(2912)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROSIE MAE MERRITT, Complainant

vs.

HERMAN LOTHELL MERRITT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Respondent's ans. 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 ROSIE MAE MERRITT is forever divorced from the said HERMAN LOTHELL MERRITT for and on account of

It is further ordered, adjudged and decreed that Complainant be and she hereby is granted the right to resume her maiden name, ~~[illegible]~~ Rosie Mae Millines.

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 Rosie Mae Merritt the Complainent pay the cost herein to be taxed, for which execution may issue.

This 17th day of November, 1952.

Telfair J. Mashburn, Jr
Judge Circuit Court, In Equity.

I, Alice J. Duck, 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 17th day of November, 1952.

Alice J. Duck
Register of Circuit Court, In Equity.

No. 2917 Page

The State of Alabama
Baldwin County

In Circuit Court, In Equity

ROSIE MAE MERRITT

Complainant

vs.

HERMAN LOTHELL MERRITT

Respondent

DIVORCE DECREE

Arthur C. Epperson
Attorney at Law
Foley, Alabama

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ROSIE MAE MERRITT, Complainant

vs.

HERMAN LOTHELL MERRITT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Respondent's ans. 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 ROSIE MAE MERRITT is forever divorced from the said HERMAN LOTHELL MERRITT for and on account of

It is further ordered, adjudged and decreed that Complainant be and she hereby is granted the right to resume her maiden name, ~~that is~~ Rosie Mae Millines.

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

This 17th day of November, 1952

Lafayette A. Maddox, 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

ROSIE MAE MERRITT

Complainant

vs.

HERMAN LOTHELL MERRITT

Respondent

DIVORCE DECREE

FILED
NOV 17 1952
ALICE J. BUCK, Register

Arthur C. Epperson
Attorney at Law
Foley, Alabama

ORAL DEPOSITION

Printed by the Baldwin Times, Bay Minette, Alabama.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ROSIE MAE MERRITT Complainant

VS.

HERMAN LOTHELL MERRITT Respondent

I, Dixie A. Peterson

as Register and Commissioner in the above style cause

have called and caused to come before me Rosie Mae Merritt and Cletter B. Lord

witness es named in the Requirement for Oral Examination, on the 10th day of November 194 52, at the office of Dixie A. Peterson

in Foley, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Rosie Mae Merritt and Cletter B. Lord doth depose and say as follows:

My name is Rosie Mae Merritt, I am over the age of twenty-one years. I am, and have been, a resident of Baldwin County, Alabama for more than two (2) years before filing for this divorce. Herman Lothell Merritt is over the age of twenty-one years and is a resident of Escambia County, Alabama. He and I were married on the 13th day of October, 1951, at Pascagoula, Mississippi. We do not have any children. I knew and had dated Herman when I lived at Castleberry, Alabama, before I moved to Elberta, Alabama. Herman came to Elberta, to visit his cousin and I dated him several times. He wanted to get married so we just went on over to Pascagoula and got married. We came back to Elberta and the next day he went back to Castleberry. He was supposed to get us a place to live and a job there. But he never did either one. He never did even write to me or come back to Elberta. He left me of his own free will and without fault on my part. We have not lived together or in any way recognized each other as husband or wife, and he has not supported me in any way.

Rosie Mae Merritt

My name is Cletter B. Lord, and Rosie Mae Merritt is my sister. I live in Elberta, Alabama, close to my sister. She has been living with our mother, in Elberta, Alabama, and has not been supported by, or lived with, Herman Lothell Merritt ever, that I know of, since their marriage.

Cletter B Lord

ORAL EXAMINATION.

I, Dixie A. Peterson, 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 Dixie A. Peterson 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 10th day of November, 194 52

Dixie A. Peterson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ROSIE MAE MERRITT

vs. Complainant

HERMAN LOTHRIL MERRITT

Respondent.

Oral Deposition

Filed _____, 194 _____

_____, Register.

Recorded in

NOV 12 1952

Record

Vol. Alef 1 Page _____

Page _____

_____, Register.

ROSIE MAE MERRITT
Complainant

vs.

HERMAN LOTHELL MERRITT
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: BAY MINETTE

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

Arthur C. Epperson
Solicitor for Complainant

NOTE:

Complainant suggests the name of DIXIE A. PETERSON as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Arthur C. Epperson
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

ROSIE MAE MERRITT
Complainant

vs.

HERMAN LOTHELL MERRITT
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 10 day of November

1952

Register

Moore Printing Co.

