

The State of Alabama, }
Baldwin County.

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

Frances McConnell Dyson

Complainant.

VS.

Sam Dyson

Respondent.

I, T. W. Richerson

as Register and Commissioner

have called and caused to come before me Frances McConnell Dyson and Jane R. Pelton

witnesses named in the Requirement for Oral Examination, on the 7th day of November 1930, at the office of T. W. Richerson

in Bay Minette, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Frances McConnell Dyson doth depose and say as follows:

My name is Frances McConnell Dyson. I am over twenty-one years of age and live at Fairhope, Alabama. I married Sam Dyson, the Defendant, on the 6th day of March, 1930 and we lived together as husband and wife in Baldwin County, Alabama, until about the first part of August; that commencing early in June, 1930, the Defendant commenced a course of cruel treatment, on several occasions he roughly seized me by the arms, shook me and used rough language, saying that he would do what he liked with me as I was his property. The Defendant would frequently indulge in violent outburst of passion without any cause or occasion and would make me ill by his actions and put me into an extremely nervous condition, prejudicial to my health; that one time during the month of July, 1930, he made an incision on my body with a safety razor blade, stating that he would leave his mark on me, he being at that time in a violently jealous frame of mind; that on another occasion during the month of July he pointed a loaded revolver at me and his whole treatment of me produced a very nervous condition and effected my health; that his actions produced grievous mental suffering and made me extremely apprehensive of serious injury to my health if I continued to live longer with him.

Frances McConnell Dyson

..... Mrs. Jane R. Pelton being duly sworn deposes as follows:
My name is Mrs. Jane R. Pelton and I live in Fairhope, Baldwin
County, Alabama. I am the mother of Frances McConnell Dyson. I am
acquainted with Sam Dyson, the Defendant, and he and my daughter,
the Complainant, lived with me in my home about three months, or
until the first part of June, 1930; that during the month of June
they took a home of their own and I lived and boarded with them;
about the 7th. of July, I left them and took a house next door and
close to them; during all the time I had an opportunity to observe the
attitude and conduct of the Defendant towards my daughter and have
seen him during that period in a frequent outburst of passion without
any apparent cause or occasion and seen my daughter made very nervous
as a result of the Defendant's actions. I saw the scar on my daughter's
chest which she told me had been inflicted by a safety razor blade
in the hands of the Defendant. I know that my daughter's health, due
to her nervous condition from the actions of the Defendant, was
seriously affected and that she suffered mentally; that she stated
to me several times that she feared that longer living with the
Defendant would undermine her health; during all of the time I was
living with them and they were living with me I never saw my
daughter treat the Defendant in any other than a very proper and
kindly manner and never saw her give him any provocation whatever
for any cruel treatment.

Jane R. Pelton

ORAL EXAMINATION.

I, T. W. Richerson, as Register and Commissioner hereby certify that the foregoing deposition S 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 presense of myself and H. N. 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 7th day of November, 1930

T. W. Richerson (L. S.)
Register

NO. 961 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed Nov 7 1930

T. W. Richerson, Register.

Recorded in

Record

Vol. Page

Register

FRANCES McCONNELL DYSON,
Complainant,

vs

SAM DYSON,
Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

This cause, coming on to be heard at this Term, was submitted upon the bill of complaint, decree pro confesso and the 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 the Complainant is forever divorced from the Defendant, on the grounds of cruelty.

IT IS FURTHER ORDERED that the said FRANCES McCONNELL DYSON be and she is hereby permitted to again contract marriage, upon the payment of the cost of Court in this cause.

IT IS FURTHER ORDERED, that the said SAM DYSON pay the cost herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said FRANCES McCONNELL DYSON shall not again marry except to said SAM DYSON until sixty days after this date, and that if an appeal is taken ~~within sixty days she shall not marry again except to said SAM DYSON~~ during the pendency of appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said FRANCES McCONNELL DYSON be restored her former name, viz: FRANCES McCONNELL.

This the 24th day of Nov., 1930.

F. W. Hare
Judge of the Circuit Court
of Baldwin County, Alabama.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
IN EQUITY

Frances McConnell Dyson, Complainant,

vs.

BILL OF COMPLAINT

Sam Dyson, Defendant.

To the Honorable F. W. Hare, Judge of the Circuit Court:

Your Orator, Frances McConnell Dyson, respectfully shows unto your Honor as follows:

That your Orator and the Defendant are residents of Baldwin County, Alabama, at the town of Fairhope therein, are each over the age of twenty-one years, and that on the 6th day of March, 1930, your Orator and the Defendant intermarried and ever since have been and now are lawful husband and wife.

