDY, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, _____ has _____ executed the same voluntarily on the day same bears date.

Witness my hand and seal this 8 day of November 1949

NOTARY PUBLIC FOR THE COUNTY OF MOBILE, ALA.
 MY COMMISSION EXPIRES 2/24/52

Filed, _____
 JAMES A. CRANE, REGISTER

Sam H. King Jr.
 NOTARY PUBLIC

STATE OF _____
 COUNTY OF _____

The Complainant agrees to the appointment of Margie Robinson as commissioner to take testimony without the issuance of a summons.

M. J. Danner
 Solicitor for Complainant.

No. 2384

VS.

ANSWER AND WAIVER

Filed 11-8, 1949

Alic French
Register



PETER PETRONE,	II	IN THE CIRCUIT COURT OF
Complainant,	II	BALDWIN COUNTY, ALABAMA.
-VS-	II	IN EQUITY. NO. _____.
VELMA JEAN PETRONE,	II	
Respondent.	II	

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

Comes your Petitioner, M. F. Dozier, an Attorney at Law, of Mobile, Alabama, and states that he has been advised from reliable sources that a bill of divorce has heretofore been filed as above stated and that your Petitioners name appeared in said petition as Solicitor for the Complainant.

Your Petitioner states that at the time of the filing of this original bill and at the time of granting of said divorce, your Petitioner had not been approached, was not representing and did not know either the Complainant or the Respondent in said cause and the first knowledge that he had that such bill had been filed was when the Respondent called at his office and introduced herself and showed to the Petitioner a certified copy of said purported divorce.

Your Petitioner further states that if his name is signed to any papers in connection with this bill for divorce that it was either a forgery or signed without his knowledge or consent by some other party who had no authority to sign said petition and that said signature is and should be considered a nullity.

Therefore, Your Petitioner prays that his name be stricken from the records in said cause and such further action be taken as seems meet and proper under the circumstances.



PETITIONER

STATE OF ALABAMA.

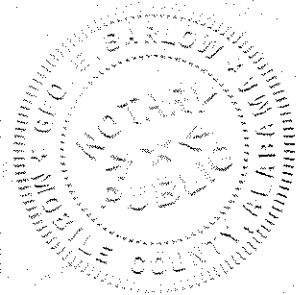
COUNTY OF MOBILE.

Personally appeared before me Geo. E. Barlow
a Notary Public, M. F. Dozier, Petitioner in the above styled
cause who being duly sworn deposes and says that the facts
stated in the above petition are true in every respect.

M. F. Dozier

Sworn to and subscribed before me on this the 28th
day of November, 1949.

Geo. E. Barlow
NOTARY PUBLIC, MOBILE CO., ALABAMA.



Peter Petrone

No. _____ VS. _____

Velma Jean Petrone

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

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

FILED, 11-9-49
Reichmann Register

Complaint
Answer and Waiver
Depositions of Peter Petrone
and Frank Harrington

M. J. Davies
Solicitor—for Complainant.

FOR RESPONDENT

Survey D. Hardy
Solicitor for Respondent

No. _____

Peter Petrone

Vs.

Velma Jean Petrone

ORDER OF SUBMISSION

NOTE OF EVIDENCE

FILED

NOV 9 1949 Terms, 19

ALICE L. DUCK, Register 19

Ent. Min. No. _____, Page _____

CERTIFICATE

I, Margie Robinson, the Commissioner named by agreement between Peter Petrone, Complainant, and Velma Jean Petrone, his wife and the respondent in a suit for divorce against respondent by complainant, hereby certify that under and by virtue of the power conferred on me by the terms of said commission, I, after having first given M. F. Dozier, as Solicitor for the Complainant, and Peter Petrone and Steve Harrington, witnesses for the complainant, proper notice, did cause and direct them to come before me in the office of M. F. Dozier, 104 St. Joseph St., Mobile Alabama on November 9th, 1949, and having had them made known to me as the identical persons referred to in said commission, they were by me sworn to speak the truth, the whole truth and nothing but the truth, and in answer to interrogatories propounded to them by M. F. Dozier, as Solicitor for the Complainant herein, they testified as is hereinabove set out, and their testimony was by me reduced to writing as nearly as might be in the identical language of said witnesses, and having been read over by them and to them by me, they in my presence and in the presence of M. F. Dozier subscribed their names to said testimony as correct as testified by them.

