LUGENIA CRANDELL, Complainant,

VS.

NATHANIEL CRANDELL, Respondent. NO.

IN EQUITY.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

#### DEPOSITIONS OF

Louis Yelling, E. L. Lawson and Eugenia Crandell, witnesses for complainant in the above entitled cause. Said witnesses appeared before me at the time and place hereinafter stated, and, having been by me first duly sworn to tell the truth, the whole truth and nothing but the truth, testified as follows:

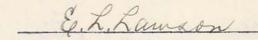
#### LOUIS YELLING.

I am a resident of Daphne, Baldwin County, Alabama, and am almost forty-nine years of age. I have known Lugenia Crandell for the last twenty-five years, and have known her husband since his boyhood. Nathaniel Crandell and I are first cousins. They are both over the age of twenty-one years, and lived all of their lives in Baldwin County, until about the fall of 1916 when he went away to Louisiana. I was at the wedding when they were married in Daphne, but I do not r emember the exact date except that it was about eighteen years ago. They lived together as man and wift until the fall of 1915. I am not exactly certain about the time, but it was along about then when Nathaniel left his wife. He was a frequent visitor at the house of one Minnie Williams, a married woman in Daphne. He staid in Daphne for a while and was on very intimate terms with this woman, then he and Minnie Williams went away together, and, as I am informed, they went to Fullerton, Louisiana, where I understand they are still living together. In other words, he left his wife in the fall of 1945, just what month I cannot remember, and did not return to her at all, and finally left the state a year later and has been away ever since. I have known the family intimately and know that since the time he first left her in 1915 he has never returned. He left her with two little children to support.

Janis yelling

#### E. L. LAWSON.

I have lived in Baldwin County all of my life. complainant is my niece, and I remember when she and Nathaniel were married. It was about eighteen years ago. They lived together as man and wife until 1915 and had four children. Sometime in the fall of 1915, I do not remember just when, Nathaniel left his wife and has never returned to her since. After he left Lugenia he commenced paying attention to a married woman who lived not far away, and was a frequent visitor to her house. About nine months or a year later he and Minnie Williams, the woman in question, left Baldwin County together and went to Louisiana where they lived together for a number of months. A few weeks ago he returned to Baldwin, but the woman did not come with him, and I do not know how long since they separated. He has been away from his wife for almost five years, and in that time he has not been back nor have they resumed marriage relations. He was in Alabama last December and tried to take the two little children away that were left with his wife, but was stopped from doing so by a court order, and, as I understand, a deputy sheriff arrested him with the two children just as he was getting on the train at Mobile bound for New Orleans. I know that this separation has existed absolutely for more than four years.



### LUGENIA CRANDELL.

I am the complainant in this case. The defendant and
I are both over the age of twenty-one years, and lived in Baldwin County
all of our lives, I still living there, but the defendant left Baldwin
about four years ago. We lived together as man and wife at Daphne
until October of 1915, when he left me and went to Bon Secour and has
never been back to live with me since. In the fall of 1916 he left
the state with one Minnie Williams, a married woamn whom he had been
visiting and whom he took away from her husband, and they two went to
Louisiana where the children told me he was living with her as his wife.

When he left the state he took with him two of the children and brought them back with him on a visit last December. When he came back to Baldwin I talked with him several times, as I was trying to persuade him to leave the two children with me that he had taken away. He would not agree to this, so I filed this suit for divorce and my lawyer asked for an injunction to keep him from taking them out of the state. We had some trouble in getting this served, and finally a Mobile sheriff caught him with the two children getting on the train at Mobile. He made bond and left, but the children are still with me and I want the custody of the children, as he is not a fit person to have them. I have no direct testimony as to his unfaithfulness, but it is neighborhood talk about his carrying on with Minnie Williams before he left this state and I know he has been living with her since. I have never received him back nor has he tried to come back since he left in 1915. The four children, whose custody I think I should have, are Olivia, aged fifteen; Earl, aged twelve; Aubrey, aged ten; and Olistene, aged six. They are now all of them with me at Daphne, and I have been supporting them for the past five years, excepting the two children that were with him several years.

