

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

AUGUSTINE DACUS TROTTER, Complainant

vs.

JAMES TROTTER, 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 AUGUSTINE DACUS TROTTER is forever divorced from the said JAMES TROTTER 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 permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that JAMES TROTTER the Respondent pay the cost herein to be taxed, for which execution may issue.

This 10th day of October, 1950..

Julian J. Mashburn  
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 \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_\_

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

RECORDED

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

AUGUSTINE D. TROTTER

Complainant

vs.

JAMES TROTTER

Respondent

DIVORCE DECREE

FILED

OCT 10 1950

ALICE J. DUCK, Register

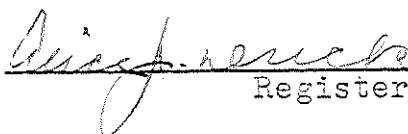
RICKARBY & RICKARBY

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:  
EQUITY SIDE

TO JAMES TROTTER, Fairhope, Alabama

You are hereby notified to appear and plead, answer or demur within thirty days of the receipt hereof to the Bill of Complaint filed in this Court at Bay Minette, Alabama, against you as Defendant by AUGUSTINE DACUS TROTTER as Complainant.

WITNESS my hand this the 4<sup>th</sup> day of October, 1950.



Register, Circuit Court.

TO THE

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

Comes AUGUSTINE DACUS TROTTER and by this her Bill of Complaint, presented against JAMES TROTTER, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that Complainant is a lifelong resident of Baldwin County and Defendant has resided therein for the past four years.

SECOND: That Complainant and Defendant were married at Fairhope, Alabama, on the ninth day of March, 1948, and have lived together in Fairhope as husband and wife up to a few days before the filing of this Bill; and that no children have been born to this marriage.

THIRD: That within the past twelve months Defendant has committed actual violence to the person of Complainant, attended with danger to her life or health by beating her with his fists. About the first part of January, 1950, he beat her so cruelly that she was compelled to call in the protection of the Police of the Town of Fairhope and have Defendant brought before the Mayor, by whom he was fined. Since that time he has continued to beat and abuse her so that she has reasonable apprehension for her health or even life if she should continue to live with him as his wife.

THE PREMISES CONSIDERED, Complainant prays that JAMES TROTTER be made party defendant to this cause and by proper process required to answer this Bill within the time prescribed by law.

Complainant further prays that upon the hearing of this cause that a decree be rendered forever divorcing her from the said JAMES TROTTER, granting her the right to marry again should she so desire, and to one-half of the personal effects in their home earned and paid for by their joint labor, and to have such other, further or different relief as to equity may seem meet.

Rice, Carly & Rice, Carly  
Solicitors for Complainant.

-VS-

BILL OF COMPLAINT

FILED

OCT 4 1950

ALICE J. DUCK, Register

RICKARBY & RICKARBY  
Solicitors for Complainant

AUGUSTINE DACUS TROTTER

vs.

JAMES TROTTER

THE STATE OF ALABAMA  
Baldwin CountyIN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
Answer and Waiver, and Depositions of EMERSON YOUNG, ELLIS E.  
NEWELL AND AUGUSTINE D. TROTTER.

*Reisley & Reisley*

and in behalf of Defendant upon

*Wesley Duck*

Register.

RECORDED

No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

AUGUSTINE DACUS TROTTER,

Complainant

vs.

JAMES TROTTER

Defendant

NOTE OF TESTIMONY

Filed in Open Court this 10<sup>th</sup>

day of October, 19450.

Alice J. Duck  
Register.

Printed By The Baldwin Times

RICKARBY & RICKARBY

AUGUSTINE DACUS TROTTER

Complainant

-vs-

JAMES TROTTER,

Respondent

No.

E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Comes JAMES TROTTER, Respondent, in the above styled cause, and for answer to the Bill of Complaint denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

*James Trotter*

Respondent

Before me, the undersigned Notary, personally appeared JAMES TROTTER, who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the *seventh* day of October, Nineteen Hundred Fifty.

*Elliott B. Rice, Jr.*

Notary Public, Baldwin County,  
Alabama.



No 2550 EQUITY

RECORDED

AUGUSTINE DACUS TROTTER,  
Complainant

-VS-

JAMES TROTTER,  
Defendant

ANSWER and WAIVER

FILED  
OCT 30 1950  
ALICE J. DUCK, Register

RICKARBY & RICKARBY  
Solicitors for Complainant

AUGUSTINE DACUS TROTTER,  
Complainant

E Q U I T Y

vs

IN THE CIRCUIT COURT OF

JAMES TROTTER,  
Defendant

BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF EMERSON YOUNG, ELLIS E. NEWELL  
AND AUGUSTINE D. TROTTER, WITNESSES FOR COM-  
PLAINANT.

