

609

..... Lev Munnerylyn

.....

.....

vs.

..... Pearl Munnerylyn

.....

.....

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,
... Answer of Deft. and testimony of Lev Munnerylyn and
..... Randolph Mc Gowan,

.....
.....
.....

and in behalf of Defendant upon

.....
.....

T. W. Peterson

Register.

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No. 609.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Lev Munnerlyn

VS

Pearl Munnerlyn.

NOTE OF TESTIMONY

Filed in Open Court this 10th

day of Sept 1926

T. W. Peterson

Register

MOORE PUBLISHING CO.

RECORDED

STATE OF ALABAMA,
BALDWIN COUNTY.

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

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Orator, Lev Mummerlyn, respectfully represents and shows unto Your Honor as follows:-

FIRST:

That he is a bona fide resident citizen of Baldwin County, Alabama, residing at Tensaw, Alabama; that he is over the age of twenty one years, and has resided in Baldwin County, Alabama, for more than three years next preceeding the filing of this bill.

SECOND:

That Pearl Mummerlyn is a resident of Washington County, Alabama, residing at St. Stephens, Alabama; that she is over the age of twenty one years.

THIRD:

That your Orator and the said Pearl Mummerlyn were lawfully married on the 29th., day of January, 1912, and lived together as husband and wife, until, to-wit:- February, 1922, at which time the said Pearl Mummerlyn voluntarily abandoned the bed and board of Your Orator without just cause and without fault on his part; that they have not lived together since this time; said separation took place in Baldwin County, Alabama.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Your Orator respectfully prays that the said Pearl Mummerlyn be made party respondent to this bill of complaint by the usual process of this Honorable Court; that such orders, decrees and publications be made as necessary to perfect service on the said Pearl Mummerlyn and that she

be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

That upon the final hearing of this cause Your Honor will grant unto Your Orator an absolute divorce from the said Pearl Munnerlyn.

That if Your Orator is mistaken in the relief prayed for then Your Honor will grant unto him such other, further, different and general relief as he may in justice and equity be entitled, he will ever pray, etc.

HENRY D. MOORER,
Attorney for Complainant.

FOOT NOTE:-

Defendant is required to answer every allegation in the foregoing bill, paragraph one to three, inclusive, but not under oath. Answer under oath is hereby expressly waived.

HENRY D. MOORER,
Attorney for Complainant.

LEV MUNNERLYN,
Complainant,

-vs-

PEARL MUNNERLYN,
Defendant,

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

Comes Pearl Munnerlyn, defendant, in the above styled cause and for answer to same denies each and every allegation contained therein and demands strict proof of same. She waives service of subpoena by the Sheriff on said bill, notice of the filing of interrogatories, or any proceedings to take testimony on oral or written examination as well as the right to cross examine, and consents that this cause be submitted for decree on note of testimony made by the Register either in term time or vacation.

Dated this 10 day of Aug, 1926.

ATTEST:

M. P. Wynn

F. W. Hester

x Pearl Munnerlyn

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 609. Sept 10th, 1926 ~~Sept 10th, 1926~~

Lev Munnerlyn, Complainant

vs.

Pearl Munnerlyn, Defendant

To T.W. Richerson, 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 Lev Munnerlyn,

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.

H.D. Moore

Solicitor for Complainant.

No. 609.

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THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Lev Munnerlyn

vs.

Pearl Munnerlyn,

REQUEST FOR DECREE IN
VACATION

FILED Sept 10th, 1926

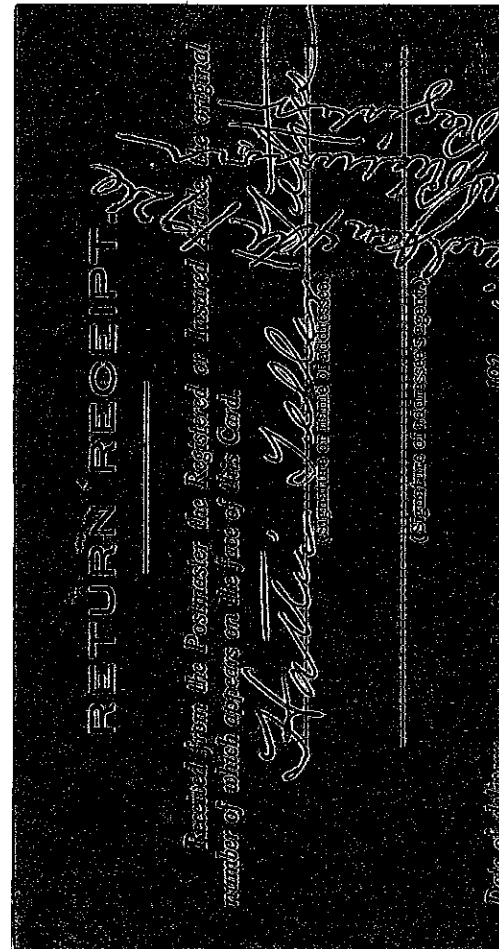
T.W. Rimmer

Register

RECORDED IN RECORD

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Register



ORAL EXAMINATION.