Jugeria Crawlell

I, Natalie C. Torbert, the commissioner in the commission hereto annexed, issued out of the Honorable the Circuit Court of Baldwin County, Alabama, in the case of Ingenia Crandell versus Nathaniel Crandell, on the 22nd day of July, 1920, hereby certify that under and by virtue of the powers conferred upon me by said commission, I called and caused said witnesses hereinbefore mentioned to come before me at 1010 Van Antwerp Building, Mobile, Alabama, on this day; that said witnesses were made known to me to be the witnesses named in the commission; that they were duly sworn by me as hereinbefore stated; and their testimony was taken down by me and reduced to writing in as nearly as might be the exact language of said witnesses, and that they attached their signatures to their respective depositions in my presence. I further certify that I am not of counsel to either party to this suit, nor am I in any manner interested in the outcome of the same. WIENESS my hand, this the 27th day of September, 1920.

Natalie C. Inbert,

### DIRECTIONS:

### TO THE COMMISSIONERS IN EXECUTING AND RETURNING THE COMMISSION.

- 1. If the time and place of executing the commission are not named therein, the Commissioners will subpoen the witness to appear before them at such time and place as they may appoint, and administer the oath to witness.
- 2. Either the Commissioners, witness, or some impartial persons, must reduce the answer of witness to writing, as near as may be in the language of the witness.
  - 3. State the caption of the cause at the beginning, and then the following heading or title:

First.—To first interrogatory he saith:

Second .- To second interrogatory he saith:

First.—To first cross-interrogatory he saith:

4. When the deposition is finished, it must be subscribed by the witness and certified as follows:

We, C D and E F, the Commissioners in said commission named, do hereby certify that the foregoing testimony and answers, taken down and written by us in the words of the witness, A B, were read over to him; that he assented, swore to, and subscribed the same in our presence, at the time and place herein mentioned; that we have personal knowledge of the personal identity of said witness [or, if unacquainted with the witness, that proof hath been made before us of the identity of the said witness]; that we are not of counsel or kin to either of the parties to said cause, nor interested in the event thereof. And we inclose the said testimony, together with said commission and the interrogatories, direct and cross, to the said Clerk of the Circuit Court whence the same emanated, as our full execution of said commission.

Given under our hands and seals, this\_\_\_\_day of\_\_\_\_\_191\_\_

\_\_\_\_\_[L, S.]

Next unite the commissions, interrogatories, and answers together, with wafers or tape; second, envelope all, sealed with three seals; third, write each Commissioner's name across each seal; and, fourth, write on the envelope the names of the parties and witnesses, and direct it thus:

C D v. E F

To Esq.,

CLERK OF THE CIRCUIT COURT.

DEPOSITION OF

A B

County, Ala.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA: SITTING IN EQUITY.

Comes LUGENIA CRANDELL, and, by this her bill of complaint presented against NATHANIEL CRANDELL, respectfully shows:

FIRST: That she and the defendant above named are both over the age of twenty-one years, and she now resides and has all of her life lived in Daphne, Baldwin County, Alabama; that they were married about the year 1902 at Daphne, and there lived together as man and wife until about October, 1915.

SECOND: That there was born to this marriage four children, Olivia, a daughter now aged fourteen years, Earle and Aubrey, sons, aged eleven and nine respectively, and Olisten, a daughter now five years of age.

THIRD: That in the fall of 1915 the defendant, without just cause or excuse, left and abandoned complainant, and, after living separate and apart from her in Baldwin County for about a year, removed with the two boys above named and the wife of another man to Fullerton, Louisiana, where he has since resided; that since the first abandonment above described defendant has never returned to complainant nor have they in any way resumed marital relations, though she has at all times been ready and willing to have him come back.

