

771

Ex parte Otto Nelson,

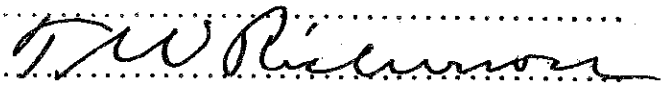
vs.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original ~~Bill of Complaint~~
Petition and affidavits of George Nelson, Adrian Pierce,
and Otto Nelson

and in behalf of Defendant upon



Register.

~~CEAURE MCDUNK~~

~~OXIERREKREK~~

W. H. Cowan,
~~DUNN & DEE~~
LAWYERS

~~COMM~~
MOBILE, ALABAMA
STAPLES-POWELL BLDG.

August 16, 1928.

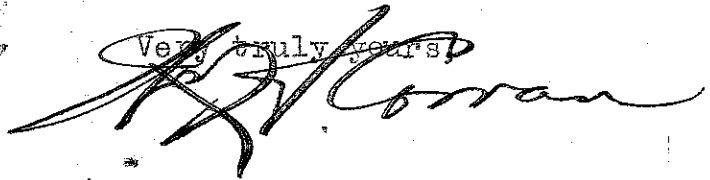
Hon. T. W. Richardson,
Register-In-Chancery,
Bay Minette, Ala.

Dear Sir:

Enclosed herewith please find copy of the complaint together with affidavits in the case of Otto Nelson, vs. Martha Roberts Nelson wherein the complainant is petitioning the Court for the right to remarry. Please submit the above as soon as possible in order that we may dispose of this matter.

I am,

Very truly yours,



WH/e

STATE OF ALABAMA,)
)
COUNTY OF MOBILE)

OTTO NELSON,
 COMPLAINANT,

VS.

MARTHA ROBERTS NELSON,
 RESPONDENT.

Before me, Ellanora Lee, a Notary Public in and for said County and State personally appeared Otto Nelson who is known to me and who having been by me first duly sworn, deposes and says that he is 22 years of age, a shrimp runner by trade and that he has been a bona fide resident of the State of Alabama, Baldwin County for more than 1 year next before this date, that Martha Roberts Nelson obtained a decree of absolute divorce from him about 30 days ago on the grounds of cruelty and that he is an able bodied man capable of earning a wife a good livelihood in the event he is again permitted to contract marriage.

Otto Nelson.

Subscribed and sworn to before me,
this 8th day of August, 1928.



NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

STATE OF ALABAMA,)
))
COUNTY OF MOBILE.)

OTTO NELSON,
 COMPLAINANT,

VS.

MARTHA ROBERTS NELSON,
 RESPONDENT.

Before me, Ellanora Lee, a Notary Public in and for said County and State personally appeared George Nelson who having been made known to me and who being by me first duly sworn deposes and says that he is 21 years of age and a carpenter by trade and a resident of Mobile, County; that he is personally acquainted with Otto Nelson and that to his knowledge his reputation is good and that he is an able bodied man capable of earning a good livelihood for himself and a wife in the event he is permitted to remarry; that to deny Mr. Nelson the right to remarry would work a great injustice and hardship upon him and that for the sake of society it is my belief that he should be again allowed to enter into marriage.

Affiant further says that he has known Mr. Nelson all his life and that he is his third cousin, that he knows him to be an honest, faithful gentleman and a man of high moral standards and that he enjoys the best of reputation in this community.

George P. Nelson

Subscribed and sworn to before me,
this 8th day of August, 1928.

Ellanora Lee
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

STATE OF ALABAMA, |
COUNTY OF MOBILE. |

OTTO NELSON,
COMPLAINANT,

VS.

MARTHA ROBERTS NELSON,
RESPONDENT.

Before me, Ellanora Lee, a Notary Public in and for said County and State personally appeared Adrian Pierce who having been made known to me and who being by me first duly sworn deposes and says that he is 23 years of age, a carpenter by trade and a resident of Bayou La Batre, Alabama; that he is personally acquainted with Otto Nelson and that to his knowledge his reputation is good and that he is an able bodied man capable of earning a good livelihood for himself and a wife in the event he is permitted to remarry;; that to deny Mr. Nelson the right to remarry would work a great injustice and hardship upon him and that for the sake of society it is my belief that he should be again allowed to enter into marriage.

Affiant further says that he has known Mr. Nelson for about 7 years, that he knows him to be an honest, faithful gentleman and a man of high moral standards and that he enjoys the best of reputation in this community.

Adrian Pierce

Subscribed and sworn to before me,
this 8th day of August, 1928.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

STATE OF ALABAMA, |
COUNTY OF BALDWIN. |

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. _____

OTTO NELSON,
COMPLAINANT,

VS.

MARTHA ROBERTS NELSON,
RESPONDENT.

TO THE HONORABLE JUDGES OF SAID COURT:

Now comes the complainant, Otto Nelson, in the above styled cause and shows unto your Honors and this Honorable Court as follows:

FIRST.

That he is over the age of 21 years and a bona fide resident of the State of Alabama, County of Baldwin and has been for more than 1 year next preceding the filing of this bill of complaint; that he was lawfully married to Martha Roberts Nelson upon to-wit the 30th, day of March, 1926 at Bay Minett, Alabama.

Complainant further shows unto your Honors that the said Martha Roberts Nelson has filed in this Honorable Court a bill for divorce setting up as grounds therefor cruelty and has obtained a decree of absolute divorce from him.

Complainant further shows unto your Honors in this Honorable Court that he is an able bodied man, with a good moral character and respectfully asks of your Honors that he be permitted to again contract marriage in the event he may see fit to do so.

SECOND.

Complainant further shows unto your Honors that to deny the relief herein prayed for would work a great injustice and hardship upon the complainant and for the sake of society he should be allowed to again contract marriage. Hence this petition.


SOLICITOR FOR COMPLAINANT.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex Parte

Otto Nelson

No. 771.

THIS CAUSE coming on to be heard at this Term was submitted upon the Petition filed by said

Otto Nelson

and the affidavits filed therewith; and, upon consideration thereof, the Court is of the opinion that

the Petitioner is entitled to the relief prayed for in his said Petition;

IT IS, THEREFORE, Ordered, adjudged and decreed by the Court, that the said

Otto Nelson

be and he is hereby granted permission to again contract marriage.

It is further ordered, that the said petitioner Otto Nelson

pay the costs herein taxed, for which execution may issue.

This the 16th day of August 1928

(Signed)

John D. Leigh
Judge of the 21st Judicial Circuit of Alabama.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

I, T. W. RICHERSON, Register of the Circuit Court, in and for said State and County, do hereby certify that the above is a true and correct copy of the Decree allowing the within named Petitioner to again contract marriage, rendered on the _____ day of _____ 192__ in the cause; all of which appears of record in this Court.

Witness my hand and seal of office, this the _____ day of _____ 192__

Register of the Circuit Court in Equity for Baldwin County, Ala.

No. 771.

COPY.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

EX PARTE

Otto Nelson,

DECREE.

Filed in office this the 18

day of Aug, 1928

D. M. Minette

Register.

MPTG-BAYMINETTE

RECORDED

18 Aug 1928

1st

Filed Aug 17th 1928
T. W. Richmond
Register

RECORDED

Filed Aug 17/1928

T W Richardson
Register.

Filed Aug 17th / 928
J. M. Pierson
Register

2nd

Submission

Filed Aug 17/928
T. Williams
Register

No. 771

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Ex parte Otto Nelson

vs

NOTE OF TESTIMONY

Filed in Open Court this 17th
day of August 1928

J. W. Rice
Register

MOORE PTG CO

RECORDED