

164

Dunk Melvin

Complainant.

vs.

Mary Everett Melvin, Dfendant.

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 defendant, testimony of Dunk Melvin and George Dennis.

and in behalf of Defendant upon... answer

*George Dennis*  
Register

*7th*

No. 164

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Dunk Melvin, Complainant.

vs.

Mary Everett Melvin, Deft.

NOTE OF TESTIMONY.

Filed in Open Court this July 12, 1919.

day of ..... 191.....

*J. W. Rice*

Register

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

}

CIRCUIT COURT, IN EQUITY.

No. 164 ..... Fall ..... Term, 1919 .....

Dunk Melvin

Complainant.....

vs.

Mary Everett Melvin

Defendant.....

To Hon. 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 Stone & Stone.....

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.

*Stone & Stone*

Solicitor for Complainant.



400

No. 164. Page

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

Dunk Melvin

Complainant.

vs.

Mary Everett Melvin,

Respondent.

REQUEST FOR DECREE IN  
VACATION.

Filed July 12th, 1919. 191

*D. W. Richardson*

Register

Recorded in Record

Vol. Page

Register

*Dunklee*

vs.

*Mary Everett Kuevin*

CIRCUIT COURT OF

*Baldwin* COUNTY,  
IN EQUITY.

I, *D W Rickerson* Register of said Court. do hereby certify that I

did, on the *28th* day of *March* 19*19*, send to

*Mary Everett Kuevin* Defendant

whose address was *Illigan Ga.*

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such receipt was duly received and filed by me in this cause, on the

*2nd* day of *April* 19*19*

Witness my hand, this *3rd* day of *April* 19*19*

*D W Rickerson*  
Register.

3rd

No. 164

CIRCUIT COURT OF

Baldwin COUNTY,

IN EQUITY.

Hank Mevin

vs.

Mary Everett Mevin

CERTIFICATE OF REGISTER AS TO  
NOTICE BY REGISTERED MAIL.

Filed in office on this 3rd

day of Apr 1919

J. Mevin

Register.



DUNK MELVIN,  
Complainant. )  
-vs- )  
MARY MELVIN,  
Defendant. )

IN THE CIRCUIT COURT-EQUITY SIDE  
STATE OF ALABAMA  
BALDWIN COUNTY

Comes the defendant, Mary Melvin, in the above cause and files this, her answer to the original bill of complaint filed in the above cause.

The defendant denies each and every paragraph of the foregoing bill of complaint and demands strict proof thereof.

Mary Melvin

Defendant.

Sworn to and subscribed before  
me this 18 day of April, 1919.

H. G. Mobley N.P. ex-off. J.P.  
Notary Public.

State of Georgia.

County of Grady

2 recd

Filed 4/21/19

J. W. Whinnon  
Register



-----X  
DUNK MELVIN,  
Complainant.  
  
-vs-  
  
MARY EVERETT MELVIN,  
Defendant.  
-----X

IN THE CIRCUIT COURT-EQUITY SIDE  
STATE OF ALABAMA  
BALDWIN COUNTY

No. \_\_\_\_\_

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, EQUITY SIDE,  
AND THE HON. A. E. GAMBLE, JUDGE THEREOF, SITTING IN EQUITY:-

Your Orator, Dunk Melvin, respectfully exhibits this his bill of complaint for divorce against Mary Everett Melvin and represents and shows unto your Honor as follows;-

FIRST.

That he and the defendant are both over the age of twenty-one years. He is a resident of Baldwin County, State of Alabama, where he has resided continuously for many years. The defendant is a non-resident of this state and resides in Whigam, Georgia.

SECOND.

That your Orator and the said defendant were married during the year 1912 in the state of Georgia. They lived together as man and wife until during the month of October, 1917, when the defendant left your Orator and ran away with another man named Richard James.

THIRD.

That the said defendant, Mary Everett Melvin was not true to marriage vows. That for some time prior to the time she left Orator she led a lewd and immoral life; that she committed adultery with one Richard James; that her adulterous and illicit intercourse with the said Richard James was notorious.


PRAYER FOR PROCESS.

The Premises considered, Orator prays that process be issued out of this Honorable court requiring the said defendant, Mary Everett Melvin to appear and plead, answer or demur, to this bill of complaint within the time required by law, under the pains and penalties of this Honorable Court.




PRAYER FOR RELIEF

That upon a final hearing of this cause that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the Orator, Dunk Melvin, and the defendant, Mary Everett Melvin, be forever dissolved, and that Your Orator will be again permitted to contract the marriage relation, And as in duty bound, he will ever pray, etc., etc.,

  
Solicitors for Complainant

FOOT NOTE:-The defendant, Mary Everett Melvin is required to answer each and every pragraph of the foregoing bill of complaint from "FIRST" to "THIRD", both inclusive, but not under oath, answer under oath being hereby expressly waived.