The Respondent having failed to answer, plead or demur and having waived notice of the taking of testimony, was not present in person or by counsel, and no cross examination was had.

I do hereby certify that I am not of counsel nor of kin to any of the parties to this cause, and I am not in anywise interested in the result thereof.

Dated: November 9, 1949

Margie Robinson

-Commissioner-

STATE OF ALABAMA
COUNTY OF BALDWIN

PETER PETRONE
COMPLAINANT

VS.

VELMA JEAN PETRONE
RESPONDENT

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

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY
SITTING IN EQUITY:

Your complainant, Peter Petrone, respectfully represents
and shows unto your Honor:

1. That complainant is over the age of twenty-one years
and is a resident of said State and county, and has been a
bona fide resident of said State for more than twelve months
next preceding the filing of this bill of complaint; that the
respondent is a resident of said State and County, and has
been a bona fide resident of said State for more than twelve
months next preceding the filing of this bill of complaint;
that respondent is over the age of twenty-one years.

2. That your complainant and respondent were lawfully
married on or about, to-wit, September 10, 1949, in Pasca-
goula Mississippi.

3. Your complainant avers and charges that the said
respondent did on or about the 3rd day of November, 1949,
and many times subsequent thereto assault, beat, hit and
strike complainant; that said respondent has committed actual
violence on his person attended with danger to his health
or life; complainant avers and charges that respondent has
made numerous threats of doing him physical harm and from
her manner and conduct toward him he is reasonably com-
vinced that she will commit an actual violence upon his per-
son, attended with danger to his life or health.

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The premises considered, your complainant makes the said Velma Jean Petrone a party respondent to this bill of complainant, and in order that complainant may have the relief herein prayed for, may it please your Honors to cause the State's writ of subpoena to be issued, directed to the said Velma Jean Petrone, commanding her to answer, plead or demur to this bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honors will enter a decree divorcing your complainant from said respondent, granting the complainant the right to remarry; and that your Honors will grant such other, further, and different relief as unto your Honors may seem just and proper, and your complainant will ever pray, etc.

3-2-66
J. J. [illegible]
[illegible]
[illegible]

Solicitor for Complaint.

STATE OF ALABAMA
COUNTY OF BALDWIN

PETER PETRONE
COMPLAINANT
VS.
VELMA JEAN PETRONE
RESPONDENT

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

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY
SITTING IN EQUITY:

Your complainant, Peter Petrone, respectfully represents
and shows unto your Honor:

1. That complainant is over the age of twenty-one years
and is a resident of said State and county, and has been a
bona fide resident of said State for more than twelve months
next preceding the filing of this bill of complaint; that the
respondent is a resident of said State and County, and has
been a bona fide resident of said State for more than twelve
months next preceding the filing of this bill of complaint;
that respondent is over the age of twenty-one years.
2. That your complainant and respondent were lawfully
married on or about, to-wit, September 10, 1949, in Pasca-
goula Mississippi.
3. Your complainant avers and charges that the said
respondent did on or about the 3rd day of November, 1949,
and many times subsequent thereto assault, beat, hit and
strike complainant; that said respondent has committed actual
violence on his person attended with danger to his health
or life; complainant avers and charges that respondent has
made numerous threats of doing him physical harm and from
her manner and conduct toward him he is reasonably com-
vinced that she will commit an actual violence upon his per-
son, attended with danger to his life or health.

The premises considered, your complainant makes the said Velma Jean Petrone a party respondent to this bill of complainant, and in order that complainant may have the relief herein prayed for, may it please your Honors to cause the State's writ of subpoena to be issued, directed to the said Velma Jean Petrone, commanding her to answer, plead or demur to this bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honors will enter a decree divorcing your complainant from said respondent, granting the complainant the right to remarry; and that your Honors will grant such other, further, and different relief as unto your Honors may seem just and proper, and your complainant will ever pray, etc.