FOURTH: Complainant further charges defendant with adultery committed with one Minnie Williams, a married woman, in Daphne, Alabama, from the fall of 1915 to the fall of 1916, and since then at Fullerton, Louisiana, where complainant is informed defendant is now living with the said Minnie Williams.

FIFTH: That defendant has within the last few days returned to Alabama on a visit to ling his relatives at Daphne, and has brought with him the two boys, Earle and Aubrey; that he has approached complainant with a request that she consent to his obtaining a divorce but has declined to permit the children to remain with their mother,

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stating that he intends to remove with them within the next few days to Louisiana, whether she consents to the divorce or not.

SIXTH: That complainant, since the abandonment of her husband, has been compelled to support herself and two daughters by her daily labor in domestic service and without assistance other than that given from time to time by her relatives, who, like herself, are people of slender means, and occasional and uncertain remittances to the two girls, through their paternal grandmother, from the father and not exceeding an average of Thirty Dollars per year.

THE PREMISES CONSIDERED, complainant prays that Nathaniel Crandell be by appropriate process made a party defendant to this bill of complaint, required to answer same within the time prescribed by law, and abide such orders as your Honor may make in the premises

Complainant further prays that in view of the defendant's openly expressed intention of leaving the State and jurisdiction of this Court within the coming week, that an order be made forthwith instructing the Register of this Honorable Court, upon her furnishing such bond as to Your Honor seems meet, to issue a writ of injunction restraining the defendant, Mathaniel Grandell, from removing any of the four children and particularly the boys, Earle and Aubrey, from the jurisdiction of this Court until such time as a proper decision as to the custody of the children be made by this Honorable Court; and further that to secure the performance of such orders and decrees as your Honor may from time to time see fit to make in the premises the Register of this Court be instructed to issue the Court's writ of ne exeat re publica directed to the defendant and requiring him to give bond in such amount as to Your Honor seems meet not to leave the jurisdiction of this Court without further permission therefrom.

complainant further prays that an order of reference be made forthwith directing the Register to ascertain and report such amounts as will be suitable and proper to be allowed complainant out of the estate of defendant as alimony pendente lite and as counsel fees for the prosecution of this cause; and that upon such report

being filed, an order requiring the payment by defendant of such sums be made.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing complainant from the said Nathaniel Crandell, granting to her the custody of the children of the marriage, the right to remarry should she so desire, to be free from trouble and interference on the part of defendant, together with such sum for permanent alimony, and such other, further or different relief as to Your Honor shall seem meet.

And complainant, as in duty bound, will forever pray, etc.,

Reiduby Frazer Beibe.
Soligitors for Complainant.

The defendant is required to answer each and every allegation of the foregoing bill of complaint, but not under oath.

Solicitors for Complainant.

STATE OF ALABAMA, COUNTY OF MOBILE.

Before me, the undersigned notary public, personally appeared this day Lugenia Crandell, who, being sworn, says that she is the complainant in the above entitled cause, and that the matters alleged in the foregoing bill are true.

Jugeria Cerandell

Subscribed and sworn to before me, on this the 29th day of December, 1919.

Notary Public, Mobile County, Alabama.

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LUGENIA CRANDELL, Complainant,

VS.

NATHANIEL CRANDELL, Defendant. NO.

IN EQUITY.

IN THE CIRCUIT COURT OF MOBILE COUNTY, ALABAMA.

This cause coming on to be heard upon the prayer of complainant as embodied in the bill of complaint, asking for writs of injunction and ne exeat against the defendant, and it appearing from the allegations of the bill, which are verified by affidavit, that said defendant is liable to leave the jurisdiction of this Court before the merits of the cause can be properly inquired into and thus place himself beyond the reach of such orders and decrees as may seem proper, and said statement being duly considered:

