To the HONORABLE FRANCIS W. HARE,
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
SITTING IN EQUITY:

CATHERINE A PEARSON, by this her bill of complaint presented against JULIAN M. PEARSON, respectfully shows:

FIRST: That she is over the age of twenty-one years and is now, and has been for all of her life a bona fide resident of the state of Alabama and a resident of Fairhope since March 1933. That Julian M. Pearson is also over the age of twenty-one years and was up to the 20th day of February 1935 a resident of the State of Alabama on which last named date he left Fairhope for parts unknown though his immediate objective was Miami Florida.

SECOND: That on the 22nd day of January, 1935 Complainant and the said Julian M. Pearson were married and lived together as husband and wife in Fairhope until February 20th last when they parted because of his misbehavior and have since lived separate and apart

THIRD: That the defendant is a man of violent temper, subject to fits of rage in which he loses control of himself and under the influence of which he is dangerous to anyone with whom he is thrown in contact. That he is a large powerful man and she a small woman. That she knew of his violent temper in the past and feared his fits of rage but made the mistake of marrying him on his apparrently sincere promises of restraint, which promises he has made, to all appearences, no sincere effort to keep. That in the short time since their marriage he has repeatedly become enraged over trivial matters with no attempt at restraint and on Sunday, February 17th had such a "brain-storm" over a chance remark made by her that she became badly frightened lest he do her bodily harm and fears to live with him further as his words, threats and entire lack of restraint give serious promise of violence which she has no means of preventing or avoiding. From his actions in the past and his recent behavior so soon after marriage she has more than reasonable grounds to apprehend serious injury to her health or life should she continue to

live with him.

THE PREMISES CONSIDERED, Complainant prays that the said Julian M. Pearson be made defendant to this bill and by process of publication be notified to answer same within the time prescribed by law.

COMPLAINANT FUR THER PRAYS that upon the hearing of this cause a decree be rendered forever divorcing her from the said Julian Pearson, granting her the right to marry again should she so desire, to resume her maiden name amd such other, further or different relief as to equity may seem meet.

Elliott G. Rinkley
Solicitor for Complainant.

STATE OF ALABAMA:
BALDWIN COUNTY :

Before me, the undersigned notary personally appeared this day Catherine S. Pearson who being sworn say that she is the Complainant in the foregoing cause and that Juliam M. Pearson the defendant therein mamed is a nonresident of the State of Alabama having recently left said state for parts unknown and that she, after making diligent inquiry is unable to learn his address or whereabouts so that notice of this proceeding can be served upon him so that an order of publication is necessary to obtain service upon said defendant. She further avers that he is over the age of twenty-one years.

Catherine Pearson

Subscribed and sworn to before me this the 27th day of February, 1935.

Elliott G. Rinkley,
Notary Public, Baldwin County, Ala.

119

119 RECORDED
Book

CATHERINE A. PEARSON
Complainant,

versus

JULIAN M. PEARSON,
Defendant.

ORIGINAL BILL.

Filed February 23th, 1955.

Walter L. Black
Register.

ELLIOTT G. RICKARBY
LAWYER
DATHHOPE, ALABAMA

CATHERINE A. PEARSON,
Complainant,
vs
JULIAN M. PEARSON,
Respondent.

ITIONS OF CATHERINE A. PEARSON
LIE S. MARSHALL, WITNESSES FOR
INANT.

id March 22 1935
Robert S. Duck,
Register

119

MR ROBERT S. DUCK,
Register Circuit Court,
Bay Minette,
Alabama.

Temple Porter
Conn.

Temple Porter
Conn.

Temple Porter
Conn.

DECREE OF DIVORCE

Moore Printing Co., Bay Minette, Ala.

The State of Alabama, Baldwin County

No. 119

CIRCUIT COURT IN EQUITY

Catherine A. Pearson, Complainant

vs.

Julian M. Pearsono Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of

Cruelty

It is further ordered, that the said Catherine A.Pearson amd Julina M. Pearson, be, and they are hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Catherine A. Pearson pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Julian M. Pearson,

It is further ordered, adjudged and decreed that the said Catherine A.Pearson shall not again marry except to said Julian M. Pearson, until sixty days after this date, and that if an appeal is taken within sixty days s he shall not marry again except to said Julian M. Pearson,

during the said pendency of appeal

This 26th day of March 1935

F W Hare

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

I, Robert S.Duck, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 9____, in the cause of Catherine A. Pearson,

Complainant

vs.

