

STATE OF ALABAMA, }  
BALDWIN COUNTY. }

KNOW ALL MEN BY THESE PRESENTS, That this AGREEMENT entered into by and between ERMIE MAE MCGHEE, Party of the First Part, and WILLIS MCGHEE, Party of the Second Part, WITNESSETH:

WHEREAS, the parties hereto are husband and wife, but have been living separate and apart since February, 1937; and

WHEREAS, the said parties have one child, Willis McGhee, Jr., a minor approximately six and one-half years old, who is now and has been all of his life living with the Party of the First Part; and

WHEREAS, there is pending in the Circuit Court of Baldwin County, Alabama, in Equity, a suit by the Party of the First Part against the Party of the Second Part for a divorce, on the ground of voluntary abandonment, in which she claims support for the said minor child; and

WHEREAS, the parties have reached an amicable agreement as to all claims on behalf of the Party of the First Part against the Party of the Second Part for alimony and support.

NOW, THEREFORE, these presents witnesseth: That the Party of the Second Part hereby agrees and binds himself to pay to the Party of the First Part as permanent alimony the sum of Three Dollars (\$3.00) per week, such amount to be paid by the Party of the Second Part to the Party of the First Part every other Saturday, that is to say, Six Dollars (\$6.00) every two weeks.

IT IS EXPRESSLY UNDERSTOOD that the Party of the First Part shall have the custody of the said minor child, subject to the further orders of the Circuit Court of Baldwin County, Alabama.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 21st day of March, 1941.

Ermie Mae McGhee (SEAL)

Willis McGhee (SEAL)

STATE OF ALABAMA, }  
BALDWIN COUNTY. }

I, H. M. Hall, a Notary Public, in and for said County, in said State,

heretby certify that Ernie Mae McChce and Willis McChce, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this 21st day of March, 1941.

*[Signature]*  
Notary Public, Baldwin County, Alabama.

RECORDED

*[Handwritten signature]*

*[Vertical handwritten notes]*

RECORDED

Agreement

Filed March 21, 1941  
R. S. Beach, Register

Warrant of Arrest

*[Signature]*

STATE OF CALIFORNIA, County of Santa Clara, ss. I, the undersigned, a Justice of the Peace for and in and for the County of Santa Clara, do hereby certify that the within and foregoing is a true and correct copy of the original thereof as the same appears from the records of the County of Santa Clara.

Witness my hand and seal of office at Santa Clara, California, this 21st day of March, 1941.

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STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon WILLIS McGHEE to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by ERNIE MAE McGHEE against said WILLIS McGHEE, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this 21st day of March, 1941.

R. S. Duck  
Register.

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ERNIE MAE McGHEE,	)	IN THE CIRCUIT COURT OF
Complainant,	)	BALDWIN COUNTY, ALABAMA,
VS.	)	IN EQUITY.
WILLIS McGHEE,	)	
Respondent.	)	

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

And now comes your Complainant, ERNIE MAE McGHEE, and humbly complaining against the Respondent, WILLIS McGHEE, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That both your Complainant and Respondent are residents of Baldwin County, Alabama, and over twenty-one years of age.

SECOND:

That your Complainant and Respondent were married at Brewton, in Escambia County, Alabama, in 1934, and lived together as husband and wife, until, on to-wit, February 1st, 1937.

THIRD:

That, on to-wit, February 1st, 1941, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

FOURTH:

That there was born to said marriage between your Complainant and the Respondent one child: Willis McGhee, Jr., age  $6\frac{1}{2}$  years; that said child is now and has been all of his live with your Complainant; that the Respondent is not a suitable, fit or proper person to have the care, custody or control of said minor child; that your Complainant is able, capable and willing to care for, and raise said child.

FIFTH:

The Respondent is an able-bodied man, capable of earning sufficient money to pay to the Complainant for the support and maintenance of herself and said minor child a reasonable monthly alimony; that the Complainant has no way of making or providing a living for herself and said minor.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said WILLIS MCGHEE party respondent to this Bill of Complaint, 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 upon the final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, WILLIS MCGHEE; that a further decree may be made and entered awarding to your Complainant the custody, care and control of said minor child, Willis McGhee, Jr., and that the Respondent be required to pay to the Complainant, as permanent alimony, such amount as your Honor shall deem just and proper; that your Honor will give and grant unto her 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: Wm Hall

ERNIE MAE MCGHEE,

Complainant,

VS.

