

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

Comes the Complainant, Octavia McCreary, and humbly  
complaining against Ernest R. McCreary, respectfully represents and  
shows unto your Honor and this Honorable Court as follows:

FIRST:

That your Complainant is a bona fide resident of Baldwin  
County, Alabama, over twenty-one years of age, and has been such a  
resident for more than twelve years next preceding the filing of this  
bill of complaint; that the Defendant, Ernest R. McCreary, is over  
twenty-one years of age, and that his address is unknown; that from  
such information obtainable he is a non-resident of the State of  
Alabama.

SECOND:

That your Complainant and the Defendant were married  
at Bay Minette in Baldwin County, Alabama, on June 5, 1920, and  
lived together as man and wife until April 15, 1929.

THIRD:

That on April 15, 1929, the Defendant, of his own free  
will and accord, and without any fault on the part of the Complainant,  
abandoned her and has remained away voluntarily and continuously  
since that time.

FOURTH:

That there was born to the marriage between the Complain-  
ant and the Defendant the following children who are now in the  
custody of their mother, the Complainant: Vivian McCreary, age ten,  
Douglas McCreary, age eight and Joseph McCreary, age three; that  
the said children have been with your Complainant, their mother, all  
their life; that the Complainant is the rightful and proper party  
to have the care, custody and control of said children, and that  
the Defendant, on account of his conduct and his inattention towards

said children, is not such a person as is suitable to have the care and control of said children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process, make the said Ernest R. McCreary party Defendant to this bill of complaint, requiring him 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.

Your Complainant further prays that upon a final hearing of this cause she will be granted a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Defendant, Ernest R. McCreary; that your Honor will enter a further order and decree granting to her the custody and control of said minor children, Vivian McCreary, Douglas McCreary and Joseph McCreary, and that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Mrs. Octavia McCreary  
COMPLAINANT.

Beebe & Face  
SOLICITORS FOR COMPLAINANT.

FOOT NOTE:

The Defendant is required to answer each and every allegation of the foregoing bill of complaint from first to fourth, inclusive, but not under oath. Oath being hereby expressly waived.

Beebe & Face  
SOLICITORS FOR COMPLAINANT.

STATE OF ALABAMA )  
BALDWIN COUNTY )

Before me, the undersigned authority in and for said State and County, personally appeared Octavia McCreary who is known to me and who is the Complainant in the above styled cause of Octavia McCreary vs Ernest R. McCreary, that she has made and caused to be made a diligent search and inquiry to ascertain the present address of the Defendant, Ernest R. McCreary; that from such information obtainable he is a non-resident of the State of Alabama, but that his address is unknown; that he is over twenty-one years of age.

Mrs. Octavia McCreary

Sworn to and subscribed before me on this the 17  
day of November, 1931.

John S. Lee  
Notary Public, Baldwin County,  
Alabama.

**RECORDED**

ORIGINAL.

OCTAVIA MCCREARY,  
Complainant,

vs.

ERNEST R. MCCREARY,  
Defendant.

SUIT FOR DIVORCE.

Filed Nov 18<sup>th</sup>, 1931,

W. McCreary

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BEEBE & HALL  
LAWYERS  
BAY MINETTE, ALA.

OCTAVIA McCREARY,  
Complainant,  
vs.  
ERNEST R. McCREARY,  
Respondent.

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA. IN EQUITY.  
NO. 1013.

This cause coming on to be heard, was submitted upon the original bill of complaint, pleadings and proof 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 respondent be and the same are hereby dissolved, and the complainant is forever divorced from the respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the said Octavia McCreary be and she is hereby permitted to again contract marriage upon the payment of the costs of court in this cause.

IT IS FURTHER ORDERED that the said Octavia McCreary pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Octavia McCreary shall not again marry, except to the said Ernest R. McCreary, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not marry again, except to said Ernest R. McCreary, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Octavia McCreary shall have the custody, care and control of Vivian McCreary, Douglas McCreary and Joseph McCreary, subject to the further orders and jurisdiction of this Court.

Done at Monroeville, Alabama, on this the 15<sup>th</sup> day

of February, 1932.