Julian M. Pearson, Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____, 19____

Register

RECORDED

No. 119 Deck

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

Cathrin A Pearson

vs

Johnson M Pearson

DECREE OF DIVORCE

Filed in office this 27

day of March, 195-

Ruby L Deck

Register.

E. O. M.

8581. NOTE OF TESTIMONY

MOORE PRINTING CO., BAY MINETTE, ALA.

Catherine A. Pearson

vs.

Julian M. Pearson,

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, Demand for Oral Examination, Depositions of Catherine A. Pearson, Julie S. Marshall,

and in behalf of Defendant upon Answer and Waiver

Register.

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No. 119 RECORDED -Duck-

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Catherine A. Pearson,

VS.

Julian M. Pearson,

NOTE OF TESTIMONY

Filed in Open Court this _____

day of _____ 193____

REGISTER

MOORE PRINTING CO., BAY MINETTE, ALA.

CATHERINE A. PEARSON,

Complainant,

versus

JULIAN M. PEARSON,

Respondent.

E Q U I T Y .

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes Julian M. Pearson, Respondent in this cause and for answer to the bill says;

FIRST: He admits the allegations as to the names, ages and marriage of the parties.

SECOND: He denies all other material allegations of the bill and demands strict proof thereof.

He hereby waives notice of application for commission to take Complainant's testimony, time and place of taking same and of offering evidence in his own behalf and consents that the case may be submitted for final decree in vacation upon the pleadings and Complainant's evidence without further notice to him.

Respondent.

Julian M. Pearson

STATE OF ALABAMA
MONTGOMERY COUNTY:

I, the undersigned notary hereby certify that Julian M. Pearson, whose name is signed to the foregoing answer, acknowledged before me this day that he signed same voluntarily with full knowledge of its contents.

Given under my hand and official seal this the 13 day of March, 1935.

R. V. Thurston

Notary Public, Montgomery County, Alabama.

119

RECORDED

CATHERINE A. PEARSON,
Complainant,

versus

JULIAN M. PEARSON,
Respondent.

ANSWER AND WAIVER.

Filed - March 15, 1935
Robert S. Duck
Register

119

NOTICE TO NON-RESIDENT. Moore Ptg. Co—Bay Minette.

Catherine A. Pearson No. 119 vs. Julian M. Pearson	The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 28th day of February, 1935

In this cause it being made to appear to the Clerk of this Court by the affidavit of Catherine A. Pearson

that the Defendant Julian M. Pearson,

is a non-resident of the State of Alabama and that his post office and address are unknown to the said Catherine A. Pearson, after diligent inquiry and search

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Julian M. Pearson the said Defendant

to answer or demur to the Bill of Complaint in this cause by the 4th day of April 1935, or after thirty days therefrom a decree Pro Confesso may be taken against him,

Robert S. Duck
asst Register.

Demand for Oral Examination. Moore Printing Co. :::: Bay Minette, Ala.

The State of Alabama,
Baldwin County

CATHERINE M. PEARSON,
Complainant
vs.
JULIAN M. PEARSON,
Respondent
Defendant

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

In Equity.

The Com plainant requests the oral examination of the following named witnesses, on behalf of herself, viz:

Mrs. Julie S. Marshall and Mrs. Catherine A. Pearson.

said witnesses reside in the County of Baldwin, State of Alabama.

Mrs Temple Porter, who resides at Fairhope, Alabama

or, The Register of this Court is suggested as a suitable person to be appointed Commissioner to take the deposition of said witness on such oral examination.

Elliott G. Rintoul Jr.

Solicitor for Complainant.

RECORDED
Duck

119

CIRCUIT COURT OF
Baldwin County, Alabama

IN EQUITY

CATHERINE A. PEARSON,

Complainant.

vs.

JULIAN M. PEARSON,

Defendant.

DEMAND FOR ORAL EXAMINATION

Filed March 15th 1935.

Robert S. Duck Register.

Moore Printing Co. :::: Bay Minette, Ala.

To the HONORABLE FRANCIS W. HARE,
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,
SITTING IN EQUITY:

CATHERINE A PEARSON, by this her bill of complaint presented against JULIAN M. PEARSON, respectfully shows:

FIRST: That she is over the age of twenty-one years and is now, and has been for all of her life a bona fide resident of the state of Alabama and a resident of Fairhope since March 1933. That Julian M. Pearson is also over the age of twenty-one years and was up to the 20th day of February 1935 a resident of the State of Alabama on which last named date he left Fairhope for parts unknown though his immediate objective was Miami Florida.