It is hereby ordered that the Register of this Court, upon the proper execution and filing with him of bond on the part of Complainant in the sum of One Hundred Dollars, conditioned to hold the defendant harmless against the wrongful suing out of such writs, issue a writ of injunction against the defendant, Nathaniel Crandell, restraining him from in anywise interfering with complainant or removing from the County of Baldwin any of the four children, viz: Olivia, Earle, Aubrey, and Olisten Crandell, without further orders of this Court; and in consideration of the same bond shall issue the State's writ of ne exeat commanding the said Nathaniel Crandell to furnish bond with good and sufficient sureties to be apported by the Register, not to leave the Counties of Mobile and Baldwin without further orders of this Court, and that, failing to do this, forthwith the sheriff of Baldwin County take the said Nathaniel Crandell into custody, to be by him held until such bond be furnished, or further orders be made by the Court in the premises.

John D. Leigh

. . Filed Dec 30/19

KNOW ALL MEN BY THESE PRESENTS, That I, LUGENIA CRANDELL, am held and firmly bound unto NATHANIEL CRANDELL in the sum of ONE HUNDRED DOLLARS, well and truly to be paid to the said Nathaniel Crandell, to the payment of which I do bind myself, my heirs, administrators and assigns.

THE CONDITION OF THIS OBLIGATION IS SUCH that whereas I, the said Imgenia Crandell, have this day prayed to the Honorable the Circuit Court of Baldwin County, Alabama, sitting in equity, writs of injunction and ne exeat against the said Nathaniel Crandell, which have this day been issued.

NOW THEREFORE, if I, the said obligor, shall well and truly pay unto the said Nathaniel Crandell, all of such damages as he may sustain by reason of the wrongful suing out of said writs, or either of them, then these presents to be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF I have hereunto set my hand and seal at Mobile, Alabama, on this the day of December, 1919.

Jugeria Corandell (SEAL)

Executed in the presence of:

Elline 3. Ristarby

Taken and approved this the day of December, 1919.

MWRechurn Register.

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1008-1010 VAN ANTWERP BUILDING CKARBY & FRAZER MOBILE, ALABAMA Register in Chancery, Bay Minette, Alabama. compta beltitled evods भ्पम E. L. Lawson, Louis re-Grandell, witnesses for рид pue Melling nomiresT Eguily

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COMMISSIONER. natalice, Inbut notalie Contact,

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Lugenia Crandall,	
	THE STATE OF ALABAMA,
	BALDWIN COUNTY
VS.	
	IN EQUITY,
Nathaniel Crandall,	CIRCUIT COURT OF BALDWIN COUNTY.
	CIRCUIT COOK! OF BALDWIN COOK!!.
This cause is submitted in behalf of Complainant upo	the eniminal Bill of Complaint
decree pro confesso and testimony o	of E.L. Lawson, Louis Telling,
and Lugenia Crandall,	4-1
and the behalf of Olefen dan tapen so &	
	1 W. Venenous
	/ Register



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No.		

# THE STATE OF ALABAMA, BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

CIRCU	IT COURT	OF E	BALDWIN	COUNTY.
Г	ugenia	Cra	ndall,	
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		vs.		
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No.		

## THE STATE OF ALABAMA, BALDWIN COUNTY

	IN	EQ	UITY,	
CIRCUIT	COURT	OF	BALDWIN	COUNTY

	CIRCUIT COURT OF BALDWIN COUNTY.
	Lugenia Crandall,
	vs.
-	Nathaniel Crandall,
	NOTE OF TESTIMONY.
-	
Fil	ed in Open Court this 8th
	of October, 1920. 191
lay	
	D. M. Reinwoon
	Register

IN EQUITY,  CIRCUIT COURT OF BALDWIN COUNTY.  the original Bill of Complaint,
E.L.Lawson, Louis Yelling,
<b>,</b>
M. Rucinon