A. M. Hare  
Judge of the Circuit Court of  
Baldwin County, Alabama.

**RECORDED**  
ORIGINAL.

OCTAVIA MCCREARY,  
Complainant,

vs.

ERNEST R. MCCREARY,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN CHANCERY.  
NO. 1013.

DECREET.

*Filed February 20th 1932  
J. W. Williams  
Clerk*

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BEEBE & HALL  
LAWYERS  
BAY MINETTE, ALA.

BAY MINETTE, ALA.

12/1/31

M. T. Richardson

## **THE BALDWIN TIMES**

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

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ADVERTISING RATES GIVEN ON APPLICATION

1/19-2000 Notice of Change of Ownership to F. Richardson  
Came 1/19-26-12/3-10. 1777880 12/2

797



**The State of Alabama** {  
Baldwin CountyCircuit Court of Baldwin County, Alabama,  
(In Equity)OCTAVIA McCREARY,

COMPLAINANT

VS.

ERNEST R. McCREARY,

RESPONDENT

I, T. W. RICHMOND,

as Register and Commissioner

have called and caused to come before me Octavia McCreary andL. M. Boan,witnesses named in the requirement for Oral Examination, on the 27th day of January,  
1932, at the office of Registerin Baldwin County, Alabama, and having first sworn said witness to speak the  
truth, the whole truth, and nothing but the truth, the saidOctavia McCreary doth depose and say as follows:

My name is Octavia McCreary; I am the complainant in the case of Octavia McCreary vs. Ernest R. McCreary, now pending in the Circuit Court of Baldwin County, Alabama, in Equity; I am a bona fide resident of Baldwin County, Alabama, over twenty-one years of age and have been such a resident for more than twelve years next preceding the filing of the bill of complaint in this cause. The defendant, Ernest R. McCreary, is over twenty-one years of age and is a non-resident of the State of Alabama. I have made diligent inquiry to find out his address, but have been unable to do so. The defendant and I were married in Baldwin County, Alabama, on June 5, 1920, and lived together as man and wife until April 15, 1929. On April 15, 1929, the defendant of his own accord and without any fault on my part went away and left me, and has since that time remained away voluntarily and continuously; he has not since April 15, 1929, contributed anything to my support. There were born to our marriage three children, Vivian McCreary, ten years old, Douglas McCreary, eight years old, and Joseph McCreary, three years old. These children have been with

me all their lives and I have had the responsibility of caring for and providing for them. The defendant, during the time we lived together, spent a great deal of his time either in idleness or loitering about pool-rooms and such places. He is not a suitable or proper person to have the care of the children.

Mrs. Octavia M. Creary

L. M. BOAN, a witness for the complainant, being duly sworn, deposes and states as follows:

My name is L. M. Boan, I am the father of Octavia McCreary, the complainant in the above styled cause; my daughter has been living with me at Stapleton, in this County, for practically the past three years, that is, since her husband left her; she has been there in the home with me and I have been called upon to supply her and the children with food and the necessities of life. During the time my daughter has lived with me, that is, since April, 1929, the defendant has contributed nothing to her support.

L M Boan

ORAL EXAMINATION

I, T.W. Richerson 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 witness and read over to them and they signed the same in the presence of myself and Hon. H.M. Hall one of the Atty's for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness and had proof made before me of the identity of said witness<sup>es</sup>; 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 27th day of January 19 32.

T.W. Richerson (L. S.)

No. 1013.

Page

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Octavia Mc Creary,

VS.

Ernest R. Mc Creary

COMPLAINANT

RESPONDENT

ORAL DEPOSITION

Filed January 27th 1932, 193

RECORDED IN

Record

Vol. Page

, Register

OCTAVIA McCREARY

vs.

ERNEST R. McCREARY

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, .....  
..decree pro confesso on publication, testimony of Octavia McCreary,  
..and L.M. Boan and request for decree in vacation .....

and in behalf of Defendant upon .....

*[Signature]*

Register.

No. 1013

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

OCTAVIA McCREARY

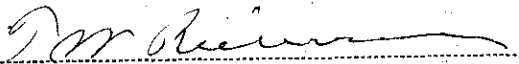
VS

ERNEST R. McCREARY.

