

1990

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

RUFUS MERCHANT

Complainant

VS

MOLLIE MERCHANT

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on PERSONAL SERVICE 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 RUFUS MERCHANT is forever divorced from the said

MOLLIE MERCHANT

for and on account of 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 RUFUS MERCHANT AND MOLLIE MERCHANT be, and ~~they are~~ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Rufus Merchant the Complainant pay the cost herein to be taxed, for which execution may issue.

This 27th day of November, 19 43

J. W. Lyfard
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

vs. Complainant.

Respondent.

DIVORCE DECREE

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Bernice F. Reid

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 Rufus Merchant and Florence Hinote

as witnesses in behalf of Rufus Merchant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Rufus Merchant

Complainant

and Mollie Merchant

Defendant,

on oath to be by you administered, upon November 23, 1943 to take and certify the deposition... of the witness.... and return the same to our Court, with all convenient speed, under your hand.

Witness 22nd day of November 19 43

R. S. Duck

REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

RUFUS MERCHANT
.....
Complainant,
VS.
MOLLIE MERCHANT
.....
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:.....

Rufus Merchant and Florence Minote.....

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

BEEBE & HALL
BY *Am Hall*.....
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Bernice F. Reid.....
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

BEEBE & HALL
BY *Am Hall*.....
Solicitor for Complainant.

BT-6-40-500

RECORDED

DEMAND FOR ORAL EXAMINATION.

RUFUS MERCHANT
Complainant,

Vs.

MOLLIE MERCHANT
Respondent.

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

Filed this 23rd day of Nov,

1943.....

R.S. Duck
Register.

NO. _____
RECORDED

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

RUFUS MERCHANT

Complainant

MOLLIE MERCHANT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

George A. Ford

WITNESSES:

THE STATE OF ALABAMA }
Baldwin County }

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

RUFUS MERCHANT

COMPLAINANT

vs.

MOLLIE MERCHANT

RESPONDENT

Bernice F. Reid

I,

as Register and Commissioner

have called and caused to come before me Rufus Merchant and Florence Hinote

witness^{es} named in the requirement for Oral Examination, on the 23 day of November

194³, at the office of Beebe & Hall

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Rufus Merchant and

Florence Hinote

doth depose and say as follows:

My name is Rufus Merchant. I am a bona fide resident of Baldwin County, Alabama, over twenty one years of age. I have lived in Baldwin County, Alabama, all my life.

The Respondent, Mollie Merchant, is over twenty one years of age and a bona fide resident of Baldwin County, Alabama.

The Respondent and I were married at Bay Minette, Alabama, on August 19th, 1916. We lived together as husband and wife in Baldwin County Alabama, until July 8th, 1932. On July 8th, 1932, the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. We have not lived together as husband and wife since the Respondent voluntarily abandoned me.

Rufus Merchant

Florence Hinote, a witness for Complainant, being first duly sworn, deposes and says:

My name is Florence Hinote. I am personally acquainted with the Complainant Rufus Merchant. I have known him for the past nine or ten years. I know of my own personal knowledge that during the time I have known the complainant he and the Respondent, Mollie Merchant, have not lived together as husband and wife.

Florence Hinote

I, Bernice F. Reid 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 es and read over to them and they signed the same in the presence of myself and and of E. M. 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 23 day of November 1943.

Bernice F. Reid (L. S.)

No. _____ Page _____
THE STATE OF ALABAMA,
 BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

RUFUS MERCHANT

COMPLAINANT

vs.
 MOLLIE MERCHANT

RESPONDENT

ORAL DEPOSITION

Filed 11-23, 1943

F. S. Wack, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT IN EQUITY.

RUFUS MERCHANT Complainant

vs.

MOLLIE MERCHANT Defendant

Motion is hereby made for a Decree Pro Confesso against Mollie Merchant

..... Defendant ..

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....; and that said summons was duly served according to law, and that said Defendant...ha...failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This day of November 1943

BEEBE & HALL

BY *Tom Hall* Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

RUFUS MERCHANT

vs.

MOLLIE MERCHANT

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed 11-23 1913

R.S. Duck
Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 194_____

RUFUS MERCHANT, Complainant

Vs.

MOLLIE MERCHANT, Defendant

To R. S. DUCK, 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

BY Armi Hall

Solicitor for Complainant.

RECORDED
Page

No. _____

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

RUFUS MERCHANT

Vs.

MOLLIE MERCHANT

**REQUEST FOR DECREE IN
VACATION**

Filed 11-23, 1943

R.S. Duck

Register.

Recorded in _____ Record

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Register.

 RUFUS MERCHANT

 VS.

 MOLLIE MERCHANT

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 personal service, and testimony of complainant's witnesses

and in behalf of Defendant upon _____

RECORDED

No. _____

The State of Alabama,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

Rufus Merchant

Complainant

VS.

Mollie Merchant

Respondent.

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NOTE OF TESTIMONY

Filed in Open Court this 23

day of Nov 1943

R. S. Duck
Register.