

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

FANNY O'NEAL, Complainant  
vs.

EDWARD O'NEAL, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEEDS AND CONFESSION~~  
Answer and Waiver 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 Fanny O'Neal is forever divorced from the said Edward O'Neal for and on account of

A B A N D O N M E N T

BE IT FURTHER ORDERED, ADJUDGED AND DECREED that care, custody and control of Claire Cleveland O'Neal, a minor child of this marriage, is granted to the complainant, Fanny O'Neal, and the respondent, Edward O'Neal, is hereby ordered and directed to pay to the said Fanny O'Neal the sum of Forty Dollars (\$40.00) per month on or before the 15th day thereof, beginning with the month of April, 1951, for support and maintenance of said minor child.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondent, Edward O'Neal shall have and he is hereby granted rights of reasonable visitation of said minor child, Claire Cleveland O'Neal.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Edward O'Neal the respondent pay the cost herein to be taxed, for which execution may issue.

This 3rd day of July, 1951.

J. J. Moore, Jr.  
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.

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

FANNY O'NEAL  
Complainant

vs.

EDWARD O'NEAL

Respondent

DIVORCE DECREE

FILED

JUL 3 1951

ALICE E. RICE, Register

FANNY O'NEAL, ) (  
 Complainant, ) ( IN THE CIRCUIT COURT OF  
 -vs- ) ( BALDWIN COUNTY, ALABAMA  
 EDWARD O'NEAL, ) (  
 Respondent. ) ( IN EQUITY

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT  
 COURT OF BALDWIN COUNTY, Sitting in Equity:

Your complainant, Fanny O'Neal, respectfully represents  
 and shows unto your Honor:-

1. That complainant is over the age of twenty-one years  
 and is a resident of said State and County, and has been a bona  
 fide resident of said State for more than one year next preceding  
 the filing of this Bill of Complaint; that Edward O'Neal is over  
 the age of twenty-one years and is a resident of Mobile, Alabama.

2. That your complainant and respondent were lawfully  
 married on or about, to-wit, March 18, 1949.

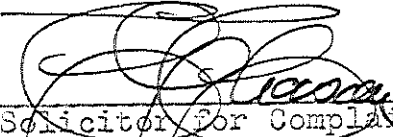
3. Complainant further avers that said respondent volun-  
 tarily abandoned the bed and board of complainant for more than  
 one year next preceding the filing of this Bill of Complaint, since  
 which time complainant and respondent have not lived together nor  
 in any way recognized each other as husband and wife.

4. Complainant further avers that there was born of this  
 marriage one child, Claire Cleveland O'Neal.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED: Your complainant prays that  
 Edward O'Neal be made a party defendant to this cause by the usual  
 process of this Honorable Court requiring him to plead, answer or  
 demur within the time and under the penalties prescribed by the  
 rules of this Court and the statutes in such cases made and pro-  
 vided; that upon a final hearing of this cause that your complain-  
 ant be granted a divorce from said respondent and that custody and  
 control of the said minor child, Claire Cleveland O'Neal be granted  
 to the complainant, and that the Court order, direct and decree that  
 the respondent pay an adequate sum for the support and maintenance  
 of said child. Should your complainant be mistaken in the relief

prayed for, that there be granted to her such other, different and general relief to which she may be entitled, and as in duty bound, she will ever pray.

  
Solicitor for Complainant

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

FANNY O'NEAL

Complainant

VS.

EDWARD O'NEAL

Respondent

I, Lorna Underwood

as Register and Commissioner in chancery

have called and caused to come before me Fanny O'Neal and S. E. McCormick

witness es named in the Requirement for Oral Examination, on the 13th day of April  
1951, at the office of C. G. Chason  
in Foley, Alabama, and having first sworn said Witness es to speak the  
truth, the whole truth, and nothing but the truth, the said Fanny O'Neal and S. E.  
McCormick doth depose and say as follows:

TESTIMONY OF FANNY O'NEAL:

My name is Fanny O'Neal; I am over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama; that I have been a resident of Baldwin County, Alabama, for over a year prior to the filing of my bill of complaint for divorce; that I married Edward O'Neal on March 18, 1949, and that he voluntarily abandoned me and with no cause on or about the first week of March, 1950, but in any event more than one year prior to the filing of my bill of complaint for divorce; that we have not lived together as man and wife since that time nor has he contributed to my support or in any way recognized me as his wife; there was born of our marriage one child, Claire Cleveland O'Neal, which said child is and has been in my care, custody and control since the abandonment by my husband; I believe that Edward O'Neal has sufficient income with which to pay the sum of Forty Dollars (\$40.00) per month for maintenance and support of this minor child and believe that I am best suited to maintain custody of said minor child.