WILLIS MCGHEE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

And now comes the Respondent, in his own proper person, and denies each and every allegation contained in the Complainant's Bill of Complaint, and demands strict proof of the same.

The Respondent accepts service of summons and complaint in this cause; waives notice of the taking of testimony on behalf of the Complainant, and the right to cross-examine Complainant's witnesses, and agrees that this matter be submitted for final decree forthwith, without further notice.

Willis McGhee  
Respondent.

Witnesses:

[Signature]  
\_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT

TO MRS. O'BYRNE J. WHITLEY

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 Ernie Mae McGhee and Riley McGhee

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

is Complainant and Willis McGhee

is 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 21st day of March, 19 41

*R. S. Dush*

REGISTER

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

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

ERNIE MAE MCGHEE,  
 Complainant,  
 VS.  
 WILLIS MCGHEE,  
 Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Waiver of the Respondent, and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant and Respondent be, and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ERNIE MAE MCGHEE shall not again marry, except to the said WILLIS MCGHEE, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said WILLIS MCGHEE, during the pendency of the appeal.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custody and control of Willis McGhee, Jr. is hereby awarded to ERNIE MAE MCGHEE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay to the Complainant as permanent alimony the sum of Three (\$3.00) Dollars per week, such alimony to be paid by the Respondent to the Complainant - Six (\$6.00) Dollars every other Saturday of each and every month.

The Court retains jurisdiction of this matter with the right to alter or amend this decree as conditions may warrant.

Dated at Monroeville, Monroe County, Alabama, this 27<sup>th</sup> day of March, 1941.

J. M. Lane  
 Judge of the 21st Judicial Circuit of Ala.



ERNIE MAE MCGEE,  
Complainant

Vs.

WILLIS MCGEE

IN THE CIRCUIT COURT OF

BALDWIN COUNTY ALABAMA

IN EQUITY

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Waiver of Respondent, and proof as noted by the register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFOR ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent, be and same are hereby dissolved, the Complainant is forever divorced from the Respondent on the grounds of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant and Respondent be, and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Ernie Mae McGhee shall not again marry, except to Willis McGhee, until sixty days after this date, and if an appeal is taken within sixty days, she shall not again marry, except to the said WILLIS MCGEE, during pendency of the appeal.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue,

IT IS FURTHER ORDERED ADJUDGED AND DECREED that the custody and control of Willis McGhee, Jr. is hereby awarded to Ernie Mae McGhee.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay to the Complainant as permanent alimony the sum of Three (3.00) Dollars per week, such alimony to be paid by the Respondent to the Complainant Six (\$6.00) Dollars every other Saturday of each and every month.

The Court retains jurisdiction of this matter with right to alter or amend this decree as conditions may warrant

Dated at Monroeville, Monroeville County, Alabama this 22nd day of March, 1941

F. W. Hare  
Judge of 21st Judicial Circuit of Ala

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RECORDED

BILL OF COMPLAINT:

ERNIE MAE MCGHEE,  
Complainant,  
VS.  
WILLIS MCGHEE,  
Respondent.

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

Filed March 21, 1941  
R.S. Dumb, Register

Presented this  
the 21<sup>st</sup> day of  
March 1941 by  
Erving a copy  
of the within  
Bill of Complaint  
on Willis McGhee

W.R. Stewart  
Sheriff

by M.P. Hamilton  
S.S.

**RECORDED**

ANSWER AND WAIVER:

ERNIE MAE McCHEE,

Complainant,

VS.

WILLIS McCHEE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed March 21, 1941*  
*A. S. Duvak, Reporter*

**THE STATE OF ALABAMA**  
**Baldwin County**  
**CIRCUIT COURT**

\_\_\_\_\_  
ERNE MAE MCGHEE

\_\_\_\_\_  
Complainant

VS.

\_\_\_\_\_  
WILLIS MCGHEE

\_\_\_\_\_  
Defendant

**Commission To Take Deposition**

**COMMISSIONER:**

O'Byrne J. Whitley

**Witnesses:**

Ernie Mae McGhee

Riley McGhee

**RECORDED**

FINAL DECREE OF DIVORCE:

ERNIE MAE MCGHEE,

Complainant,

VS.

WILLIS MCGHEE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed March 24, 1941.*

*R. S. Duck, Register*

THE STATE OF ALABAMA }  
Baldwin County }

Circuit Court of Baldwin County, Alabama,  
(In Equity)

ERNIE MAE MCGHEE, COMPLAINANT

vs.

