

1275

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

Comes EDNA M. NELSON, and by this her Bill of Complaint,  
presented against ROBERT NELSON, respectfully shows:

FIRST: That Complainant and Defendant are both over the  
age of twenty-one years; that both are now and have been for  
more than five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married at  
Fairhope, Alabama, on December 24, 1943, but have not lived  
together since the Spring of 1944.

THIRD: That since said marriage Defendant has become  
addicted to the excessive use of liquor, and, while normally  
amiable, when intoxicated is quarrelsome and cruel. That he  
has on several occasions treated Complainant with violence  
dangerous to her life or health and she feels that if she had  
not left him he would have done her serious personal injury  
while intoxicated. Whereof she fears to return to him as his  
wife for reasons of safety.

THE PREMISES CONSIDERED, Complainant prays that Robert Nelson  
be made party defendant to this cause, and by proper process re-  
quired to answer this Bill within the time prescribed by law.

Complainant further prays that upon the hearing of this  
cause a decree be rendered forever divorcing her from said Robert  
Nelson, granting her the right to marry again should she so de-  
sire and to have such other, further or different relief as to  
equity may seem meet.

*Clifford S. Pinnally*

Solicitor for Complainant.

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

EDNA M. NELSON

Complainant

VS.

ROBERT NELSON

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~EXCERPTS~~

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 EDNA M. NELSON

is forever divorced from the said ROBERT NELSON

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 ROBERT NELSON the Respondent pay the cost herein to be taxed, for which execution may issue.

This 17th day of April, 1945

[Signature]

Judge Circuit Court, in Equity.

I, ROBERT S. 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 April, 1945

Register of Circuit Court, in Equity

No. 1275 Page \_\_\_\_\_

**The State of Alabama**  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

EDNA M. NELSON

vs. Complainant

ROBERT NELSON

Respondent

**DIVORCE DECREE**

Filed this \_\_\_\_\_ day of

April, 1945

Register

EDNA M. NELSON  
Complainant

vs.

ROBERT NELSON  
Respondent

E Q U I T Y  
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

Comes ROBERT NELSON, Respondent in the above styled cause, and his answer to the bill of complaint says that he denies each and every allegation of same.

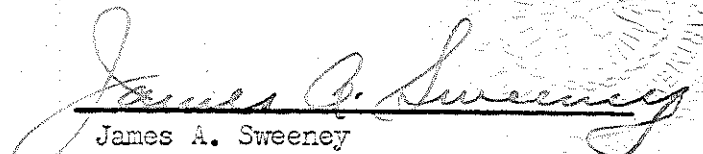
Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree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

  
Respondent

Before me the undersigned officer personally appeared ROBERT NELSON who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

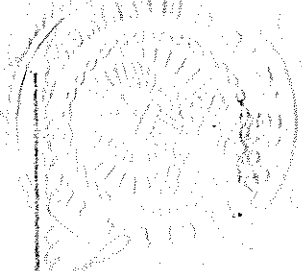
Witness my hand this the 12th day of March, 1945.

(Rank of Officer)

  
James A. Sweeney  
Lieutenant, U.S.N.R.

(RECEIVED 10 APR 1945)

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EDNA M. NELSON,  
Complainant

ROBERT NELSON,  
Respondent

vs

ANSWER AND WAIVER

I, ROBERT NELSON, do hereby answer and waive the complaint of EDNA M. NELSON, filed in the above captioned case, and state that the same is true and correct in all particulars. I further state that I am not a party to the above captioned case and have no interest therein. I further state that I am not a party to the above captioned case and have no interest therein. I further state that I am not a party to the above captioned case and have no interest therein.

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Edna M Nelson.

vs.

Robert 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, \_\_\_\_\_  
and the testimony of the Complainant and Lola Mae Pope

and in behalf of Defendant upon \_\_\_\_\_ Answer and Waiver.



Register.

No. 1275

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

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

Nelson.

vs.

Nelson

**NOTE OF TESTIMONY**

Filed in Open Court this 13th

day of April. 194 5

*R. Dees*

Register.

Printed by The Baldwin Times, Bay Minette.

EDNA M. NELSON,  
Complainant

vs

ROBERT NELSON  
Respondent

E Q U I T Y

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

DEPOSITIONS OF EDNA M. NELSON and  
WITNESSES FOR COMPLAINANT

The said witnesses, being duly sworn, upon examination by  
the Solicitor for the Complainant, testified as follows:

EDNA M. NELSON

I am the Complainant in this cause and am over the age of  
eighteen years and a resident of Fairhope, Alabama. On December 24,  
1943, I married Robert Nelson, who is over the age of twenty-one  
years and now a seaman aboard the U. S. S. Chipola in the South  
Pacific. We lived together as husband and wife up to the spring  
of 1944 when I left him because of his behavior, and have lived  
apart from him ever since. While he was normally a fairly good  
husband, he was addicted to the use of liquor and when intoxicated  
became a different man. He would be abusive and threatened me, and  
in the spring of 1944 his threats were so violent and his manner  
so alarming that I left him and have remained away from him ever  
since. He is dangerous when drinking and I fear for my life if  
I continue to live with him.

Edna M. Nelson

LOLA MAE POPE.

I am a resident of Fairhope and over the age of twenty-one  
years. I have known both parties to this cause for two years. I  
knew him before he married her. He is all right when sober but  
uses liquor to excess and when intoxicated is irritable and hard  
to get on with. I have never seen him strike his wife but have  
heard him quarrelling with her and she has told me of the trouble  
she has had with him. He is cruel to her and from what I have seen  
of him when drunk know that he is liable to injure her when in one  
of his drunken spells. She is wise to have left him when she did  
and before he did her some harm.

Lola Mae Pope



I, HELEN P. BAUGH, acting as commissioner by agreement of parties, hereby certify that in the case of EDNA M. NELSON, Complainant, vs. ROBERT NELSON, Respondent, pending on the Equity side of the Circuit Court of Baldwin County, I caused EDNA M. NELSON and LOLA MAE POPE, witnesses for the Complainant, to appear before me at my office in Fairhope, Alabama, where, after being duly sworn, upon examination by the Solicitor for the Complainant, they testified as is herein set out; 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 April, 1945.

*Helen P. Baugh*  
Commissioner

~~James P. [unclear]~~  
April 18, 1945

Leah

Mulso

Mulso

*Handwritten notes in the left margin, including the name "Leah" written vertically.*

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