*Fanny J. O'Neal*

TESTIMONY OF S. E. McCORMICK:

My name is S. E. McCormick; that I am a resident of Foley, Baldwin County, Alabama, and am over the age of twenty-one years; that I am personally acquainted with Fanny O'Neal and Edward O'Neal; that they were married in March of 1949 and lived together as man and wife until the last part of February or the first of March, 1950; that Edward O'Neal voluntarily abandoned the bed and board of Fanny O'Neal without cause and since that time, to the best of my knowledge, information and belief, they have not lived together as man and wife; they have one minor child approximately one and one-half years old named Claire Cleveland O'Neal which child is in the custody of Fanny O'Neal and has been in her custody during the time that she and her husband have been separated.

*S. E. McCormick*

**ORAL EXAMINATION.**

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I, Lorna Underwood, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. G. Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 13th day of April, 194 51

*Lorna Underwood* (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

FANNY O'NEAL

vs. Complainant

EDWARD O'NEAL

Respondent.

## Oral Deposition

Filed 4-16, 1947

Asa J. Hurch, Register.

Recorded in

\_\_\_\_\_ Record

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

\_\_\_\_\_, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: LORNA UNDERWOOD

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 Fanny O'Neal and S. E. McCormick

as witnesses in behalf of Fanny O'Neal in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Fanny O'Neal

\_\_\_\_\_, Complainant  
and Edward O'Neal

\_\_\_\_\_, Respondent

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

Witness 13th day of April, 1951

W. J. Underwood  
Register.

Commissioner's Fee, \$ 5.00

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



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

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

FANNY O'NEAL

Complainant—

**vs.**

EDWARD O'NEAL

Defendant—

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER

LORNA UNDERWOOD

WITNESSES:

FANNY O'NEAL

S. E. McCORMICK

**CECIL G. CHASON**

ATTORNEY AT LAW

FOLEY, ALABAMA

21 March 1951

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Ala.

Re: Fanny O'Neal vs. Edward O'Neal

Dear Mrs. Duck:-

The respondent in this cause is an employee of  
Cosby-Hodges Milling Company, Mobile, Alabama. He has  
asked that I send a copy of the summons and complaint  
to him, which has been done, therefore, please do not  
have a sheriff's service until further notification.

Yours very truly,

  
C. G. Chason

CGC:lu

Encls:

cc: Edward O'Neal  
c/o Cosby-Hodges Milling Co.  
Mobile, Alabama

CECIL G. CHASON

ATTORNEY AT LAW

FOLEY, ALABAMA

13 April 1951

Mrs. Alice J. Duck  
Register, Circuit Court  
Bay Minette, Ala.

Dear Mrs. Duck:-

There is enclosed herewith all papers necessary for the closing of the divorce proceeding of Fanny O'Neal vs. Edward O'Neal except an answer and waiver which was to be filed by H. M. Hall, attorney for the respondent. I have mailed a copy of the divorce decree to Mr. Hall for his inspection. If it is not suitable, according to our agreement, Hall will notify me and I will draft another.

Yours very truly,

  
C. G. Chason

CGC:lu

Encls:

cc: H. M. Hall  
Attorney at Law  
Bay Minette, Ala.

FANNY O'NEAL

COMPLAINANT

VS

EDWARD O'NEAL

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

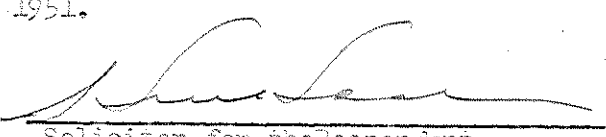
NO. 2622

Now comes the Respondent, by his Solicitor of record, and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations contained in the bill of complaint as to ages, residences and marriage; also that the Complainant is a suitable, fit and proper person to have the care, custody and control of the minor child, Claire Cleveland O'Neal, and that FORTY (\$40.00) DOLLARS per month is a reasonable amount for the maintenance of the said minor child, but denies all allegations as to cruelty.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant, the right to cross examined Complainant's witnesses and consent that this matter be submitted for final decree without further notice.

Dated this the 13th day of April, 1951.

  
Solicitor for the Respondent.

RECORDED  
RECORDED

FANNY O'NEAL

COMPLAINANT

VS

EDWARD O'NEAL

RESPONDENT

ANSWER AND WAIVER

FANNY O'NEAL

.vs.

EDWARD O'NEAL

THE STATE OF ALABAMA  
Baldwin CountyIN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, and  
Testimony of Fanny O'Neal and S. E. McCormick

and in behalf of Defendant upon answer and waiver

*F. E. Chapman*  
Subscribed for Complainant

*Wm. J. H. H. H.*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

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

FANNY O'NEAL

vs.

EDWARD O'NEAL

**NOTE OF TESTIMONY**

Filed in Open Court this 16<sup>th</sup> .....

day of April ....., 1945

W. J. H. H. H.  
Register.

Printed By The Baldwin Times

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