

(3553)

DIVORCE DECREE

PRINTED BY MOORE Ptg. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- ADAIR WORTH McCUE -----, Complainant  
vs.

----- ARVID L. McCUE -----, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree~~ ~~Pro Confesso~~ on ----- 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

----- ADAIR WORTH McCUE ----- is forever divorced from the  
said ----- ARVID L. McCUE ----- for and on account of  
----- CRUELTY. -----  
-----  
-----  
-----  
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-----

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 payment of the cost of this suit.

It is further ordered that ----- Adair Worth McCue -----  
the ----- Complainant ----- pay the cost herein to be taxed, for which executed may issue.

This ----- 21<sup>st</sup> ----- day of ----- September -----, 1954 -----

----- Herbert M. Hall -----  
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

ADAIR WORTH McCUE  
Complainant

vs.

ARVID L. McCUE  
Respondent

DIVORCE DECREE

FILED  
SEP 26 - 1955  
ALICE J. DUCK, Register

STATE OF ALABAMA )  
BALDWIN COUNTY )

IN THE CIRCUIT COURT -- IN EQUITY

BOOK 018 PAGE 253

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Arvid L. McCue to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Adair Worth McCue, as Complainant against Arvid L. McCue, as Respondent.

Witness my hand this 21 day of June 1955.

*Adair Worth McCue*  
Register

ADAIR WORTH McCUE,  
Complainant

VS.

ARVID L. McCUE,  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes your Complainant, Adair Worth McCue, and files this her Bill of Complaint for divorce against Arvid L. McCue, and shows unto Your Honor and this Honorable Court as follows:

FIRST:

That your Complainant is over the age of twenty-one years and is a bona fide resident citizen of said State for more than one year next preceding the filing of this Bill of Complaint; that the Respondent, Arvid L. McCue is over the age of twenty-one years and that his last known residence was Fairhope, Alabama and that his present whereabouts is otherwise unknown and cannot be ascertained by reasonable efforts.

SECOND:

That your Complainant and the Respondent were lawfully married on or about to-wit, May, 1926 at Pensacola, Florida and that there are no minor children of this marriage.

THIRD:

That the Complainant and Respondent lived together as man and wife until on, to-wit, June 1, 1955, when, on account of the matters hereinafter complained of, your Complainant lived separate and apart from the Respondent; that in May, 1955

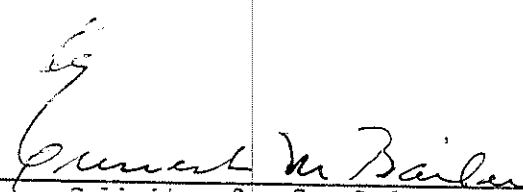
and at times prior thereto, the Complainant states that the Respondent committed acts of violence upon her person, attended with danger to her life and health; Complainant avers and charges that Respondent has made numerous threats of doing her physical harm and from his manner and conduct towards her, she is reasonably certain that he will commit such violence on her person, attended with danger to her life and health.

FOURTH:

That your Complainant has certain property, both real and personal, which is now, and has been, her sole and separate property, except for what right the Respondent may be entitled to by reason of the laws and statutes governing the same.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant makes the said Arvid L. McCue a party respondent to this Bill of Complaint, and in order that Complainant may have the relief prayed herein for, may it please Your Honor to cause the State's writ of subpoena to be issued, directed to the said Arvid L. McCue, commanding him to answer, plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause Your Honor will enter a decree divorcing your Complainant from said Respondent; that Your Honor will also decree that all the property now in the name and possession of your Complainant will be awarded to her, and that she may convey the same as her separate and sole property; that Your Honor will order that a copy of his decree in this cause granting an absolute divorce to the Complainant be filed in the Records of the Probate Judge of Baldwin County, Alabama; and that Your Honor will grant such other, further or different relief as unto Your Honor may seem just and proper as she may be in equity and good conscience entitled to receive.

  
Solicitor for Complainant

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

No. 3553 September, Term, 1955ADATH WORTH McCUE

Complainant

Vs.

ARVID L. McCUE

Defendant

In this cause it appears to the Register ALICE J. DUCK that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 21st day of July, 1955, in the The Onlooker, a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 21st day of July, 1955 and to e respondent comes not

And it now further appearing to the Register Alice J. Duck, that the said ARVID L. McCue

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register

Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said ARVID L. McCUE

This 20th day of September, 1955

Alice J. Duck, Register.

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

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

ADAIR WORTH McCUE

Vs.

ARVID L. McCUE

Decree Pro Confesso of Publication

Issued September 20, 19 55

*Reice J. Luck*  
Register.

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

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

Register.

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Shirley Copas

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 Adair Worth McCue and Charleroi MacEachern

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

Adair Worth McCue

and \_\_\_\_\_, Complainant

Arvid L. McCue

Respondent

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

Witness 20 day of September, 1955

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

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

Arvid L. McCue  
Register.

