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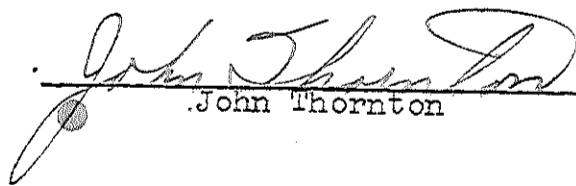
MYRTLE YOUNG THORNTON,	I	
Complainant,	I	
vs.	I	IN THE CIRCUIT COURT OF
JOHN THORNTON,	I	BALDWIN COUNTY, ALABAMA
Respondent.	I	IN EQUITY
	I	

ANSWER AND WAIVER

Comes now the Respondent, John Thornton, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Bill of Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does hereby consent that the same may be submitted and testimony taken without further notice to him.

  
 \_\_\_\_\_  
 John Thornton

Sworn to and subscribed before me this 14<sup>th</sup> day of January, 1955.

  
 \_\_\_\_\_  
 Notary Public, Baldwin County, Ala.

**FILED**  
 1-14-55  
 ALICE J. BUCK, Register

MYRTLE YOUNG THORNTON,		
Complainant,		
vs.		IN THE CIRCUIT COURT OF
JOHN THORNTON,		BALDWIN COUNTY, ALABAMA
Respondent.		IN EQUITY

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY,  
AND TO THE HONORABLE HUBERT M. HALL, JUDGE THEREOF:

Comes your Complainant, the undersigned Myrtle Young Thornton,  
and respectfully represents and shows unto your Honor and unto this  
Honorable Court as follows:

FIRST:

That she is eighteen years of age and a resident citizen of  
Robertsdale, Baldwin County, Alabama, where she has resided all her  
life. That the Respondent is nineteen years of age and a resident  
of Honeoye, New York, but he is presently a member of the United  
States Marine Corps and is stationed in Camp Le June, North Carolina.

SECOND:

That your Complainant and the Respondent were married in  
Lucedale, Mississippi, on January 5, 1955, by one Van H. Hardin,  
a Baptist minister, but your Complainant and the Respondent have  
never lived together as man and wife and they have never cohabited  
since they married. That your Complainant repudiated her marriage  
contract with the Respondent upon their return to Alabama from  
Lucedale, Mississippi, and said contract has never been consummated.

WHEREFORE, the premises considered your Complainant respect-  
fully prays that this Honorable Court will take jurisdiction in the  
matters herein involved and will cause the usual writ of process  
to issue to the Respondent requiring him to plead, answer or demur  
to this Complaint within the time allowed by law and the rules of  
this Honorable Court.

Your Complainant further prays that upon a hearing of this cause that your Honor will enter a decree annulling the marriage contract heretofore entered into between your Complainant and the Respondent and declare said marriage null and void. Your Complainant further prays that in and by the terms of said decree that your Honor will restore to your Complainant her maiden name, to-wit, Myrtle Young, and will enter such further orders and decrees as will be necessary to annul her said marriage to the Respondent or which, in equity, will be meet and proper.

Myrtle Young Thornton  
Myrtle Young Thornton

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Norborne C. Stone, Jr., a Notary Public, in and for said County in said State, personally appeared Myrtle Young Thornton, who is known to me and who, after being by me first dully and legally sworn, did depose and say under oath as follows:

That her name is Myrtle Young Thornton and that she is the Complainant in the above styled cause and that her name is signed to the foregoing complaint and that the facts alleged therein are true.

Myrtle Young Thornton

Sworn to and subscribed  
before me this 14th day  
of January, 1955.

Norborne C. Stone, Jr.  
Notary Public, Baldwin County, Alabama

FILED  
1-14-55  
ALICE I. DUCK, Register

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Myrtle Young Thornton

vs

John Thornton

FILED  
JAN 14 1955  
W. A. HOOK, Register

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MYRTLE YOUNG THORNTON,  
Complainant,  
VS.  
JOHN THORNTON,  
Respondent.

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IN THE  
CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA. IN  
EQUITY.  
NO.-----

TESTIMONY TAKEN IN OPEN COURT, ON January 14, 1955, IN BAY MINETTE, ALABAMA.

MR. STONE REPRESENTING THE COMPLAINANT.

MYRTLE YOUNG THORNTON, THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Direct examination by Mr. Stone.