ROSIE MAE MERRITT Complainant	:	CIRCUIT COURT IN EQUITY
	:	BALDWIN COUNTY,
vs.	:	ALABAMA
HERMAN LOTHELL MERRITT Respondent	:	

To the Honorable Judge of the Circuit Court of Baldwin County, sitting in Equity:

Your Complainant, Rosie Mae Merritt, respectfully represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one (21) years and is a resident of said State and County, and has been a bona fide resident of said state for more than two (2) years next preceding the filing of this Bill of Complaint; that Herman Lothell Merritt, the respondent, is over the age of twenty-one (21) years and resides at Castleberry, Escambia County, Alabama.

2. That the Complainant and Respondent were lawfully married on or about, to-wit, October 13, 1951, at Pascagoula, Mississippi.

3. Complainant further avers that said respondent voluntarily abondoned the bed and board of complainant for more than one (1) year next preceding the filing of this Bill of Complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your Complainant makes the said Herman Lothell Merritt a party respondent to this Bill of Complaint, and in order that the Complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Herman Lothell Merritt, commanding him to answer, plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the said respondent, granting the complainant such relief as unto your Honor may seem just and proper, and your complainant will ever pray.

Respondent's address: % J.W. Merritt, R.F.D. Castleberry, Alabama.

Arthur C. Epperson
Solicitor for Complainant

FILED
IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA
Mar 17 1953
Herman Lothell Merritt
Rosie Mae Merritt
Complaint
No. 3-25

NO. 2912

RECORDED

****

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

ROSIE MAE MERRITT
Complainant

vs.

HERMAN LOTHELL MERRITT
Respondent

****

BILL OF COMPLAINT

****

FILED
OCT 20 1952
ALICE J. DUBOX, Register

Arthur C. Epperson
Attorney at Law
Foley, Alabama

ROSIE MAE MERRITT Complainant	:	IN THE CIRCUIT COURT OF
vs.	:	BALDWIN COUNTY, ALABAMA
HERMAN LOTHELL MERRITT Respondent	:	IN EQUITY

Comes the respondent, Herman Lothell Merritt, and for answer to the bill of complaint herein says as follows:

1. He denies each and every material allegation contained in said bill of complaint and demands strict proof of the same.

2. The respondent hereby waives notice of the taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further or different notice to which he might otherwise be entitled.

Herman Lothell Merritt
Respondent

J W Merritt
Witness

John E. Pittchitt
Witness

RECORDED

****

ANSWER AND WAIVER

****

ROSIE MAE MERRITT
Complainant

vs.

HERMAN LOTHELL MERRITT
Respondent

****

FILED
NOV 12 1952
ALICE L. BUCK, Register

Arthur C. Epperson
Attorney at Law
Foley, Alabama

8531. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

ROSIE MAE MERRITT

vs.

HERMAN LOTHELL MERRITT

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, Demand for oral deposition, Commission to take deposition, oral deposition of complainant, witnesses, and respondent's answer and waiver.

~~and in behalf of Defendant upon~~

Register

Arthur L. Coperson
Attorney for Complainant ~~Register~~

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ROSIE MAE MERRITT

vs.

HERMAN LOTHELL MERRITT

NOTE OF TESTIMONY

Filed in Open Court this 11th

day of November, 1962

Register.

Printed By The Baldwin Times

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Herman Lothell Merritt

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State hgr

Rosie Mae Merritt

against Herman Lothell Merritt

Herein fail not. Due return make of this writ as the law directs.

Witness this 20th day of October, 19 32

[illegible], Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

No.....,..... Page.....

The State of Alabama

..... COUNTY.

IN CIRCUIT COURT, IN EQUITY

.....

.....

vs.

.....

.....

SUMMONS

Returned by the Sheriff and filed in office, this the.....day of....., 19.....

....., Register.

Received in office, this the ..... day of

....., 19.....

....., Sheriff.

I have executed the within by leaving a copy thereof with.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

defendant named herein, on this the.....

day of....., 19.....

....., Sheriff.

By....., Deputy.

ROSIE MAE MERRITT Complainant	:	CIRCUIT COURT IN EQUITY
vs.	:	BALDWIN COUNTY, ALABAMA
HERMAN LOTHELL MERRITT Respondent	:	

To the Honorable Judge of the Circuit Court of Baldwin County, sitting in Equity:

Your Complainant, Rosie Mae Merritt, respectfully represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one (21) years and is a resident of said State and County, and has been a bona fide resident of said state for more than two (2) years next preceding the filing of this Bill of Complaint; that Herman Lothell Merritt, the respondent, is over the age of twenty-one (21) years and resides at Castleberry, Escambia County, Alabama.

2. That the Complainant and Respondent were lawfully married on or about, to-wit, October 13, 1951, at Pascagoula, Mississippi.