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

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

**CIRCUIT COURT**

Adair Worth McCue

Complainant

**VS.**

Arvid L. McCue

Defendant

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

Shirley Copas

**WITNESSES:**

Adair Worth McCue

Charleroi MacEachern



THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Shirley Copas

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 Adair Worth McCue and Charleroi MacEachern

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

Adair Worth McCue, Complainant  
and

Arvid L. McCue Respondent

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

Witness 20 day of September, 1955

Commissioner's Fee, \$

Witness' Fees, \$

Arvid L. McCue  
Register.

## NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

ADAIR WORTH McCUE

No. 3553

vs.

ARVID L. McCUE

The State of Alabama,

County.

Circuit Court, in Equity

This the \_\_\_\_\_ day of \_\_\_\_\_,

194

In this cause it being made to appear to the Clerk of this Court by the affidavit of  
ADAIR WORTH McCUE

that the Defendant ARVID L. McCUE

is a non-resident of the State of Alabama that his whereabouts or Post Office address  
cannot be ascertained.

and further, that, in the belief of said Affiant ~~that~~ the Defendant ~~Arvid L. McCue~~ <sup>Arvid L. McCue</sup> is over the age of 21  
years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~ <sup>THE ONLOOKER</sup>, a newspaper pub-  
lished in ~~Bay Minette~~ <sup>FOLEY,</sup> Baldwin County, Alabama, once a week for four consecutive weeks, requiring

ARVID L. McCUE the said DEFENDANT

to answer or demur to the Bill of Complaint in this cause by the 26th. day of  
August 1945, or after thirty days therefrom a decree Pro Confesso may be  
taken against him.

Ernest M. Bailey,  
Solicitor for Complainant

*Reice J. Drake*  
Register.

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

ADAIR WORTH McCUE

Complainant

VS.

ARVID L. McCUE

Respondent

I, Shirley Conas

as ~~Registered~~ Commissioner

have called and caused to come before me Adair Worth McCue and Charleroi MacEachern

witnesses named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of June

1955, at the office of Ernest M. Bailey, Attorney at Law

in Fairhope, Alabama, and having first sworn said Witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Adair Worth McCue and

Charleroi MacEachern doth depose and say as follows:

My name is Adair Worth McCue and the Respondent's name is Arvid L. McCue. We are both over the ages of twenty-one years and bona fide residents of Baldwin County, Alabama and have been for more than one year next preceding the filing of this Bill of Complaint. The Respondent and I were married in Pensacola, Florida in May, 1926 and lived together as husband and wife until the Respondent disappeared on, to wit, the 1st day of June, 1955.

The Respondent has continually for several years abused and done violence to my person. He was an intemperate drinker of alcoholic beverages, and became violent on all such occasions. During the past several months he has threatened me and occasionally hit me with his open hand. On one such occasion he threw me against the bed causing serious injury to my face which required medical and dental attention. I am afraid that if we live together as husband and wife the Respondent will do violence to my person such as will cause permanent injury.

Adair Worth McCue  
Adair Worth McCue

My name is Charleroi MacEachern. I am over the age of twenty-one years and am a resident of Montgomery County, Alabama. I am the daughter of Mrs. Adair McCue, the Complainant in this cause, and the stepdaughter of the Respondent, Arvid L. McCue. I have known of instances where the Respondent has committed actual violence on the person of my mother. During the time they have lived together I have heard numerous instances of noise, etc. which would indicate that there was physical violence being administered to my mother. On about February, 1953, I was present in the house when my stepfather threw my mother against the bed. I have often heard my mother cry out in a manner that would indicate that the Respondent was physically abusing her. I have seen my mother on numerous times after such encounters with my stepfather when she was in an hysterical state of mind. On one occasion my stepfather inadvertently struck me when attempting to strike my mother.

Charleroi MacEachern  
Charleroi MacEachern

ORAL EXAMINATION

I, Shirley Copas, 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 ES and read over to them and they signed the same in the presence of myself and Ernest M. Bailey, Attorney at Law,

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 25th day of Sept, 1955.

Shirley Copas (L. S.)

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

The State of Alabama  
Baldwin County.

In Circuit Court, In Equity

ADAIR WORTH MCCUE

vs. Complainant

ARVID L. MCCUE

Respondent

Oral Deposition

Filed \_\_\_\_\_, 19\_\_\_\_

Register

FILED

RECORDED in

Aug 1, 1955

Record

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

Register

Register

STATE OF ALABAMA )  
 )  
BALDWIN COUNTY )

A F F I D A V I T

Before me, Ernest M. Bailey, Notary Public in and for the State of Alabama at Large, personally appeared Adair Worth McCue, who is known to me and who being by me first duly sworn, deposes and says:

That she is the Complainant in that certain action pending in the Circuit Court of Baldwin County, Alabama, wherein Adair Worth McCue is the Complainant and Arvid L. McCue is the Respondent; that the last known residency of the said Respondent Arvid L. McCue, was to the best of her knowledge and belief, Fairhope, Alabama; that the residency of the Respondent, Arvid L. McCue, is otherwise unknown to her and cannot be ascertained by reasonable effort; that the Respondent Arvid L. McCue, is over the age of twenty-one years.