SECOND: That on the 22nd day of January, 1935 Complainant and the said Julian M. Pearson were married and lived together as husband and wife in Fairhope until February 20th last when they parted because of his misbehavior and have since lived separate and apart

THIRD: That the defendant is a man of violent temper, subject to fits of rage in which he loses control of himself and under the influence of which he is dangerous to anyone with whom he is thrown in contact. That he is a large powerful man and she a small woman. That she knew of his violent temper in the past and feared his fits of rage but made the mistake of marrying him on his apparrently sincere promises of restraint, which promises he has made, to all appearences, no sincere effort to keep. That in the short time since their marriage he has repeatedly become enraged over trivial matters with no attempt at restraint and on Sunday, February 17th had such a "brain-storm" over a chance remark made by her that she became badly frightened lest he do her bodily harm and fears to live with him further as his words, threats and entire lack of restraint give serious promise of violence which she has no means of preventing or avoiding. From his actions in the past and his recent behavior so soon after marriage she has more than reasonable grounds to apprehend serious injury to her health or life should she continue to

live with him.

THE PREMISES CONSIDERED, Complainant prays that the said Julain M. Pearson be made defendant to this bill and by process of publication be notified to answer same within the time prescribed by law.

COMPLAINANT FUR THER PRAYS that upon the hearing of this cause a decree be rendered forever divorcing her from the said Julian Pearson, granting her the right to marry again should she so desire, to resume her maiden name amd such other, further or different relief as to equity may seem meet.

E L L I O T T G . R I C K A R B Y
Solicitor for Complainant.

STATE OF ALABAMA:
BALDWIN COUNTY :

Before me, the undersigned notary personally appeared this day Catherine S. Pearson who being sworn say that she is the Complainant in the foregoing cause and that Juliam M. Pearson the defendant therein named is a nonresident of the State of Alabama having recently left said state for parts unknown and that she, after making diligent inquiry is unable to learn his address or wwereabouts so that notice of this pwceeding can be served upon him so that an order of publication is necessary to obtain service upon said defendant. She further avers that he is over the age of twenty-one years.

CATHERINE S. PEARSON.

Subscribed and sworn to before me this the 27th day of February, 1935.

ELLIOTT G. RICKARBY.
Notary Public, Baldwin County, Ala.

119

CATHERINE A. PEARSON,
Complainant,

versus

JULIAN M. PEARSON,
Defendant.

COPY OF

ORIGINAL BILL.

filed, Feb 28, 1935
Robert S. Duck
Register

COMMISSION TO TAKE DEPOSITIONS. Moore Printing Co., Bay Minette, Ala.

The State of Alabama,
Baldwin County

CIRCUIT COURT

To Mrs. TEMPLE PORTER

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 Mrs. Julia S. Marshall, Mrs. Catherine A. Pearson,

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

Catherine A. Pearson Complainant

and

Julian M. Pearson Defendant,

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

Witness 15th day of March 1935

Robert L. Duck
REGISTER

COMMISSIONER'S FEE, $5.00 paid

WITNESS' FEES, $

119

NO.

The State of Alabama
BALDWIN COUNTY

CIRCUIT COURT

Catherine A. Pearson

Complainant

VS.

Julian M. Pearson

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Mrs. Temple Porter

WITNESSES:

Mrs. Julie S. Marshall

Mrs. Catherine A. Pearson

CATHERINE A. PEARSON,
Complainant,

vs.

JULIAN M. PEARSON,
Respondent.

EQUITY.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

THE DEPOSITIONS OF JULIE S. MARSHALL AND CATHERINE A PEARSON, WITNESSES FOR COMPLAINANT, TAKEN BEFORE TEMPLE PORTER AS COMMISSIONER AT FAIRHOPE, ALABAMA .

The said witnesses, being first sworn to tell the truth, upon examination by the Solicitor for the Complainant, the Respondent having waived notice and the right to cross-examine, testified as is here set forth:

C A T H E R I N E A . P E A R S O N .

I am the Complainant in this cause over the age of twenty-one years, I am twenty-six-- and hage been for more than the five years just past a resident of Alabama. I live in Fairhope. Julian Pearson is older than I, a resident of Alabama and since we parted about three weeks ago, is now in Montgomery. We were married on January 22nd last but did not live together but a month.