- Q. Is this Myrtle Young Thornton?
- A. Yes, sir.
- Q. Myrtle, you signed and filed this complaint today, is that right?
- A. Yes, sir.
- Q. How old are you, Myrtle?
- A. 18.
- Q. Where do you live?
- A. Baldwin County, out from Robertsdale.
- Q. Have you lived there all of your life?
- A. Yes, sir.
- Q. Do you know John Thornton?
- A. Yes, sir.
- Q. Do you know how old John is?
- A. 19.
- Q. Where does he live, do you know? -- Is he a resident of Alabama?
- A. No, sir, he is from New York.
- Q. Is he at this time in Alabama?
- A. Yes, sir.
- Q. Is he a member of the armed forces?
- A. Marines.

- Q. Do you know where he is stationed?
- A. Camp LeJeune, North Carolina.
- Q. Myrtle, did you and John Thornton go to Lucedale, Mississippi on January 5th of this year for the purpose of getting married?
- A. Yes, sir.
- Q. Who went with you?
- A. My brother-in-law, Jackie Ard, and Bertha, and Louise Young and Calvin Young and Maynard Young.
- Q. Did you all get \_\_ \_ Did you all go to Lucedale, Miss.?
- A. Yes, sir.
- Q. Did you and John Thornton procure a marriage license there?
- A. Yes, s ir.
- Q. Did you take the license to a Mr. Vann Harten, a Baptist Minister?
- A. Yes, s ir.
- Q. Did he perform a marriage ceremony?
- A. Yes, sir.
- Q. After the preacher performed the ceremony, did you all come back to Baldwin County?
- A. Yes, s ir.
- Q. Did you come back with the ~~same~~ people that went over there with you?
- A. Yes, sir.
- Q. Were you with them the whole time you were in Mississippi?
- A. Yes, sir.
- Q. And all of the way back to Robertsdale?
- A. Yes, sir.
- Q. Did you and John Thornton sleep together that night?
- A. No, sir.
- Q. Did you repudiate your marriage contract with him that night after you got back to Robertsdab?
- A. After I got back I decided it wouldn't work.
- Q. You have never lived with John Thornton as man and wife?

A. No, sir.

Q. Are you presently expecting a child?

A. No, sir.

Q. You have not lived with John Thornton at any time from January 5th. to the present time?

A. No, s ir.

Q. Your maiden name was Myrtle Young, is that correct?

A. That's right.

LOUISE YOUNG, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

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Direct examination by Mr. Stone.

Q. Is this Louise Young?

A. Yes, sir.

Q. Louise, are you related to Myrtle Young Thornton?

A. We are first cousins.

Q. Did you go to Mississippi, among others, with she and John Thornton on January 5th, 1955?

A. Yes, sir.

Q. Was Calvin Young along?

A. Yes, sir.

Q. Now were you with them on the entire trip over there?

A. Yes, sir.

Q. Did you witness the marriage ceremony between this boy and girl?

A. Yes, sir.

Q. Were you with them the entire time until you got back to Robertsdale?

A. Yes, sir;.

Q. Do you know of your own personal knowledge whether or not Myrtle stayed with John that night?

A. No, s ir, she slept with me.

Q. All right. And you were with her from that time--from the time you went to Mississppi until she got in the bed with you that night?

A. Yes, s ir.

Q' Has she, to your knowledge, or do you know of your own personal knowledge, whether or not she has lived with him as man and wife since January 5th., 1955?

A. No, sir.

Q. Where is she staying?

A. She is staying at her sister's - Eara Mae's.

Q. Has she been staying there?

A. Yes, sir.

Q. Since January 6th?

A. Yes, s ir.

Q. She stayed with you the night of January 5th, is that right?

A. That's right.

Q. Myrtle has lived in Robertsdale all of her life?

A. Yes, sir.

Q. Do you know how old she is?

A. 18.

CALVIN YOUNG, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

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Diredct examination by Mr. Stone.

Q. Is this Calvin Young?

A. Yes, sir.

Q. Did you go to Mississippi with Louise and Myrtle and John, among others, on January 5th., 1955?

A. Yes, sir.

Q. Did - Were you with them that entire day? -- With John and Myrtle?

A. Yes, sir.

Q. Now did you witness the marriage ceremony when they got married? Did you see them get married before a preacher?



A. Yes, sir.

Q. Did you then come back to Robertsdale with them?

A. Yes, sir.

Q. You were with them from the time they went through the ceremony until they got back to Robertsdale?

A. Yes, sir

Q. Are you kin to Myrtle?

A. I'm her brother.

Q. She has lived in Robertsdale all of her life, so far as you know?

A. Yes, s ir.

THE COMPLAINANT REST.

I hereby certify that the foregoing consisting of pages 1 to 5 both inclusive, correctly sets forth a true and correct transcript of the testimony in the above styled cause as taken by me, in open Court, before Hon. Hubert M. Hall, Judge of said Court, on the 14th day of January, 1955.

This 14th day of January 1955.

Louise Dunsberry  
Court Reporter

