

799

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANDREW MAGON Complainant
VS
MARY MAGON Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress 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 Andrew Magon is forever divorced from the said

Mary Magon
for and on account of voluntary abandonment

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 Andrew Magon be, and he is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Andrew Magon the Complainant pay the cost herein to be taxed, for which execution may issue.

This 1st day of April, 1942
J. M. 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.

RECORDED

No. **799** Page .....

**The State Of Alabama**  
Baldwin County

In Circuit Court, In Equity

ANDREW MAGON  
vs. Complainant.

MARY MAGON  
Respondent.

**DIVORCE DECREE**

*Filed 4-1-42*  
*R. A. Decker*  
*clerk*

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon MARY MAGIN 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 answer, plead or demur, without oath, to a bill of Complaint lately exhibited by ANDREW MAGIN against MARY MAGIN, 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 5<sup>th</sup> day of February, 1942.

R. S. Duck  
Register.

ANDREW MAGIN, Complainant,

VS.

MARY MAGIN, Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

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

Now comes the Complainant, ANDREW MAGIN, and humbly complaining against the Respondent, MARY MAGIN, respectfully represents and shows unto your Honor and this Honorable Court, as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age, and are residents of Baldwin County, Alabama, and have been for more than three years next preceding the filing of this Bill of Complaint;

2.

That your Complainant and the Respondent were married in the State of Ohio, in the year 1922, and lived together as husband and wife until September, 1933;

3.

That in September, 1933, the Respondent voluntarily abandoned the bed and board of the Complainant and has remained away voluntarily and continuously since that time.

Wherefore, the premises considered, the Complainant prays that your Honor will by proper process make the said Respondent, MARY MAGIN, party respondent to this Bill of Complaint, requiring her 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.

The Complainant further prays that upon a final hearing of this cause your Honor will make and enter a decree awarding to him an absolute decree of divorce, forever barring the bonds of matrimony existing between him and the Respondent; that your Honor will give and grant unto him such other, further, different, and general relief as he may be in equity and good conscience entitled to receive and as in duty bound he will ever pray.

Beale & Neal

Solicitor for Complainant.

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

ANDREW MAGON  
Complainant,  
Vs. MARY MAGON  
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  
MARY MAGON

by the Sheriff of Baldwin County, on the \_\_\_\_\_ day of \_\_\_\_\_,  
194<sup>2</sup>.

And it further appears to the Register, that the said \_\_\_\_\_

Mary Magon, 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 Beebe & 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 \_\_\_\_\_

Mary Magon

This 28th day of March, 194<sup>2</sup>.

*W. J. ...*  
Register.

**RECORDED**

No. 799

CIRCUIT COURT OF  
BALDWIN COUNTY,  
ALABAMA.  
IN EQUITY

ANDREW WAGON

Complainant,

Vs.

MARY WAGON

Respondent.

DECREE PRO CONFESSO ON  
PERSONAL SERVICE.

Issued this 1 day of April

1942.

*P. A. Louch*

Register.

Received in Sheriff's Office  
this 6 day of Feb, 1942  
W. R. STUART, Sheriff

Executed Feb 7<sup>th</sup> 1942

by serving copy of within Summons and  
Complaint on

Mary Magin

W. R. Stuart  
By W. R. Stuart  
Sheriff

No. 799

ANDREW MAGIN, Complainant,

VS.

MARY MAGIN, Respondent.

RECORDED

SUMMONS AND COMPLAINT

Filed 2-5-42

R. S. Duck

Clark

BEERE & HALL, LAWYERS,  
Bay Minette, Alabama

Respondent lives at  
Lyman

The State of Alabama }  
Baldwin County

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

ANDREW MAGON

COMPLAINANT

VS.

MARY MAGON

RESPONDENT

I, Frances Brantley

as ~~Register and~~ Commissioner

have called and caused to come before me Andrew Magon and Charley Kruzich

witnesses named in the Requirement for Oral Examination, on the 25th day of March

19 42, 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 \_\_\_\_\_

Andrew Magon doth depose and say as follows:

My name is Andrew Magon. I live at Silverhill, in Baldwin County, Alabama, and I am over twenty-one years of age. I have been a resident of Alabama for more than three years next preceding the filing of this Bill of Complaint. The Respondent, Mary Magon, is over twenty-one years of age, and a resident of Baldwin County, Alabama, living at Loxley, where she has lived for more than three years next preceding the filing of this Bill of Complaint.

Mary Magon and I were married in the State of Ohio, in the year 1922. We lived together as husband and wife until in September, 1933.

In September, 1933, the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time. The Complainant gave the Respondent no reason for leaving him.

Andrew Magon

CHARLIE KRUZICH, A WITNESS FOR THE COMPLAINT, HAVING BEEN FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Charlie Kruzich. I live at Silverhill, in Baldwin County, Alabama. I am personally acquainted with Andrew Magon, the Complainant, in the above styled cause. I know of my own personal knowledge that Andrew Magon and Mary Magon have not lived together as husband and wife for more than two years next preceding the filing of this cause.

The said Mary Magon, some seven or eight years ago left the Complainant, and has not lived with him as his wife since that time.

Charley Kruzich



ORAL EXAMINATION

I, Frances Brantley, 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 witnesses 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 witnesses or had proof made before me of the identity of said witnesses; 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 25th day of March 1942.

Frances Brantley (L. S.)

No. 799 Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ANDREW MAGON  
COMPLAINANT

VS.

MARY MAGON  
RESPONDENT

ORAL DEPOSITION

Filed April 1st, 1942

P. S. Beck, Register  
RECORDED IN \_\_\_\_\_

Record \_\_\_\_\_

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

Register \_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County

}

CIRCUIT COURT

TO Frances Brantley

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 Andrew Magon and Charley Kruzich

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

Andrew Magon, Complainant

and

Mary Magon Defendant,

on oath to be by you administered, upon \_\_\_\_\_  
to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all convenient speed, under your hand.

Witness 22th day of March, 1942.

REGISTER

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

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

RECORDED NO. 499

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

ANDREW MAGON

Complainant

VS.

MARY MAGON

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

*Filed 4-1-42  
N.S. Duck*