

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

Mae H. Melton

, Complainant

vs.

Cecil E. Melton

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on _____ 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 Mae H. Melton is forever divorced from the said Cecil E. Melton for and on account of

ABANDONMENT

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Mae H. Melton should have the care, custody and control of the infant child, Silly

Pat Melton

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 Mae H. Melton the Complainant pay the cost herein to be taxed, for which execution may issue.

This 12th day of February, 1952.

John J. Masterson, 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 the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Mae H. Melton

Complainant

vs.

Cecil E. Melton

Respondent

DIVORCE DECREE

FILED
FEB 13 1952
ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Mae H. Melton, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that she is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Cecil E. Melton, is a non-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the Complainant and that your Complainant can not ascertain the particular place of residence and Post Office address of the Respondent after expending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Mae H. Melton
Complainant.

Sworn to and subscribed before me
this 29 day of January, 1952.

 [Signature]
Notary Public.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CECIL E. MELTON, 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 MAE H. MELTON, as Complainant, and against CECIL E. MELTON, as Respondent.

WITNESS my hand this _____ day of _____, 1952.

Register.

MAE H. MELTON

Complainant

vs

CECIL E. MELTON

Respondent

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

TO HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your Complainant, Mae H. Melton, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent were both bona fide residents of Baldwin County, Alabama at the time of their separation and more than two years prior thereto; that Complainant is a resident of Baldwin County Alabama; but that Respondent is a non-resident of the State of Alabama and that your Complainant can not ascertain the particular place of residence and Post Office address of the Respondent after expending a reasonable effort, which has been made; That the Complainant is over the age of eighteen and the Respondent is over the age of twenty-one.

2.

That your Complainant and the Respondent married in Lucedale, Mississippi on October 23, 1948 and lived together as husband and wife until on to-wit, January 3, 1950, when for the reason hereinafter set out your Complainant was forced to abandon living with the Respondent.

3.

Your Complainant avers and charges, that the said Respondent did on or about the 3rd day of January, 1950, and many times prior thereto assault, beat, hit and strike Complainant; that said Respondent has committed actual violence on her person attended with danger to her health or life; Complainant avers and charges that Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

4.

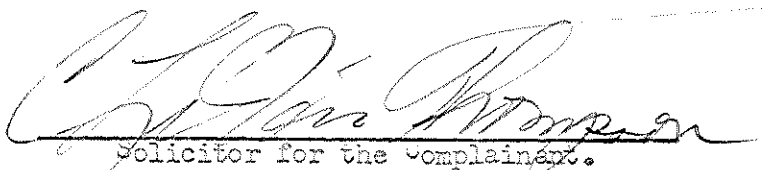
The Complainant further shows unto the Court that she has lived separate and apart from the bed and board of Cecil E. Melton, her said husband, for two years and without support from him for two years next preceding the filing of this bill and during said period she has been a bona fide resident in the State.

5.

That the Complainant and the Respondent have one child; Billy Pat Melton, age about three years old, as fruits of this marriage. That the Complainant is a suitable, fit and proper person to have the care, custody and control of said child.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said CECIL E. MELTON, party Respondent to this cause of action, 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 hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a decree be made awarding to her the custody, care and control of the minor child, Billy Pat Melton, age about three years old; Your Complainant prays for such other, further different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

NO 2774

Mac H. Melton

Complainant

vs

Cecil E. Melton

Respondent

From the law offices of

C. LeNoir Thompson

RECORDED

FEB 1 1952

ALICE J. DUCK, Clerk

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Lyrleene Nixon

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 Mae H. Melton and Rennie Pearl Carlton

as witnesses in behalf of Mae H. Melton in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Mae H. Melton

Complainant

and

Cecil B. Melton

Respondent

on oath, to be by you administered, upon Mae H. Melton and Rennie Pearl Carlton to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 8th day of February, 1942

Archie J. Smith
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Mae H. Melton

Complainant

vs.

Cecil E. Melton

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

MAE H. MELTON

No. 2774

CECIL E. MELTON

vs.

The State of Alabama,

County.

Circuit Court, in Equity

This the 1st day of

February, 1952

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Mae H. Melton

that the Defendant Cecil E. Melton

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant 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 Cecil E. Melton the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 2nd day of March 1952, or after thirty days therefrom a decree Pro Confesso may be taken against him

C. LeNoir Thompson,
Solicitor For Complainant

Register.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Mae H. Melton

Complainant

VS.

Cecil E. Melton

Respondent

I, Lynne Miron

as Register and Commissioner in said court

have called and caused to come before me Mae H. Melton and Rennie Pearl Carlton

witnesses named in the Requirement for Oral Examination, on the 8th day of February 194⁵², at the office of C. L. Lefair Thompson Attorney-at-Law in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Mae H. Melton and Rennie Pearl Carlton doth depose and say as follows:

That my name is Mae H. Melton, that I am over the age of 18, and the Respondent is over the age of 21, and that I am a resident of Baldwin County, Alabama, and the respondent, who had been gone from Baldwin County, Alabama, returned a few days ago. We were married in Lucedale, Mississippi, October 23, 1948, and lived together as husband and wife until about January 3, 1950, at which time the separation occurred through no fault of mine. That we were living in Baldwin County, Alabama at the time of separation and I have lived there for more than two years, separate and apart from the respondent, and from his bed and board, he has not supported me at anytime during the preceding two years prior the time. I have been a resident of Baldwin County, Alabama, and there is one child, Billy Pat Melton, age about three years old, fruit of our marriage, I believe I am a fit, suitable and proper person to be granted and, have with care, custody, and control of Billy Pat Melton, I have had his constant, custody, care, and control and is fully possession during his life time, I ask the court to grant to me the care, custody and control of my son, Billy Pat Melton and grant to me a divorce from the Respondent.

Mae H. Melton

That my name is Rennie Pearl Carlton, I know both parties to this cause: They the complainant, Mrs. Mae H. Melton, is over the age of 18 years old and the respondent, Cecil E. Melton is over the age of 21 years old, they were married in Mississippi, October 1948 and lived together until the first part of 1950 at which time they separated they have not lived together as husband and wife since then. One child born of their marriage, Billy Pat Melton has lived with his mother, complainant in Baldwin County, and I believe her to be a fit, suitable and proper to care, custody, and control.

Rennie Pearl Carlton

ORAL EXAMINATION.

I, Lyrleene Mixon, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 8th day of February, 1952

Lyrleene Mixon (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Mae H. Melton

vs. Complainant

Cecil E. Melton

Respondent.

Oral Deposition

Filed 2-12, 1952

Cecil E. Melton, Register.
Recorded in _____

Vol. _____ Page _____
Record _____

Register.

MAE H. MELTON

Complainant

vs

CECIL E. MELTON

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 further notice.

Cecil E. Melton

STATE OF ALABAMA
BALDWIN COUNTY

I, W. D. Stephenson, a Notary Public, in and for said County, in said State, hereby certify that CECIL E. MELTON, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 2nd day of July, 1922.

W. D. Stephenson
Notary Public, Baldwin County, Alabama.

MAE H. MELTON

COMPLAINANT

VS

CECIL E. MELTON

ANSWER AND WAIVER

RECORDED

*Filed 2-12-51
Avington*

