

ARTHUR A. ROSE

COMPLAINANT

VS.

BERTHA A. ROSE

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage, and residence, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without notice.

Bertha A Rose

STATE OF ALABAMA
MOBILE COUNTY

I, Adelle Prados, a Notary Public, in and for said County, in said State, hereby certify that Bertha A. Rose, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 2nd day of May, 1949.

Adelle Prados

Notary Public, Mobile County, Alabama.

My commission expires:
Dec. 17, 1951.

THE STATE OF ALABAMA }
Baldwin County }

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

Arthur A. Rose

COMPLAINANT

vs.

Bertha A. Rose

RESPONDENT

I, Louise Morris

as Register and Commissioner

have called and caused to come before me Arthur A. Rose

witness named in the requirement for Oral Examination, on the 11 day of May

194 9, at the office of H.M. 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 Arthur A. Rose

doth depose and say as follows:

My name is Arthur A. Rose. I am a bona fide resident of the state of Alabama and over twenty-one years of age.

The Respondent is over twenty-one years of age and a bona fide resident of the state of Alabama.

The Respondent and I married at Lucedale, Mississippi in 1922, and we lived together as husband and wife until April 1st, 1948, when the Respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time.

All of our children are grown and away from home, and in fact have homes of their own.

I know that it is impossible for the Respondent and me to ever live together again as husband and wife.

Arthur A. Rose

I, Louise Morris 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 him and he signed the same in the presence of myself and H.M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 11 day of May, 1949.

Louise Morris (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ARTHUR A. ROSE

COMPLAINANT

VS.

BERTHA A. ROSE

RESPONDENT

ORAL DEPOSITION

Filed 2-12, 1949

W. J. Alcock Register.
RECORDED IN

Record

Vol. _____ Page _____

Register

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon BERTHA A. ROSE, to appear and plead, answer or demur within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity by ARTHUR A. ROSE, as Complainant and against BERTHA A. ROSE, as Respondent.

WITNESS my hand this 4 day of May, 1949.

Reice J. Mutch
Register

ARTHUR A. ROSE	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
BERTHA A. ROSE	§	
RESPONDENT	§	

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your complainant Arthur A. Rose, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age, and bona fide residents of the State of Alabama.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, in 1922, and lived together as husband and wife, until on April 1, 1948.

3.

That on April 1, 1948, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

4.

That all the children of the Complainant and the Respondent are grown up and all married but one.

WHEREFORE the premises considered your Complainant prays that your

Honor will by proper process make the said Bertha A. Rose party respondent to this bill of complaint, requiring her 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.

Complainant further prays that upon a final hearing hereof your Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that he be granted such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

J. M. Face
Solicitor for Complainant.

Bertha A. Rose
Complainant

70 22 85

ARTHUR A. ROSE
COMPLAINANT

BERTHA A. ROSE
RESPONDENT

*Summons and
Complaint*

FILED
MAY 5 1949
ALICE J. DUCK, Register

Arthur A. Rose

vs.

Bertha A. Rose

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, _____

Answer and waiver of Respondent and testimony of Comolainant.

and in behalf of Defendant upon _____

H.M. HALL

Wm. J. ...
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Arthur A. Rose

vs.

Bertha A. Rose

NOTE OF TESTIMONY

Filed in Open Court this 12th

day of May, 1949

W. J. Luck
Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

Circuit Court

TO: Louise Morris

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 Arthur A. Rose

as witnesses in behalf of Arthur A. Rose in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Arthur A. Rose

, Complainant
and Bertha A. Rose

Respondent

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

Witness // day of May, 1949

W. J. Church
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Arthur A. Rose

Complainant

VS.

Bertha A. Rose

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Louise Morris

WITNESSES:

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ARTHUR A. ROSE, Complainant

vs.

BERTHA A. ROSE, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on ~~Answer and waiver~~ 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 Arthur A. Rose is forever divorced from the said Bertha A. Rose for and on account of

Voluntarily 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 Arthur A. Rose the Complainant pay the cost herein to be taxed, for which execution may issue.

This 12th day of May, 1949

Julian J. Madlbury Jr.
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 _____ day of _____, 19_____

Register of Circuit Court, In Equity.

2285

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

ARTHUR A. ROSE

Complainant

vs.

BERTHA A. ROSE

Respondent

DIVORCE DECREE

FILED

MAY 12 1949

ALICE J. DUCK, *Register*