We were married before and I left him because of his violent temper and for fear that he would do me harm in one of his spells of rage. At that time he would fly into a torrent of rage over the most trivial cause and completely lose control of himself. After he had done this several times and seemed to be getting worse and worse, on one occasion smashing up the things the was working with, I feared for my life and left him feeling assured that one day he would carry out his threats made on such occasions to hurt me and do this. We stayed apart for nearly two years and I secured a very nice position as assistant to the Dean of the Physics Department of Columbia University. Last January I gave this up and at his earnest solicitation and promises of better behavior, remarried him, hoping that he had become more matured and would do better. To my bitter disappointment and chagrin I soon found that his violent disposition and lack of control was a part of his nature which he could not control. I did all that I could to humor him and play the part of a loving and considerate wife but to no avail. Within two weeks after our remarriage he commenced to have relapses into his former fits of temper and seemed make no effort to control them. We had several violent scenes in which he said the most unreasonable things and I soon saw that he had not improved at all and that I would still be in danger of bodily harm if I continued to live with him. Still I did nothing till Sunday February 17th last when he had an even more violent fit of rage which so frightened me that I plainly saw that this condition could not last. He stayed this way for about three days when we parted. Nothing that I could say would appease him. He has been a spoiled child from his infancy and can see nothing but his side of every question and his rights as paramount and if thwarted in the slightest, feels outraged. It is now clear that he is too old to be changed. When not in a rage he seems sweet and amiable but when crossed in the least little thing makes no effort to restrain him self or to show the least regard for the rights of other people. He is a large man and very powerful and if he felt that I was opposing him in any way would some day lose himself and do me harm or perhaps kill me. I now see that I made a fatal

mistake in going back to him as I remember what he was before and see that he does not even want to change for the better. He may want to when every thing is going his way but he does not stop to think of this when he is irritated and to continue to live with him is out of the question. If he will not restrain himself now when he professes to care for me, I can see that I would have but little chance with him when he no longer cared as he would soon cease to do if I did not humor his every whim. I have more than reasonable cause to apprehend violence at his hands if I continued to live with him and he has practically admitted as much but wants to put the blame on me for enraging him, which so far I have certainly tried hard not to do. When we parted this last time he went to my sister with a recital of his imagined grievances against me which convinced her too, though she needed no convinciing, that it would be dangerous for me to again go back to live with him with his mental attitude. When enraged he is entirely irresponsible and I would be worse than foolish to take further chances with him after my first experience and present knowledge that he has not changed.

Catherine A. Pearson

J U L I E S . M A R S H A L L .

I am a younger sister of the Complainant and have seen what she has testified to and can bear this out though I have married since their former divorce and do not know anything of my own knowledge of Julian's recent outbreaks except that after the last one he came to me with a recital of his grievances in which I could see nothing to justify his sense of wrong against her. He said a number of bitter things about her which I know to be untrue but that is just his way of seeing everything as being done against him. He gets sulky and irritable without cause, and while I have never seen him in one of his tantrums, I have heard others tell of how he loses control of himself and I feel that my sister has just cause to be afraid to live further with him. She made a very bad mistake in going back to him this second time. From what I can learn he is incapable of keeping his promises of restraining himself, though I give him credit of wanting to when he is not irritated. From the way he behaved during their first marriage I know that if he has not changed since, and from the way he talked to me recently, he has not, it is out of the question for my sister to live with him. It would be but a question of time before he would mistreat her if he did not kill her. She is a small woman and while she tries to do everything she can to please him, she has a temper too and when she has reached her limit, will show it and that is bound to make trouble with a man of his type who cannot make allowances or restrain himself.

Julie S. Marshall

C E R T I F I C A T E .

I, Temple Porter, the Commissioner named in the attached commission issued by the Circuit Court of Baldwin County, do hereby certify that in a case pending in the Equity Side of the Court wherein Catherine A. Pearson is Complainant and Julian M. Pearson, Respondent, under and by virtue of the the power conferred upon me by the commission I caused the witnesses named therein, Mesdames Julie S. Marshall and Catherine Pearson, who are known to me and known by me the be the identical witnesses named in the commission to come before me in the Bank Building of the Town of Fairhope, on March 19, 1935 where, after being first sworn by me, upon examination by the solicitor of the the Complainant, they testified as is hereinbefore written. That their testimony was reduced to writing as near as might be in their own language and after being read over by them, was assented to and signed by them in my presence.

I further certify that I am not of counsel or of kin to either party to the cause or in anywise interested in the result thereof.

In witness whereof, I hereto set may hand and seal as Commissioner this the 19 th day of March, 1935.

Temple Porter

SEAL.

Commissioner.