I, T. W. Richardson, as Register,

hereby certify that the foregoing deposition.....on Oral Examination..... taken down in writing by me in the words of the witness..as and read over to them and they signed the same in the presence of Myself and H. D. Moorer, Atty,

at the time and place herein mentioned; that I have personal knowledge of the 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 in 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 6th day of Sept, 1926

T. W. Richardson (L. S.)

No. 609. Page.....

The State of Alabama

Baldwin County

IN CIRCUIT COURT, IN EQUITY.

Lev Munnerlynn,

vs. Complainant,

Pearl Munnerlynn,

Respondent.

ORAL DEPOSITION.

Filed Sept 6th, 1926

T. W. Richardson Register.

Recorded in

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Register.



IN THE CIRCUIT COURT, Baldwin COUNTY, IN EQUITY.

Lev Munnerlyn Complainant.

vs.

Pearl Munnerlyn, Respondent.

I T.W. Richerson,
Register,

as

have called and caused to come before me Lev Munnerlyn and Randolph Mc Gowan,

witness named in the Requirement for Oral Examination, on the 6th day of Sept,
1926, at the office of Register,

in Bay Minette, Alabama, and having first sworn said witness ^{es} to speak the truth, the
whole truth, and nothing but the truth, the said Witnesses,

doth depose and say as follows:

TESTIMONY OF LEV MUNNERLYN.

My name is Lev Munnerlyn. I am a resident citizen of
Baldwin County, Alabama, and reside at Tensaw, Alabama, and over the
age of twenty one years. I have lived in Baldwin County my entire life.

Pearl Munnerlyn is a resident of Washington County, residing at
St. Stephens and she is over the age of twenty one years. Pearl Munnerlyn
and I were lawfully married on the 29th., day of January, 1912 and lived
together as husband and wife until to-wit:- February, 1922, at this time
the said Peral Munnerly voluntarily abandoned my bed and board without
just cause and without fault on my part. We have not lived together since
we separated. We were living in Baldwin County at the time the separation
took place.

Lev Munnerlyn

Subscribed and sworn to before
me this 6 day of September, 1926.

T.W. Richerson
Register, Circuit Court, Baldwin Co., Ala.,

TESTIMONY OF RANDOLPH MCGOWIN

My name is Randolph McGowin. I am over twenty one years of age and have known Leve Munnerlyn and Pearl Munnerlyn, his wife, for several years and know of my own knowledge that Pearl Munnerlyn has not lived with Leve Munnerlyn during the last three years. They separated about February, 1922. They were living in Baldwin County at the time the separation took place. Leve Munnerlyn and Pearl Munnerlyn are both over the age of twenty one years and have lived in Baldwin County for the last seven or eight years.

Randolph McGowin

Subscribed and sworn to before me
this 10 day of September, 1926.

D. W. Williams
Register, Circuit Court, Baldwin Co., Ala.,

The State of Alabama,
Baldwin County.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING :

WE COMMAND YOU, That you summon Pearl Munnerlyn

of Washington, County, to be and appear before the Judge of the Circuit Court
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Ley Munnerlyn,

against said

Pearl Munnerlyn,

and further to do and perform what said Judge shall order and direct in that behalf. And this the
said Defendant shall in no wise omit, under penalty, etc. And we further command that you return
this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 3rd day of

August, 1926.

T. W. Richerson Register.

N. B.— Any party defendant is entitled to a copy of the bill upon application to the Register.

2nd Original

SERVE ON _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Lev Munnerlyn

vs.

Pearl Munnerlyn,

H.D.Moorer.

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this _____
day of _____ 192

Sheriff.

Executed this *21* day of
Aug 192*8*

by leaving a copy of the within Summons with
Pearl Munnerlyn

Defendant.

J.W. Henson
Washington
County
Sheriff.

By *Ala.*
Deputy Sheriff.

I hereby accept service of the within
summons and waive service of the same
by the sheriff.

ATTEST: *X Pearl Munnerlyn*
J.W. Henson
Jedie Weems

RECORDED

The State of Alabama, }
Baldwin County.

No. 609 CIRCUIT COURT, IN EQUITY

Lev Munnerlyn Complainant

vs.

Pearl Munnerlyn Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

On account of voluntary abandonment,

It is further ordered, that the said Lev Munnerlyn

be, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lev Munnerlyn

pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Pearl Munnerlyn

It is further ordered, adjudged and decreed that said Lev Munnerlyn

shall not again marry except to said Pearl Munnerlyn,

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Pearl Munnerlyn, during the pendency of said appeal

This 11th day of September, 1926

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, Register of said Circuit Court of said County,

Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on

the day of 192, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 192

Register.

M

No. 609.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Lev Munnerlyn,

vs.

Pearl Munnerlyn,

DECREE OF DIVORCE.

Filed in office this 13th,

day of September, 1926

T. W. Riceman
Register.

E. O. M.

RECORDED