3. Complainant further avers that said respondent voluntarily abondoned the bed and board of complainant for more than one (1) year next preceding the filing of this Bill of Complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your Complainant makes the said Herman Lothell Merritt a party respondent to this Bill of Complaint, and in order that the Complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Herman Lothell Merritt, commanding him to answer, plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the said respondent, granting the complainant such relief as unto your Honor may seem just and proper, and your complainant will ever pray.

Respondent's address: % J.W. Merritt, R.F.D. Castleberry, Alabama.

Arthur C. Egbuson
Solicitor for Complainant

Received in Sheriff's Office
this 20 day of Oct, 1952
TAYLOR WILKINS, Sheriff

Not found in my County
This the 18th day of December
1952.

JOHN H. BROCK, SHERIFF
BY Ralph Crysell
DEPUTY SHERIFF

No. 2912

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

ROSIE MAE MERRITT
Complainant

VS.

HERMAN LOTHELL MERRITT
Respondent

****

BILL OF COMPLAINT

****

c/o D. W. Merritt
Castlebury, Ala.

FILED
OCT 20 1952
ALICE J. BUCK, Register

Arthur C. Epperson
Attorney at Law
Foley, Alabama

SUMMONS Form 1531-3 McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Herman Lothell Merritt

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by Rosie Mae Merritt

against Herman Lothell Merritt

Herein fail not. Due return make of this writ as the law directs.

Witness this 20th day of October, 19 52

_____, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

No..... Page.....

The State of Alabama

..... COUNTY.

IN CIRCUIT COURT, IN EQUITY

.....

.....

vs.

.....

.....

SUMMONS

Returned by the Sheriff and filed in office, this

the.....day of....., 19.....

....., Register.

Received in office, this the ..... day of

....., 19.....

....., Sheriff.

I have executed the within by leaving a copy

thereof with.....

.....

.....

.....

.....

.....

.....

.....

.....

.....

defendant named herein, on this the.....

day of..... ....., 19.....

....., Sheriff.

By....., Deputy.

ROSIE MAE MERRITT Complainant	:	CIRCUIT COURT IN EQUITY
vs.	:	BALDWIN COUNTY,
HERMAN LOTHELL MERRITT Respondent	:	ALABAMA

To the Honorable Judge of the Circuit Court of Baldwin County, sitting in Equity:

Your Complainant, Rosie Mae Merritt, respectfully represents and shows unto your Honor:

1. That your Complainant is over the age of twenty-one (21) years and is a resident of said State and County, and has been a bona fide resident of said state for more than two (2) years next preceding the filing of this Bill of Complaint; that Herman Lothell Merritt, the respondent, is over the age of twenty-one (21) years and resides at Castleberry, Escambia County, Alabama.

2. That the Complainant and Respondent were lawfully married on or about, to-wit, October 13, 1951, at Pascagoula, Mississippi.

3. Complainant further avers that said respondent voluntarily abondoned the bed and board of complainant for more than one (1) year next preceding the filing of this Bill of Complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your Complainant prays that the said Herman Lothell Merritt a party respondent to this Bill of Complaint, and in order that the complainant may have the relief therein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Herman Lothell Merritt, commanding him to answer, plead or demur to this Bill of Complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the said respondent, granting the complainant such relief as unto your Honor may seem just and proper, and your complainant will ever pray.

Respondent's address: % J.W. Merritt, R.F.D. Castleberry, Alabama.

Arthur L. Epperson
Solicitor for Complainant

FILED
Nov. 7, 1955
Mrs. Ruby Hall Yeager
Clerk Circuit Court
Baldwin County, Alabama

ROSIE MAE MERRITT
vs.
HERMAN LOTHELL MERRITT
Bill of Complaint
Filed Nov. 7, 1955
Mrs. Ruby Hall Yeager
Clerk Circuit Court
Baldwin County, Alabama
No. 7717

No. 2912

****

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

****

ROSIE MAE MERRITT
Complainant

vs.

HERMAN LOTHELL MERRITT
Respondent

****

BILL OF COMPLAINT

****

Arthur C. Epperson
Attorney at Law
Foley, Alabama

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Dixie A. Peterson
Route 1, box 23
Foley, Alabama

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

ROSIE MAE MERRIT
AND
HERMAN LOTHELL MERRITT

as witnesses in behalf of ROSIE MAE MERRITT in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

ROSIE MAE MERRITT

, Complainant

and

HERMAN LOTHELL MERRITT

Respondent

on oath, to be by you administered, upon 10th DAY OF NOVEMBER, 1952 to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 10th day of November, 1952.

Alice J. Lerch
Register.

Commissioner's Fee, $

Witness' Fees, $

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ROSIE MAE MERRITT

Complainant—

vs.

HERMAN LOTHELL MERRITT

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Dixie A. Peterson

WITNESSES:

Rosie Mae Merritt

Cletter B. Lord

2912