That commencing with the month of June, 1930, and continuing to the present time, the Defendant has been guilty of gross cruelty toward your orator in that the said Defendant has committed actual violence upon her person, attended with danger to her health, in that the Defendant has on several occasions roughly seized your orator by the arms, stating that he would do what he liked with her as his own property, on one occasion inflicted a wound with a sharp instrument upon the body of your orator and on another occasion assaulted her with a loaded weapon; that the Defendant is a man of a violent and ungovernable temper and by his frequent outbursts of passion keeps your orator in a nervous condition prejudicial to her health and that, as a result of the aforesaid actions of the Defendant, the health of your orator has been seriously and adversely affected and your orator has been subjected to grievous mental suffering and made apprehensive that longer living with the Defendant would undermine and destroy her physical health and well-being.

That your orator has at all times conducted herself as a faithful and dutiful wife, is entirely without fault in the premises, and has given the Defendant no provocation whatever for cruelty toward her.

That the Defendant is a strong, able-bodied man, engaged in business, capable of producing by his labor, industry and skill an income of from one hundred fifty to two hundred dollars a month, and that your orator is ill and in destitute circumstances and is now dependent upon relatives and friends for her support and maintenance.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Orator prays that your Honor will take jurisdiction of the cause made by this bill of complaint, that the said Sam Dyson may be made a party respondent hereto, by the usual process of this Honorable Court, and that he be required to demur, plead to or answer the same within the time and in the manner prescribed by the rules of this Court, under the penalties as provided by statute, or that the same be forever confessed; that a reference be ordered to be had by and before the Register of this Honorable Court to ascertain and determine a reasonable amount to be paid to your Orator by the said Respondent as alimony pendente lite and permanent and for her counsel fees in this cause, and that your Honor will decree unto this complainant a reasonable amount to be paid to her by the Respondent as such alimony pendente lite and for counsel fees; that upon the final hearing of this cause your Honor will order, adjudge and decree unto your orator an absolute divorce from the bonds of matrimony now subsisting between the Defendant and your orator, and will further grant unto your orator a reasonable amount to be paid to her by the Respondent as permanent alimony and your orator prays that your Honor will adjudge and decree unto her such other, further and different relief to which she may in equity and good conscience be entitled, if she has in any way prayed or asked amiss.

Dated August 27th, 1930.

Frances McConnell Dyson
Complainant
Edward R. Potter
Solicitor for Complainant

FOOTNOTE:

The Respondent is required to answer each and every paragraph of the foregoing Bill of Complaint, but not under oath, as answer under oath is hereby expressly waived.

Frances McConnell Dyson
Complainant
Edward R. Potter
Solicitor for Complainant

FRANCIS McCONNELL DYSON,

Complainant,

vs.

SAM DYSON,

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE

STATE OF ALABAMA.

BALDWIN COUNTY.

ANSWER OF RESPONDENT TO ORIGINAL BILL
OF COMPLAINT.

Comes the Respondent, and for answer to the Original Bill of Complaint in this cause filed, says:

1. Answering the first paragraph, your Respondent admits the allegations thereof.
2. Answering the second paragraph, your Respondent denies each and every allegation therein contained and states that the same are wholly without foundation and are untrue.
3. Answering the third paragraph, your Respondent says that he denies each and every allegation thereof.
4. Answering the fourth paragraph, your Respondent says that he denies each and every allegation thereof.

Robert H. Hain
Solicitor for Respondent.

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3/20

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Bill
Hain
Solicitor

FRANCES McCONNELL DYSON,
Complainant,

vs

SAM DYSON,
Defendant.

(IN THE CIRCUIT COURT OF

(BALDWIN COUNTY, ALABAMA.

(IN EQUITY.

Comes the Respondent, Sam Dyson, by Norborne Stone his Solicitor of record, and waives notice of the time of taking evidence by the Complainant; the right to cross Complainant's witnesses; and agrees that the cause may be submitted for final decree upon the original bill of complaint filed by the Complainant, the answer of the Respondent and the testimony taken on behalf of the Complainant.


SOLICITOR FOR RESPONDENT.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 921

Term, 192

Frances McConnell Dyson

, Complainant.

vs.

Sam Dyson

, Defendant.

To T. W. Richerson

, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no

defense having been interposed, 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

Solicitors for Complainant.

No. 921

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

VS.

REQUEST FOR DECREE IN
VACATION

FILED

Nov 19 1923

J. M. McNeill
Register

RECORDED IN RECORD

VOL. PAGE

Register

8581 NOTE OF TESTIMONY

Frances McConnell Dyson

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vs.

Sam Dyson

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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,.....
proof and agreement in writing of respondent

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and in behalf of Defendant upon Answer and agreement in writing

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T. M. R. [Signature]

Register.

No. 921

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

VS

NOTE OF TESTIMONY

Filed in Open Court this

19th

day of

Nov

192

30

D. M. Williams

Register

FRANCES McCONNELL DYSON,
Complainant,
vs.
SAM DYSON,
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

ANSWER OF RESPONDENT TO ORIGINAL BILL
OF COMPLAINT.

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4. Answering the fourth paragraph, your Respondent says that he denies each and every allegation thereof.


Solicitor for Respondent.