

(1375)

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Frank T. McPherson Complainant

VS.

Mary S. McPherson Respondent

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

on Publication 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 Frank T. McPherson is forever divorced from the said Mary S. McPherson

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 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 the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of October, 1945

J. M. Stare 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. 1376 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194

Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court

To Francis G. Crawford

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 Frank T. McPherson and Zenas Mason

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

Complainant
and Mary S. McPherson.

Respondent

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 4th day of Oct., 1945

[Signature]
Register

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 1375

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Frank T. McPherson

Complainant

VS.

Mary S. McPherson

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Francis G. Crawford

WITNESSES:

Francis G. Crawford

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

FRANK T. McPHERSON	}	The State of Alabama,
No. 1375		Baldwin County.
vs.		Circuit Court, in Equity
MARY S. McPHERSON		This the 27th day of
		July, 1945

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

E.A. Cramer

that the ~~Respondent~~ Mary S. McPherson

is a non-resident of the State of Alabama

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~~ Fairhope Courier, a newspaper published in ~~Bay Minette~~ Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Mary S. McPherson the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 3rd day of September 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her

E.A./Cramer
Solicitor for Complainant

Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Frank T. McPherson

Complainant

VS.

Mary S. McPherson

Respondent

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Frank T. McPherson and Zenas Mason

witness^{es} named in the Requirement for Oral Examination, on the 5th day of October
194 5, at the office of E. A. Cramer, Attorney
in Fairhope, Alabama, and having first sworn said Witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Frank T. McPherson
doth depose and say as follows:

I am 54 years old and my wife, Mary S. McPherson, is 49. We were married on July 13th 1923 at Phoenix, Arizona. I have lived in Alabama for five years and in Baldwin County for the past year. My wife deserted me without any cause that I can figure out in March, 1937 and has never lived with me since that time. I know that she is not a member of the armed forces of the United States. I do not know where she is living and have not known for some two or three years. However, I have been in touch with her family and they advised me that she had no intention of resuming our relationship as man and wife.

Frank T. McPherson

And the said Zenas Mason doth depose and say as follows:

I have been a resident of Baldwin County, Alabama, for more than twenty years. I have known Frank McPherson, complainant in this Suit, for more than two years. I know that he has lived in Alabama for more than two years and in Baldwin County for about one year. I know that he has lived alone during all of the time that I have known him and that no woman has lived with him. I have seen him almost every day during the time since I first met him.

Zenas Mason

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Frank T. McPherson

Complainant

VS.

Mary S. McPherson

Respondent

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me Frank T. McPherson and Zenas Mason

witness^{es} named in the Requirement for Oral Examination, on the 5th day of October 1945, at the office of E. A. Cramer, Attorney in Fairhope, Alabama, and having first sworn said Witness^{es} to speak the truth, the whole truth, and nothing but the truth, the said Frank T. McPherson doth depose and say as follows:

I am 54 years old and my wife, Mary S. McPherson, is 49. We were married on July 13th 1923 at Phoenix, Arizona. I have lived in Alabama for five years and in Baldwin County for the past year. My wife deserted me without any cause that I can figure out in March, 1937 and has never lived with me since that time. I know that she is not a member of the armed forces of the United States. I do not know where she is living and have not known for some two or three years. However, I have been in touch with her family and they advised me that she had no intention of resuming our relationship as man and wife.

Frank T. McPherson

And the said Zenas Mason doth depose and say as follows:

I have been a resident of Baldwin County, Alabama, for more than twenty years. I have known Frank McPherson, complainant in this suit, for more than two years. I know that he has lived in Alabama for more than two years and in Baldwin County for about one year. I know that he has lived alone during all of the time that I have known him and that no woman has lived with him. I have seen him almost every day during the time since I first met him.

Zenas Mason

ORAL EXAMINATION.

I, Frances G. Crawford, as Register and Commissioner hereby certify that the foregoing deposition^s 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 _____ 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 5th day of October, 1945.

Frances G. Crawford (L. S.)

[Faint, illegible text, likely bleed-through from the reverse side of the page.]

NO. 1375 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

McPherson

vs.

McPherson Complainant

Respondent.

Oral Deposition

Filed 10/5/45, 1945
Frances G. Crawford, Register.

Recorded in _____ Record

Vol. _____ Page _____
_____, Register.

Frank T. McPherson)	Circuit Court
Complainant)	
)	Baldwin County
vs)	
)	Alabama
Mary S. McPherson)	
Respondent)	In Equity

To the Honorable Frances W. Hare, Judge of said Court, sitting in Equity:

Comes Your Complainant, Frank T. McPherson, and respectfully exhibits this, His Bill of Complaint against Mary S. McPherson, and shows unto Your Honor:

First: Complainant, who is 54 years of age, and Respondent, whose age is 49 years, intermarried on July 13th 1923 at Phoenix, Arizona.

Second: For more than four years past, Complainant has been a resident of the State of Alabama, presently residing in Baldwin County therein.

Third: During the month of March, 1937, Respondent voluntarily deserted and abandoned complainant and has continued said abandonment with total neglect of the marital covenant on her part ever since.

The premises considered, Complainant prays that Your Honor grant all appropriate and legal process and that same be directed to said Mary S. McPherson demanding her to personally appear before this Honorable Court within the time required by law and then and there to answer fully and completely the several paragraphs of this Bill of Complaint and that she be required to abide and obey all decrees and orders of This Court which to Your Honor may seem meet and proper.

Complainant further prays that, upon a hearing of this cause, that a decree be rendered forever divorcing Complainant from said Mary S. McPherson and granting the Complainant such other, further and different relief as may be or appear proper in the premises.