## THE STATE OF ALABAMA, BALDWIN COUNTY.

## CIRCUIT COURT OF BALDWIN COUNTY, IN EQUITY.

To any Sheriff of the State of Alabama-GREETING:	
WE COMMAND YOU, That you summon Nathani	el Crandell
of Baldwin County, to be and	appear before the Judge of the Circuit Court of
Baldwin County, exercising Chancery jurisdiction, within thirty	days after the service of Summons, and there to
answer, plead or demur, wihout oath, to a Bill of Complaint lately	arbibited by
Lugenia Crandel	
against said Nathaniel Crandell	•
*	
	Il a death late And this the said Defendant
and further to do and perform what said Judge shall order and	
shall in no wise omit, under penalty, etc. And we further com	mand that you return this writ with your endorsement
thereon, to our said Court immediately upon the execution the	ereof.
WITNESS, T. W. Richerson, Register of said Circuit Cou	rt this 31st day of December
WITNESS, I. W. Richerson, Register of said Circuit Cou	
	ann!
	101 Shewwar
	Register.

N. B .- Any party defendant is entitled to a copy of the bill upon application to the Register.

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Copy Saltranil Coronalell
Serve, on Vallant Cerandell
CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.
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SUMMONS.
Iugenia Crandell
vs.
Nathaniel Crandell
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Rickarby, Frazier & Beebe Solicitor for Complainant.
Solution 101 Companiant.
Recorded in Vol. Page

THE	STATE	OF	ALABAMA,
	BALDW	IN	COUNTY.

Received in office	this. 2
day of	1970
William .	Sheriff.
Executed this	
	1917
by leaving a copy of	the within Summons with
Man	Defendant
V V D J F I I - 1	Wend
	Sheriff
Ву	Sheriff Deputy Sheriff.

LUGENIA CRANDELL, Complainant,

VS.

NATHANIEL CRANDELL, Defendant.

NO.

IN EQUITY.

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.

Comes the complainant and shows unto the Register. thatdecree pro confesso having been rendered against the defendant and the complainant having completed her testimony, she now requests that the note of evidence be made and the cause be submitted upon the pleadings and proof as noted for final decree outside of term time.

Richardy & Beebel.
Solicitors for Complainant.

4 or

NO.

IN EQUITY.

CIRCUIT COURT OF BALDWIN COUNTY.

\*-\*-\*\*\*\*\*\*\*\*\*

Lugenia Crandell,

VS.

Nathaniel Crandell.

\*\*-\*\*\*\*\*\*\*\*\*\*

Request for Submission for Final Decree out of Term Time.

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Piled Oct 8th. 1920 Por Ricemon Register

Rickarby, Frazer & Beebe, Lawyers.

Register.

Beldwin County.	VoCIRCUIT COURT, IN EQUITY.
Eugenia Crandell vs.	Complainant
Nathaniel Crandell	Defendant
In this cause it appears to the Register	3.77
In this cause it appears to the manner of that a Summons requiring the Defendant.  Nathan	iel Crandell
to appear and demur, plead to or answer the Bill of Comp	laint in this cause within thirty days after the service of
to appear and deman, pecar is stated	cummons in said cause
said Summons upon the said Nathaniel and	summons in said cause
said Summons upon the said Nathaniel and was served upon him by the Sheriff of  and day of January	Mobile County, Alabama, on the  19 20 , and the said Defendant having
said Summons upon the said Nathaniel and was served upon him by the Sheriff of  2nd day of January  failed to demur, plead to or answer the said Bill of Comp	Mobile County, Alabama, on the  19 20, and the said Defendant having plaint to this date, it is now, therefore, on motion of
said Summons upon the said Nathaniel and was served upon him by the Sheriff of  2nd day of January  failed to demur, plead to or answer the said Bill of Complainant  ordered and decreed that the said Bill of Complaint in	Mobile County, Alabama, on the  19 20, and the said Defendanthaving plaint to this date, it is now, therefore, on motion of this cause be and it hereby is in all things taken as con-
said Summons upon the said Nathaniel and was served upon him by the Sheriff of and day of January failed to demur, plead to or answer the said Bill of Comp	Mobile County, Alabama, on the  19 20, and the said Defendanthaving plaint to this date, it is now, therefore, on motion of this cause be and it hereby is in all things taken as con-
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said Summons upon the said Nathaniel and was served upon him by the Sheriff of  2nd day of January  failed to demur, plead to or answer the said Bill of Complainant  ordered and decreed that the said Bill of Complaint in	Mobile County, Alabama, on the  19 20, and the said Defendanthaving plaint to this date, it is now, therefore, on motion of this cause be and it hereby is in all things taken as con-
said Summons upon the said Nathaniel and was served upon him by the Sheriff of day of January failed to demur, plead to or answer the said Bill of Component ordered and decreed that the said Bill of Complaint in fessed against the said Nathaniel Crandell	Mobile County, Alabama, on the 19.20, and the said Defendanthaving plaint to this date, it is now, therefore, on motion of this cause be and it hereby is in all things taken as continuous this cause be and it hereby is in all things taken as continuous the county of the cause be and it hereby is in all things taken as continuous the cause be and it hereby is in all things taken as continuous the cause be and it hereby is in all things taken as continuous the cause be and it hereby is in all things taken as continuous the cause of the cause