M. F. Dozier

Solicitor for Complaint.

No. 2389

Peter Petrone

VS.

Velma Jean Petrone

Complaint

Filed 11-8-49

Alice J. Leuck
Registrar


Frank Harrington, a witness in behalf of Peter Petrone, being first duly sworn, testifies as follows:

My name is Frank Harrington, and I am over 21 years of age and resident of Mobile, Alabama. I know Peter Petrone, the complainant in this case, and his wife Velma Jean Petrone the respondent and they are both over 21 years of age and both resident citizens of Mobile County, Alabama, and I have been for more than 1 year next preceding filing of this bill. Complainant and respondent were married to each other in Pascagoula Mississippi on September 10, 1949. They lived together as husband and wife for less than 1 month until October 1st, 1949 when they separated. I was present on the afternoon of October 1st when the respondent came home and in a fit of rage hit Peter in the back of the head with a whiskey bottle. At the time, she made threats to the effect that she was going to kill him, in fact she did start at him with a razor but he warded her off. They separated in Mobile County, she having left him and they have not lived together since the separation.

Frank Harrington
Witness.

Peter Petrone, the Complainant, a witness in his own behalf, being first duly sworn, testifies as follows;

My name is Peter Petrone and I am the complainant in this divorce case, now pending against Velma Jean Petrone, in the Circuit Court of Mobile, County, Alabama. The respondent and myself are both over the age of twenty-one. I am a bona fide resident citizen of Mobile, County, Alabama, and have been such for more than one year next preceding the filing of the bill of complaint in this case. The respondent is also a bona fide resident Citizen of Mobile County, Alabama, and has been such for more than one year preceding the filing of this bill. I am the lawful husband of the respondent, we having been lawfully married to each other on September 10, 1949 at Pascagoula, Mississippi. We lived together as husband and wife for approximately one month when on, to-wit, Oct. 1st, she came home late one afternoon and without any warning hit me in back of the head with a whiskey bottle. Later, she made an attempt to cut my throat with a razor blade, but I warded her off. She stated that she intended to kill me. Naturally, I was afraid for my life and I have not lived with her since. There were no children born of our marriage. I have never condoned her abuse of me and I intend never to live with her again. I wish this court to grant me an absolute divorce from the respondent, and to grant me permission to remarry in the event I so choose.


Complainant.

PETER PETRONE

VS

VELMA JEAN PETRONE

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 2389

TESTIMONY

Frank Harrington, a witness in behalf of Peter Petrone, being first duly sworn, testifies as follows:

My name is Frank Harrington, and I am over 21 years of age and resident of Mobile, Alabama. I know Peter Petrone, the complainant in this case, and his wife Velma Jean Petrone the respondent and they are both over 21 years of age and both resident citizens of Mobile County, Alabama, and have been for more than 1 year next preceding filing of this bill. Complainant and respondent were married to each other in Pascagoula Mississippi on September 10, 1949. They lived together as husband and wife for less than 1 month until October 1st, 1949 when they separated. I was present on the afternoon of October 1st when the respondent came home and in a fit of rage hit Peter in the back of the head with a whiskey bottle. At the time, she made threats to the effect that she was going to kill him, in fact she did start at him with a razor but he warded her off. They separated in Mobile County, she having left him and they have not lived together since the separation.

Frank Harrington /s/

TESTIMONY OF PETER PETRONE,

My name is Peter Petrone and I am the complainant in this divorce case, now pending against Velma Jean Petrone, in the Circuit Court of Mobile, County, Alabama. The respondent and myself are both over the age of twenty one. I am a bona fide resident citizen of Mobile, County, Alabama, and have been such for more than one year next preceding the filing of the bill of Complaint in this case. The respondent is also a bona fide resident Citizen of Mobile County, Alabama, and has been such for more than one year preceding the filing of this bill. I am the lawful husband of the respondent, we having been lawfully married to each other on September 10, 1949 at Pascagoula, Mississippi. We lived together as husband and wife for approximately one month when on, to wit, Oct. 1, she came home late one afternoon and without any warning hit me in back of the head with a whiskey bottle. Later, she made an attempt to cut my throat with a razor blade, but I warded her off. She stated that she intended to kill me. Naturally, I was afraid for my life and I have not lived with her since. There were no children born of our marriage. I have never condoned her abuse of me and I intend never to live with her again. I wish this court to grant me an absolute divorce from the respondent, and to grant me permission to remarry in the event I so choose.

