

# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

Virginia Arnett, Complainant

vs.

Mark Arnett, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on personal service 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 Arnett is forever divorced from the said Mark Arnett 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 Virginia Arnett the Complainant pay the cost herein to be taxed, for which execution may issue.

This 27<sup>th</sup> day of June, 1947

F. N. 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.

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

**The State of Alabama**  
**BALDWIN COUNTY**

In Circuit Court, In Equity

Virginia Arnett

Complainant.

Vs.

Mark Arnett

Respondent.

**DIVORCE DECREE**

**FILED**  
**JUL 1 1947**  
**ALICE J. DUCK, Register**

Virginia Arnett

vs.

Mark Arnett

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, \_\_\_\_\_  
Decree pro confesso on Personal Service of the Respondent and  
Testimony of the Complainant

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

*Alice J. Welch*

Register.

*Sam Lee*

Solicitor for the Complainant

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

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

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

Virginia Arnett

vs.

Mark Arnett

**NOTE OF TESTIMONY**

Filed in Open Court this 26

day of June, 1947

*Alice J. Neuch*  
Register.

REGISTER

RECORDED BY THE CLERK OF THE COURT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

To Evelyn Watts

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 Arnett

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

Complainant

and Mark Arnett

Respondent

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

Witness 26 day of June, 1947

Alice J. Zwick  
Register

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

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

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

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

**CIRCUIT COURT**

Virginia Arnett

Complainant

VS.

Mark Arnett

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

*[Faint, illegible text and markings, possibly bleed-through from the reverse side of the page.]*

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Virginia Arnett Complainant

VS.

Mark Arnett Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Virginia Arnett

witness named in the Requirement for Oral Examination, on the 26 day of June  
1947, at the office of Hubert M. Hall  
in Bay Minette, Alabama, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said  
Virginia Arnett doth depose and say as follows:

My name is Virginia Arnett. I am over twenty-one years of age and a  
bona fide resident of Baldwin County, Alabama, and have been for more than  
one year next preceding of the filing of the bill of complaint in this cause.

The Respondent, Mark Arnett, is over twenty-one years of age and has  
been a resident of Baldwin County, Alabama, all of his life.

The Respondent and I married at Lucedale, Mississippi, on August 22,  
1942, We lived together as husband and wife until July 1, 1945. The  
Respondent is a man who drinks to excess and while under the influence  
of liquor has an ungovernable temper. The Respondent on July 1, 1945,  
and on various and other sundry occasions first threatened and abused me  
and often threatened to do violence to my person by striking me which  
would necessarily endanger my life and health. The Respondent on several  
occasions has committed actual violence to my person by striking and beating  
me which necessarily endangered my life and health. The conduct of the  
Respondent was such as to give me every reasonable apprehension to believe  
and I did and do actually believe that if I lived with him he will do  
further violence to me which will necessarily endanger my life and health.

I have repeatedly tried to live with the Respondent but it is absolutely  
impossible.

The Respondent and I have no children, and likewise no property.

Virginia Arnett

**ORAL EXAMINATION.**

I, Evelyn Watts, 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 her and she signed the same in the presence of myself and Hubert M. Hall

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 26 day of June, 1947.

Evelyn Watts (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY.	
Virginia Arnett	
vs.	Complainant
Mark Arnett	
	Respondent.
<b>Oral Deposition</b>	
Filed _____	, 194 _____
	, Register.
Recorded in _____	Record
Vol. _____	Page _____
	, Register.



STATE OF ALABAMA,  
BALDWIN COUNTY.

WE COMMAND YOU that you summon MARK ARNETT to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction, within thirty days after the service of summons, and there to plead, answer or demur, without oath, to a bill of complaint lately exhibited by VIRGINIA ARNETT, against the said MARK ARNETT, 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 of the law. 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 Court, this the 12, day of September, 1945.

  
Register

VIRGINIA ARNETT,  
COMPLAINANT,

VS.

MARK ARNETT,  
RESPONDENT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

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

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

1.

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

2.

That your Complainant and the Respondent are husband and wife, having married at Lucedale, Miss., on August 29, 1942; that they lived together as husband and wife, in Baldwin County, until July 1, 1945;

3.

That the Respondent is a man who drinks to excess, and while under the influence of liquor has an ungovernable temper; that on to-wit July 1, 1945, and at various other times, the Respondent cursed, threatened and abused the Complainant and often threatened to do violence to her person by striking

her, which endangered her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe, and she does actually believe that if she continues to live with him, he will carry out his threats and do further violence to her person, which will necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will by proper process, make the said Mark Arnett 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.

Complainant further prays that your Honor will, upon a hearing hereof, 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; Complainant prays for such other, further, different or 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: *J. S. Beebe*  
Solicitors for the Complainant.

1405

Executed 9-18 1945  
by serving copy of within Summons and  
Complaint on

Mark Arnett

VIRGINIA ARNETT,  
COMPLAINANT,

VS.

MARK ARNETT,  
RESPONDENT.

C.E. Garrett Sheriff

By: H. J. Hall Deputy Sheriff

SUMMONS AND COMPLAINT.

James L. ...  
Proctor  
Regler  
Sept 17, 1945

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THE STATE OF ALABAMA, }  
BALDWIN COUNTY

No. \_\_\_\_\_ Circuit Court, In Equity.

Virginia Arnett

Complainant

Vs.

Mark Arnett

Defendant

Motion is hereby made for a Decree Pro Confesso against \_\_\_\_\_

Mark Arnett

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant \_\_\_\_\_; and that said summons was duly served according to law, and that said Defendant \_\_\_\_\_ has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 20 day of June 19 47

*J. H. H. H. H.*

Solicitor.

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Virginia Arnett

Vs.

Mark Arnett

Motion for Decree Pro Confesso on  
Personal Service

Filed 6-26 1947

*W. J. Luck*  
Register.

Recorded in \_\_\_\_\_ Record

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Register.

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Virginia Arnett

Vs.

Mark Arnett

Motion for Decree Pro Confesso on  
Personal Service

Filed 6-26 1947

*W. J. Luck*  
Register.

Recorded in \_\_\_\_\_ Record

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

**Virginia Arnett**

Complainant,

Vs.

**Mark Arnett**

Respondent.

**DECREE PRO CONFESSO ON  
PERSONAL SERVICE.**

Issued this 26 day of June,  
1947.

*Alice J. ...*  
Register.

1405

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

Virginia Arnett  
Complainant,  
Vs. Mark Arnett  
Respondent.

In the Circuit Court.  
In Equity No. \_\_\_\_\_.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent  
Mark Arnett

by the Sheriff of Baldwin County, on the 18 day of September,  
194 5.

And it further appears to the Register, that the said Mark Arnett

\_\_\_\_\_, the Respondent, having to the date hereof,  
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of H. M. Hall Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said Mark Arnett

This \_\_\_\_\_ day of June, 194 7.

Alice J. Luck  
Register.