NOTE OF TESTIMONY

Filed in Open Court this 13th day of May, 1923

day of January 1923



Register

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,  
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 1013

VACATION

Term, 192 32

OCTAVIA McCREARY

, Complainant

vs.

ERNEST R. McCREARY

, Defendant

To T.W. RICHESON

, 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

Solicitor for Complainant.

No. 1013

Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Octavia McCreary

vs.

Ernest R. McCreary

REQUEST FOR DECREE IN  
VACATION

FILED January 30th, 1932

*J. W. McCreary*  
Register

RECORDED IN \_\_\_\_\_ RECORD

VOL. \_\_\_\_\_ PAGE \_\_\_\_\_

Register

**The State of Alabama,**  
Baldwin County.

CIRCUIT COURT, IN EQUITY.  
No. 1013. Vacation Term, 1932

Octavia Mc Crary Complainant.  
vs. Ernest R. Mc Crary, 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 19th day of November, 1931, in the Baldwin Times, a newspaper published in Bay Minette Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 19th day of November, 1931, and ending Dec. 10th, 1931

And it now further appearing to the Register, that the said Ernest R. Mc Crary, 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 Ernest R. Mc Crary,

This 25th day of January, 1932.

*[Signature]* Register.



No. 1013.

Page

**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY.**

Octavia Mc Crery

vs.

Ernest R. Mc Crery,

**DECREE PRO CONFESSO  
ON PUBLICATION**

Issued Jan 25th 32  
192

Register.

Recorded in Record

Vol. Page

Register.

Moore Printing Company, Bay Minette, Ala.

NOTICE TO NON-RESIDENT.

Moore Ptg. Co—Bay Minette.

Octavia Mc Creary,

~~Not~~

vs.

Ernest R. Mc Creary,

The State of Alabama,

Baldwin County.

Circuit Court, in Equity.

This the 18th day of

November, 1921

In this cause it being made to appear to the Clerk of this Court by the affidavit of  
Octavia Mc Creary,

that the Defendant Ernest R. Mc Creary,

is a non-resident of the State of Alabama and that his address is unknown to  
affiant,

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, a newspaper publish-  
ed in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring  
Ernest R. Mc Creary, the said Defendant

to answer or demur to the Bill of Complaint in this cause by the 19th day of  
December, 1921, or after thirty days therefrom a decree Pro Confesso may be  
taken against the said Ernest R. Mc Creary.

*W. B. ...*  
Register.

RECORDED

RECORDED

Jan 18, 193

JM Richardson,  
Hagster

Published Every Thursday

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

R. B. Vail  
Editor and Proprietor

BAY MINETTE, ALA.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

R. B. Vail, being duly sworn, deposes and says that he is  
the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay  
Minette, Baldwin County, Alabama; that the notice hereto attached of .....

Octavia McCreary  
vs  
Ernest R McCreary

Was published in said Newspaper for 4 consecutive weeks in the following issues:

Date of first publication	<u>November 19 - 1931</u>	Vol. <u>42</u> No. <u>42</u>
Date of second publication	<u>November 26 - 1931</u>	Vol. <u>42</u> No. <u>43</u>
Date of third publication	<u>December 3 - 1931</u>	Vol. <u>42</u> No. <u>44</u>
Date of fourth publication	<u>December 10 - 1931</u>	Vol. <u>42</u> No. <u>45</u>

Subscribed and sworn before the undersigned this 10 day of

December 1931

D. W. Whenn  
Clerk Circuit Court

R. B. Vail  
Publisher

NOTICE TO NON-RESIDENT  
The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 18th day of November, 1931. OCTAVIA MCCREARY, Vs. ERNEST R. MCCREARY.  
In this cause it being made to appear to the Clerk of this Court by the affidavit of Octavia McCreary, that the Defendant, Ernest R. McCreary, is a non-resident of the State of Alabama and that his address is unknown to affiant, 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, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Ernest R. McCreary, the said Defendant to answer or demur to the Bill and file the same with the Clerk of this Court within the time made to a branches of Detroit 2.9 cents a mile.

the crew  
as  
the crew

Printed 10/9/31  
The crew  
request

THE NATIONAL BUREAU