*Adair Worth McCue*  
Adair Worth McCue

Sworn to and subscribed before me on this 13<sup>th</sup> day of June, 1955.

*Ernest M. Bailey*  
Notary Public

AFFIDAVIT

Before me, Ernest M. Bell, Notary Public in and for the State of Ala-  
bama, personally appeared Adair North McCue, who is known to me and who  
being by me duly sworn, deposes and says:  
That she is the Complainant in that certain action pending in the Circuit  
Court of Shelby County, Alabama, wherein Adair North McCue is the Complainant, and  
David L. McCue is the Respondent; that the last known residence of the said Re-  
spondent David L. McCue, was to the best of her knowledge and belief, Fairhope,  
Alabama; that the residence of the Respondent, David L. McCue, is otherwise un-  
known to her and cannot be ascertained by reasonable effort; that the Respondent  
David L. McCue, is over the age of twenty-one years.

ADAIR NORTH McCUE, Complainant  
vs.  
DAVID L. McCue, Respondent

AFFIDAVIT

Adair North McCue

Sworn to and subscribed before me on this 18th day of June, 1955.

Notary Public

## DECREE PRO CONFESSO OF PUBLICATION

B.T.-10-46-200

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

No. 3553 September, Term, 1955

ADAIR WORTH McCUE

Complainant

Vs.

ARVID L. McCUE

Defendant

In this cause it appears to the Register ALICE J. DUCK that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 21st day of July, 1955, in the The Onlooker, a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 21st day of July, 1955 and to e respondent comes not

And it now further appearing to the Register Alice J. Duck, that the said ARVID L. McCue

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register

Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said ARVID L. McCUE

This 20th day of September, 1955

Alice J. Duck, Register.

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

**THE STATE OF ALABAMA,  
Baldwin County**

**CIRCUIT COURT, IN EQUITY**

**ADAIR WORTH McCUE**

**Vs.**

**ARVID L. McCUE**

**Decree Pro Confesso of Publication**

Issued September 20, 19 55

**Register.**

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

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

**Register.**

The Baldwin Times, Bay Minette, Ala.

**RECORDED**



ADAIR WORTH McCUE

vs.

ARVID L. McCUE

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_

Testimony by Adair Worth McCue and Charleoi MacTachern

and in behalf of Defendant upon Decree Pro Condesso after notice by registered mail.  
and publication

$\frac{1}{2}$

*James H. Bailey*  
Attorney for Complainant

*Arvid L. McCue*

Register.

No. ....

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

ADAIR WORTH McCUE

vs.

ARVID L. McCUE

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ....., 194 .....

**FILED**

SEP 20 1935

Register.

Printed by the Baldwin Times

# NOTICE TO NON-RESIDENT

Adair Worth McCue, vs. Arvid L. McCue.

The State of Alabama, Baldwin County. Circuit Court in Equity. This the 20th day of July, 1955.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Adair Worth McCue that the Defendant Arvid L. McCue is a non-resident of the State of Alabama, that his whereabouts or Post Office address cannot be ascertained, and further, that, in the belief of said Affiant the Defendant Arvid L. McCue is over the age of 21 years; it is, therefore, ordered that publication be made in The Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Arvid L. McCue the said Defendant to answer or demur to the Bill of Complaint in this cause by the 20th day of August, 1955, or within thirty days thereafter from a default. Pro Confesso may be taken against him.

Attest: Alice J. Duck, Register.  
Ernest M. Bailey, Solicitor for

Complainant.  
(4<sup>th</sup> July 21, 28, Aug. 4, 11)

## AFFIDAVIT OF PUBLICATION

I, Ralph Howell

Office Manager of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated July 21, 1955, and ending with the issue dated Aug. 11, 1955.

Ralph Howell  
Subscribed and sworn to before me this 11<sup>th</sup> day of August, 1955.

Notary Public.

MY COMMISSION EXPIRES JULY 18, 1956

FOLEY, ALA.

Aug 19

1955

## HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Mrs. Alice J. Welch

Register

Bay Minette Ala

BROUGHT FORWARD

July 21  
 " 28  
 Aug 4  
 " 11

Ms. Cue 43  
 Ms. Cue

11 07

3553

McCue

vs

McCue

3553

FILED

AUG 12 1955

ALICE L. WICK, Register

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11/10/00 BY 60322 UCBAW/STP