E. A. Cramer
Solicitor for Complainant.

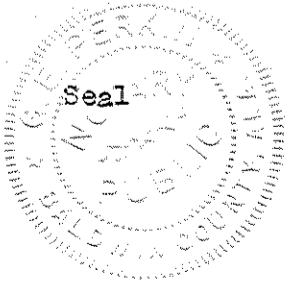
State of Alabama, Baldwin County

Personally appeared E. A. Cramer, who being duly sworn, deposes and says: That he is attorney for Frank T. McPherson, Complainant in the above action; That he believes, on information and belief, that the Respondent therein, Mary T. McPherson, is past the age of 21 years, that she is a non resident of the State of Alabama and that her present whereabouts is unknown to the Complainant in said action.

E. A. Cramer

Subscribed and sworn to this 26th day of July, 1945, before me.

J. E. Decker
Notary Public, Baldwin County, Ala.



THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1375- Oct, Term, 1945

Frank T. McPherson

Complainant

Vs.

Mary S. McPherson

Defendant

Motion is hereby made for a Decree Pro Confesso against Mary S. McPherson

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 21st day of October 1945

746 Code

E. A. Dancy Solicitor.

RECORDED

No. 1375 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

McPherson

Complainant _____

^{Vs.}
McPherson

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed art 4 1945

R. D. [Signature]

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1375- Oct, Term, 1945

Frank T. McPherson

Complainant

Vs.

Mary S. McPherson

Defendant

In this cause it appears to the Register _____ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 1st day of August, 1945, in the Fairhope Courier a newspaper published in Fairhope, Alabama. ~~that a copy of said order was posted at the Court House door~~ in Baldwin County, on the 2 day of August, 1945, and _____

And it now further appearing to the Register R. R. R. R.

Mary S. McPherson

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 _____

_____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Mary S. McPherson

This 4 day of October

19 45

R. R. R. R.

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1375- Oct, Term, 1945

Frank T. McPherson

Complainant

Vs.

Mary S. McPherson

Defendant

In this cause it appears to the Register _____ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 1st day of August, 1945, in the Fairhope Courier a newspaper published in Fairhope, Alabama, ~~that a copy of said order was posted at the Court House door~~ in Baldwin County, on the 2 day of August, 1945, and _____

And it now further appearing to the Register _____

R. R. R. R.

that the said

Mary S. McPherson

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 _____

_____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Mary S. McPherson

This 4 day of October

19 45

R. R. R. R.

Register.

No. 1375- Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

McPherson

Vs.

RECORDED

McPherson

Decree Pro Confesso of Publication

Issued Oct 4 1941

Phuel

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

A PROGRESSIVE PAPER FOR PROGRESSIVE PEOPLE

ESTABLISHED 1894

FAIRHOPE, ALABAMA

This is to certify that the
attached legal notice appeared
in the Fairhope Courier, a
newspaper published in Fairhope,
Baldwin County, Ala., on the dates
of August, 8, 9, 16 and 23, 1945

Frances G. Crawford

Frances G. Crawford, Editor.

State of Alabama
Baldwin County

Subscribed and sworn to this 25th day of August,
A. D. 1945, before me.

R. S. Duck
Notary Public, Baldwin County, Ala.

1945 received on August 16th regarding their son Walter Jr.
The State of Alabama,
Baldwin County.

Circuit Court, in Equity
This the 7th day of July, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of E. A. Cramer that the Respondent, Mary S. McPherson is a non-resident of the State of Alabama 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 Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Mary S. McPherson the said Respondent to answer or demur to the Bill of Complaint in this cause by the 3rd day of September 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her.

R. S. Duck, Register
E. A. Cramer. 1-4t
Solicitor for Complainant.

M

R. S. Dink.

Fairhope, Alabama

Aug 24

1945

In Account with

The Fairhope Courier
 E. B. Gaston Estate, Publisher
Advertising and Commercial Printing
 Rates on Application

Legal notice of 160 words
 Re Frank J. McPherson
 vs Mary McPherson
 issue of August 1-9-16-23

\$ 7.20

M

E. A. Kramer Atty - Fairhope, Alabama Sept - 10 1945

In Account with

The Fairhope Courier

E. B. Gaston Estate, Publisher

Advertising and Commercial Printing

Rates on Application

Legal notice of 160
words re - Frank J -
McC Pherson vs Mary
McC Pherson - in issue
of Aug 1-9-16-23

7.20

Ed
McC

Frank T. McPherson

Complainant,

VS.

Mary S. McPherson

Respondent.

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

NO.....

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin

Alabama, the place of trial of said cause, to-wit:.....

Frank T. McPherson and Zenas Mason

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

E. A. Crawford
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Frances G. Crawford

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

E. A. Crawford
Solicitor for Complainant.

1375-

BT-6-10-500

DEMAND FOR ORAL EXAMINATION.

McPherson
Complainant,

Vs.

McPherson
Respondent.

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

Filed this 4 day of Oct,

1946

R. DeLoach
Register.

Frank T. McPherson

vs.

Mary S. McPherson

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

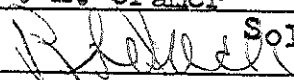
This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____

~~Decree pro Confesso on Publication~~

~~and Testimony of Complainant and Zenas Mason~~

and in behalf of Defendant upon _____

E. A. Cramer



Solicitor for Complt,

Register.

1375

RECORDED

No. 1376

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Frank McPherson.

vs.

Mary S. McPherson.

NOTE OF TESTIMONY

Filed in Open Court this 6th

day of Oct, 194 5

R. H. [Signature]

Register.

Printed by The Baldwin Times, Bay Minette.

RECORDED
INDEXED
FILED
OCT 10 1945
Baldwin County, Alabama
Clerk of Court