WILLIS MCGHEE RESPONDENT

I, O'Byrne J. Whitley,

as ~~Register and~~ Commissioner

have called and caused to come before me Ernie Mae McGhee and Riley McGhee

witnesses named in the requirement for Oral Examination, on the 21st day of March  
194<sup>1</sup>, at the office of Beebe & Hall,  
in Bay Minette, Alabama, and having first sworn said witnesses to speak the  
truth, the whole truth, and nothing but the truth, the said Ernie Mae McGhee

doth depose and say as follows:

My name is Ernie Mae McGhee. I am the Complainant in the above styled  
cause and the wife of Willis McGhee.

Willis McGhee and I were married in Escambia County, Alabama, in 1934,  
and lived together in Alabama, until in February, 1937, when the Respondent volun-  
tarily abandoned my bed and board; that the Respondent has remained away volun-  
tarily and continuously since that time; the Respondent has contributed nothing  
toward my support since February, 1937.

The Respondent and I have one child, a son, Willis McGhee, Jr., now  
6 1/2 years old, who is now and has been all of his life with me. I have cared and  
provided for said child to the best of my ability and am still ready, able and  
willing to care for him as best I can.

The Respondent is an able-bodied man, capable of supporting himself,  
his minor child and me.

*Ernie Mae McGhee*

RILEY MCGHEE, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN,  
DEPOSES AND SAYS:

My name is Riley McGhee. I am the father of Willis McGhee and father-  
in-law of Ernie Mae McGhee. My son and daughter were married in Escambia County,  
Alabama, in 1934, and lived together as husband and wife, in Alabama, until in  
February, 1937. The Respondent voluntarily abandoned the Complainant in February,  
1937. Since February, 1937, the Complainant has been with me and my wife practical-  
ly all the time and I know that during said time the Respondent has contributed noth-  
ing toward her support and support of their minor child.

The Complainant and Respondent are both over twenty-one years of age and

I, O'Byrne J. Whitley as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they 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 es or had proof made before me of the identity of said witness es; 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 21st day of March 1941.

O'Byrne J. Whitley (L. S.)  
Commissioner

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

**THE STATE OF ALABAMA,  
BALDWIN COUNTY**

**IN CIRCUIT COURT, IN EQUITY**

ERNIE MAE MCGHEE

COMPLAINANT

WILLIS MCGHEE

VS.

RESPONDENT

**ORAL DEPOSITION**

Filed March 21st, 1941

R. S. Hunt, Register.

RECORDED IN

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

residents of the State of Alabama.

Riley H. Lyell



STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 193\_\_\_\_\_

ERNIE MAE MCGHEE \_\_\_\_\_, Complainant

Vs.

WILLIS MCGHEE \_\_\_\_\_, Defendant

To HON. R. S. DUCK \_\_\_\_\_, Register :

In the above stated cause ~~a Decree was entered~~ and Answer and Waiver having been filed by the Respondent ~~and Decree was entered~~ and evidence having been taken, and the cause being ready for submission for final decree, ~~and Decree was entered~~ ~~and Decree was entered~~ ~~and Decree was entered~~ the Complainant, by Beebe & Hall,

\_\_\_\_\_ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

BEEBE & HALL,

By: Wm. Hall

Solicitor for Complainant.

ERNIE MAE MCGHEE

vs.

WILLIS MCGHEE

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, \_\_\_\_\_  
Agreement between Complainant and Respondent, Commission to take Testimony;  
Testimony of Ernie Mae McGhee and Riley McGhee; Request for Decree in Vacation

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

*R. L. Bush*

Register.

**RECORDED**

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

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

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

\_\_\_\_\_  
**ERNIE MAE MCGHEE**  
\_\_\_\_\_

\_\_\_\_\_  
**VS.**  
\_\_\_\_\_

\_\_\_\_\_  
**WILLIS MCGHEE**  
\_\_\_\_\_

\_\_\_\_\_  
**NOTE OF TESTIMONY**  
\_\_\_\_\_

Filed in Open Court this 21st

day of March 19341

*R. S. Dush*

\_\_\_\_\_  
**REGISTER**  
\_\_\_\_\_

**RECORDED**

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**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

**ERNIE MAE MCGHEE**

Vs.

**WILLIS MCGHEE**

**REQUEST FOR DECREE IN  
VACATION**

Filed March 21st, 1941, 193  

*R. S. Rush*

Register.

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

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Register.