The above named witnesses appeared before me at the time and place hereinafter stated and upon examination by counsel for Complainant, after being sworn, testified as follows:

EMERSON YOUNG

I am a resident of Fairhope, Alabama, twenty-six years of age and am well acquainted with Augustine Trotter and James Trotter, her husband. I live about a half mile from them. I have known that of late she and he have not been getting along well together and that he has been mistreating her, but I have only seen two occasions of this, once, when I heard them quarrelling bitterly and later on, about a week ago, when they had some trouble in my presence and he slapped her severely. I did not know what the trouble was between them and did not want to mess up with it but I do know that he struck her and from what I have heard, this is a frequent occurrence with him.

Emerson Young

ELLIS E. NEWELL

I am a police officer of the Town of Fairhope and in November last year went out with Officer Funk and arrested James Trotter on a complaint made by his wife. She rode back out with us and her face showed swelling and bruises indicating that she had been very badly treated. We arrested Trotter and he was tried the next morning and fined \$5.00 and costs. I did not see any difficulty because it was over when I got there but I did see her when she came in to take out a warrant. The papers that you showed me are the receipts given to Trotter for payment of his fine and of the court costs.

Ellis E. Newell

AUGUSTINE DACUS TROTTER

I am the Complainant in this cause. I am over the age of twenty-one years and on March 9, 1948 married James Trotter, who is also more than twenty-one. I am a native of Fairhope and have lived here all of my life and James has been living here for the past four years. We lived together as husband and wife up to about three weeks ago when I was compelled to leave him because of his cruelty to me. On a number of occasions, he has beaten me severely with his fists. In November of last year I had him arrested and he was convicted and fined in the Mayor's Court of Fairhope for his cruelty to me. He promised to treat me better and I gave him another chance but he has since beaten me cruelly and I fear to live with him any longer. Even since I left him,

he met me on the street about a week ago and slapped me hard. I feel if I live with him longer he will do me serious injury.

Augustine Trotter

CERTIFICATE

I, Helen P. Baugh, acting as commissioner by agreement of parties, hereby certify that in the case of AUGUSTINE DACUS TROTTER vs JAMES TROTTER, pending on the Equity side of the Circuit Court of Baldwin County, I caused EMERSON YOUNG, ELLIS E. NEWELL and AUGUSTINE TROTTER, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the Solicitors for the Complainant, they testified as is above written, and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 9th day of October, 1950.

Helen P. Baugh

Commissioner.

AUGUSTINE DACUS TROTTER,  
Complainant

VS

JAMES TROTTER,  
Respondent

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DEPOSITIONS OF EMERSON YOUNG, ELLIS  
E. NEWELL AND AUGUSTINE D. TROTTER,  
WITNESSES FOR COMPLAINANT  
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FILED

OCT 10 1950

ALICE J. DUCK, Register

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

9 October 1950

Mrs. Alice J. Duck, Register,  
Bay Minette,  
Alabama.

Dear Mrs. Duck:

TROTTER VS TROTTER, No. 2555: With  
this we hand you Answer and Waiver, Note of  
Testimony and Divorce Decrees in this case.  
Testimony should reach you under separate  
cover by this same mail.

The Court costs have already been  
sent you, and as we wrote you then, the com-  
missioner's fee of \$3.00 has been paid.

Sincerely,

*Elliott G. Rickarby*

for  
RICKARBY & RICKARBY

EGR:HB  
Enc - 5

ELLIOTT G. RICKARBY

LAW OFFICES

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

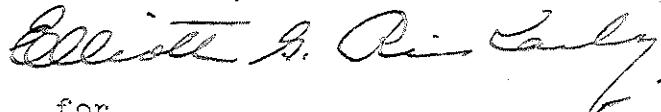
4 October 1950

Mrs. Alice J. Duck,  
Bay Minette,  
Alabama.

Dear Mrs. Duck:

TROTTER VS TROTTER: Herewith find Bill of Complaint. Do not send copy as answer is to be signed this afternoon, but send by Mr. Grass check for \$12.00 on account of costs. Commissioner's fee of \$3.00 is paid.

Sincerely,



for  
RICKARBY & RICKARBY

EGR:HB

Enc - 2

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