Peter Petrone

PETER PETRONE,

Complainant,

-VS-

VELMA JEAN PETRONE,

Respondent.

II IN THE CIRCUIT COURT OF
II BALDWIN COUNTY, ALABAMA.
II IN EQUITY. No. _____.

II

II


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

Comes your Petitioner, M. F. Dozier, an Attorney
at Law, of Mobile, Alabama, and states that he has been
advised from reliable sources that a bill of divorce has
heretofore been filed as above stated and that your
Petitioners name appeared in said petition as Solicitor
for the Complainant.

Your Petitioner states that at the time of the
filing of this original bill and at the time of granting
of said divorce, your Petitioner had not been approached,
was not representing and did not know either the Complainant
or the Respondent in said cause and the first knowledge
that he had that such bill had been filed was when the
Respondent called at his office and introduced herself
and showed to the Petitioner a certified copy of said
purported divorce.

Your Petitioner further states that if his
name is signed to any papers in connection with this
bill for divorce that it was either a forgery or signed
without his knowledge or consent by some other party who
had no authority to sign said petition and that said
signature is and should be considered a nullity.

Therefore, Your Petitioner prays that his name
be stricken from the records in said cause and such further
action be taken as seems meet and proper under the cir-
cumstances.


PETITIONER

STATE OF ALABAMA

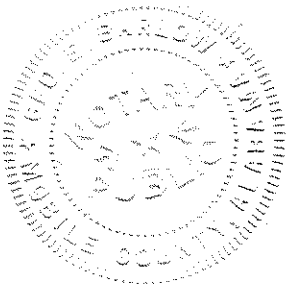
COUNTY OF MOBILE

Personally appeared before me Geo. E. Barlow
a Notary Public, M. F. Dozier, Petitioner in the above styled
cause who being duly sworn deposes and says that the facts
stated in the above petition are true in every respect.

M. F. Dozier

Sworn to and subscribed before me on this the 28th
day of November, 1949.

Geo. E. Barlow
NOTARY PUBLIC, MOBILE CO., ALABAMA.



STATEMENT OF MISS LENORA FLEMING - 25 Nov 1949

My name is Lenora Fleming. I am the secretary to Mr M.F. Dozier, attorney at law, and have been working for him about a month or so.

About two weeks or so ago Mr Hardy came to the office and asked me to sign some papers which he had in his hand. Before he asked me to sign them however, he asked was Mr Dozier in, and I told him he had just stepped out. He told me that he had talked with Mr Dozier about the papers, and that Mr Dozier had said he would sign the papers. I asked him what the papers were and he said he had talked it over with Mr Dozier, and a little later he said they were some divorce papers I believe. I signed the papers which he put before me, without reading any of them. (NOTE - Upon being shown the papers filed with the Clerk of Circuit Court, Mrs Duck, she identified on each paper Mr Dozier's name as she had signed it when Mr Hardy presented the papers to her.)

On Wednesday, November 23rd, Mrs Petrone came to the office and wanted to know something about a divorce of hers. Mr Dozier was out at the time, so I told her to return in about half an hour. She wanted a copy of the answer and waiver. So I called Mr Hardy and asked him for a copy of it. He said he didn't have it, that the only one he had was in Bay Minette on record. And he said tell her if she wanted a copy she would have to go to Bay Minette and have someone there make it for her. In this conversation Mr Hardy told me that he was representing Mrs Petrone and that Mr Dozier was representing Mr Petrone.

Mr Hardy was up to see Mr Dozier this morning, but I did not hear their conversation.

Lenora Fleming.