

1780

EDITH ELIZABETH ROBERTS,
Complainant,
VS
ERNEST V. ROBERTS,
Respondent.

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

DECREE

This cause coming on to be heard on this date is submitted on the original Bill of Complaint, Answer of the Respondent and Testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in her said Bill of Complaint, WHEREUPON, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:


1. That the bonds of matrimony heretofore existing between the Complainant, Edith Elizabeth Roberts, and the Respondent Ernest V. Roberts, be, and they are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of cruelty.

2. The said parties are each hereby permitted to again contract marriage but they shall not marry except to each other until after the expiration of sixty days from the date of this Decree and if an appeal is taken within sixty days, they shall not marry except to each other during the pendency of such appeal.

3. The Complainant is hereby authorized and permitted to resume the use of her maiden name of Edith Elizabeth Martin.

4. The costs of this proceeding are hereby taxed against the Respondent, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 3rd day of December, 1946.


Judge.

EDITH ELIZABETH ROBERTS,
Complainant,
VS
ERNEST V. ROBERTS,
Respondent.

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

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant,
upon the following:

1. Original Bill of Complaint.
2. Answer and Waiver of Respondent.
3. Oral Deposition of Complainant, Edith Elizabeth Roberts, taken before Betty R. Buck, as Commissioner.

Alice J. Nick
Register

J. B. Blackburn
Solicitor for Complainant.

NOTE OF TESTIMONY

EDITH ELIZABETH ROBERTS,

Complainant,

VS

ERNEST V. ROBERTS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Betty R. Buck

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 Edith Elizabeth Roberts

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

EDITH ELIZABETH ROBERTS

IS Complainant
and ERNEST V. ROBERTS

is Defendant,

on oath to be by you administered, upon Edith Elizabeth Roberts

to take and certify the deposition of the witness and return the same to our Court, with all Convenient speed, under your hand.

Witness 27th day of November, 1946.

Alice J. Resch
REGISTER

Commissioner's Fee \$

Witness' Fees, \$

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

EDITH ELIZABETH ROBERTS

Complainant

vs.

ERNEST V. ROBERTS

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

EDITH ELIZABETH ROBERTS,
Complainant,
VS
ERNEST V. ROBERTS,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER

Now comes the Respondent and for answer to the Bill of Complaint filed in this cause denies each and all of the allegations thereof and demands strict proof of same.

The Respondent consents and agrees that a Commissioner be appointed, testimony taken and this cause submitted for Final Decree without notice to him, all of which is hereby expressly waived

✓ Ernest V. Roberts

STATE OF ALABAMA
Mobile
~~BALDWIN~~ COUNTY

I, Emile P. Brettel Sr., a Notary Public, within and for said County in said State, hereby certify that Ernest V. Roberts, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 25th day of November, 1946.

Emile P. Brettel Sr.
Notary Public, ~~Baldwin~~ County, Alabama
Mobile
My Commission Expires April 21, 1948

ANSWER

EDITH ELIZABETH ROBERTS,

Complainant,

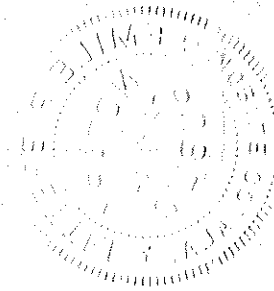
VS

ERNEST V. ROBERTS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed November
27, 1944
Alice J. Luck
Register



THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Edith Elizabeth Roberts Complainant

VS.

Ernest V. Roberts Respondent

I, Betty R. Buck
as ~~Register~~ and ~~Notary~~ Commissioner
have called and caused to come before me Edith Elizabeth Roberts

witness named in the Requirement for Oral Examination, on the 27th day of November
1946, at the office of J. B. Blackburn
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Edith Elizabeth
Roberts doth depose and say as follows:

Testimony of Edith Elizabeth Roberts

My name is Edith Elizabeth Roberts. I am the Complainant in this suit and am over twenty-one years of age and a resident of Baldwin County, Alabama. The Respondent, Ernest V. Roberts is over twenty-One years of age and a resident of Baldwin County, Alabama.

I was lawfully married to the Respondent, Ernest V. Roberts on September 8, 1946 and we lived together as man and wife until November 12, 1946 when we separated. For several weeks prior to our separation, the Respondent, Ernest V. Roberts, in his sexual relations with me had treated me in a cruel and inhuman manner and after my health became impaired, he became angry with me and threatened to kill me. Because of the said threats and acts, I was put in fear of being severely injured or done great bodily harm if I tried to continue to live with him. I separated from him before my health became further impaired and have not lived with him since the said date.

My maiden name was Edith Elizabeth Martin.

Edith Elizabeth Roberts

ORAL EXAMINATION.

I, Betty R. Buck, 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 J. B. Blackburn 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 27th day of November, 1946.

Betty R. Buck (L. S.)

NO. 1780 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

EDITH ELIZABETH ROBERTS

vs. Complainant

ERNEST V. ROBERTS

Respondent.

Oral Deposition

Filed Dec 3, 1946

David J. Moody Register.

Recorded in

Record

Vol. _____ Page _____

, Register.

EDITH ELIZABETH ROBERTS
Complainant,

VS.

ERNEST V. ROBERTS
Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA

IN EQUITY

NO. 1780

DECREE

This cause coming on to be heard on this date is submitted on the original Bill of Complaint, Answer of the Respondent and Testimony as noted by the Register upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in her said Bill of Complaint, WHEREUPON, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant Edith Elizabeth Roberts, and the Respondent, Ernest V. Roberts, be, and they are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of cruelty.

2. The said parties are each hereby permitted to again contract marriage but they shall not marry except to each other until after the expiration of sixty days from the date of this Decree and if an appeal is taken within sixty days they shall not marry except to each other during the pendency of such appeal.

3. The Complainant is hereby authorized and permitted to resume the use of her maiden name of Edith Elizabeth Martin.

4. The costs of this proceeding are hereby taxed against the Respondent, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 3rd day of December, 1946.

F. W. Hare
Judge

I, Alice J. 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 13th day of December, 1946

Register of Circuit Court
in Equity

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

Your Oratrix, Edith Elizabeth Roberts, presents this Bill of Complaint against Ernest V. Roberts, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix and the Respondent are each over twenty-one years of age and residents of Baldwin County, Alabama.

2. Your Oratrix and the said Respondent were lawfully married on to-wit, September 8, 1946 and lived together as man and wife until November 12, 1946 when they separated. Just before the said separation the Respondent, Ernest V. Roberts became angry with your Oratrix and treated her in a cruel manner and threatened to kill her. Because of the said threats and the acts on the part of the said Respondent, your Oratrix was put in fear of being severely injured or done great bodily harm if she tried to continue to live with the said Respondent. She immediately separated from him and has not lived with him since the said date.

The maiden name of your Oratrix was Edith Elizabeth Martin.

PRAYER FOR PROCESS

Your Oratrix prays that the usual process of this Honorable Court issue to the Respondent, requiring him to appear and answer, plead to or demur to the Bill of Complaint filed against him in this cause within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Oratrix prays for the following:

1. That the bonds of matrimony now existing between your Oratrix and the said Respondent be dissolved and that she be divorced from him on the ground of cruelty.

2. That your Oratrix be given permission to remarry and resume use of her maiden name.

3. Your Oratrix further prays for such other, further and general relief as she may be equitably entitled to the premises considered.

J. B. Blackburn
Solicitor for Oratrix