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No	14	7.	
THE STATE OF ALABAMA,		1	
CIRCUIT COURT, IN EQUITY.			
DECREE PRO CONFESSO ON PERSONAL SERVICE.  Issued March 1970 Register.			
Recorded in			
Register.			

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LUGENIA CRANDALL,

Complainant

No.

VS.

IN EQUITY

NATHANIEL CRANDALL.

IN THE CIRCUIT COURT OF BALDWIN

Defendant

COUNTY, ALABAMA

This cause coming on to be heard out of term time, was submitted upon the Bill of Complaint 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 her 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 said Lugenia Crandall is forever divorced from the said Nathaniel Crandall.

IT IS FURTHER ORDERED, that Lugenia Crandall be, and she is hereby permitted to again contract marriage but shall not marry again except to said Nathaniel Crandall until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Nathaniel Crandall during the pendency of said appeal.

IT IS FURTHER ORDERED AND DECREED that the sole custody and control of the children of the marriage, namely, Olivia Crandall, Earl Crandall, Aubrey Crandall and Olistene Crandall shall be and remain with Complainant subject to such further orders as the court may see fit to make in the premises and as to such orders this case shall remain open.

IT IS FURTHER ORDERED that the said Nathaniel Crandall pay the costs in this cause, for which execution may issue.

this \_/6 day of September, 1920.

Judge of the Circuit Court of Baldwin County, Alabama.

No.

IN EQUITY

CIRCUIT COURT OF BALDWIN

COUNTY

Lugenia Crandell

VS.

Nathaniel Crandell

Decree of Divorce

Fixed Oct 17/920
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Minutes

STATE OF ALABAMA, COUNTY OF BALDWIN.

LUGENIA CRANDELL, Complainant, NO.

VS.

NATHANIEL CRANDELL, Refendant. IN EQUITY.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

The complainant requests oral examination of the following named witnesses, on her behalf, viz:

E. L. Lawson, Louis Yelding, Lugenia Crandell,

which said witnesses reisee at Daphne, County of Baldwin, State of Alabama.

Mrs. Natalie C. Torbert, who resides at Mobile, Alabama, is suggested as a suitable person to be appointed Commissioner to take the depositions of said witnesses on such oral examination.

X Ristarby Braze Becke.

Solicitors for complainant.

NO.

IN EQUITY.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

Lugenia Crandell, 11,

VS.

Nathaniel Crandell.

APPLICATION FOR COMMISSION.

Friend July 22/920
Megister

Rickarby, Frazer & Beebe, Attorneys.

#### RICKARBY & FRAZER

LAWYERS

1008-1010 VAN ANTWERP BUILDING

MOBILE, ALABAMA

July 24, 1920.

Mr. Thomas W. Richerson, Register in Chancery, Bay Minette, Alabama.

Dear Tom: -

CRANDELL CASE: I am returning to you properly signed the request for oral examination in this case, commission for same having been duly received.

Very truly yours,

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