  
Solicitors for Complainant.



THE STATE OF ALABAMA,  
BALDWIN COUNTY.

No. -164-

CIRCUIT COURT, IN EQUITY.

Dunk Melvin

Complainant.....

vs.

Mary Everett Melvin

Defendant.....

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, ~~decreed~~ ~~and~~ ~~waiver~~ ~~of~~ ~~notice~~, testimony of Dunk Melvin and George Dennis and 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..... his

..... 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 said

Dunk Melvin

..... is forever divorced from the said

Mary Everett Melvin

..... for and on account of

adultery

..... as alleged in said Bill of Complaint;

It is further ordered, that the said Dunk Melvin

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 Dunk Melvin

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 Dunk Melvin

It is further ordered, adjudged and decreed that said Dunk Melvin

shall not again marry except to said Mary Everett Melvin until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Mary Everett Melvin during the pendency of said appeal.

This 14th day of July

1919

Judge of the Circuit Court of Baldwin County.



No. -164-

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.  
BALDWIN COUNTY, ALA.

Dunk Melvin

vs.

Mary Everett Melvin

DECREE OF DIVORCE.

Filed in office this

15<sup>th</sup> day

day of

July

1917

J. W. Richardson

Register.

E. O. M.

Recorded  
on minutes

# RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

*Mary Everett Smith*  
-----  
(Signature or name of addressee.)

-----  
(Signature of addressee's agent.)

Date of delivery, *3/31/19*, 191

Form 3811

*Registered  
Mar 2 9/19  
Postmaster  
Supervisor*

c 5-6116

# Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300

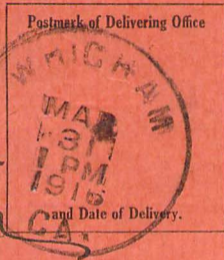
REGISTERED ARTICLE No. 1800

INSURED PARCEL No. \_\_\_\_\_

Return to L. M. Richerson  
(Name of sender.)

Street and Number, }  
or Post Office Box, }

Post Office at Bayminette  
State Ala





CIVIL SUBPOENA.

In case the witness shall wish to charge for attendance he will please produce to the clerk in term this copy of his Subpoena, or within five days after adjournment of court, else he will be barred.

The State of Alabama, }  
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA—GREETING:

YOU ARE HEREBY COMMANDED TO SUMMON

*John Lamb*  
*John Walker.*

if to be found in your county, at the instance of the

*Peff.*

to appear before the honorable ~~Circuit~~ *Register* Court of Baldwin County at the Court House thereof, on the

*16th*

day of *June* 18*99*, then and there to testify, and the truth to say, in a certain case pend-

ing, wherein

*Dunk Melvin*  
*Mary Everett Melvin*

Plaintiff,

Defendant,

and there remain during said Court until discharged by due course of law.

Herein fail not, and have you then and there this Writ .

Witness my hand this *2* day of *June* A. D., 19*99*.

ATTEST:

*J. W. Shelton*

Clerk.

*Original*

No. ....

The State of Alabama,  
BALDWIN COUNTY.

*Dunk memo*

VS. | SUBPOENA FOR

Circuit Court

WITNESSES

*John Lamb.*  
*John Macken*

SET FOR TRIAL

*16* day of *June* 19 *19*

Baldwin Times Print.

*Executed June 12<sup>th</sup> 1919*

*At serving the within copies  
on John Lamb and John Macken*

*D. J. Peterson*

*Shesick*



THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Dunk Melvin Complainant

vs.

Mary Everett Melvin Defendant

Oral examination before the Register of the following witnesses:

George Dennis, witness for the complainant

who reside in Alabama, said examination being conducted in Bay Minette, Alabama, on this the 12th day of July, 1919, and there being present myself and attorney for the complainant.

The said witness being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

George Dennis, is my name and I live at Tensaw in Baldwin County in the state of Alabama. I have lived there all of my life.

I know Dunk Melvin and his wife Mary Everett Melvin. I have known them both for about three years. They lived at Hadley, in this county, which is near Tensaw. I stayed in the same turpentine quarters with them both for two years. They are both over twenty-one years of age. Dunk Melvin is now a resident of Baldwin County, Alabama. The last time I heard of his wife she was in Georgia.

Mary Everett Melvin used to go around with a man by the name of Richard James a good deal. I have seen them together several times. I have seen this man Richard James go with Mary Everett Melvin into her room with no one but the two of them and there was no one else at home at the time.

I heard Dunk Melvin and this man fussing one night about eleven o'clock. Dunk came home that night and found this man there with his wife and this caused the fuss.



Mary Everett Melvin ran away from Dunk Melvin with this man and when I last heard from them they were in Georgia somewhere.

While Dunk Melvin was away from home working on the railroad I have seen Richard James go to this house in the evening about sundown and stay there all night with Mary Everet Melvin and come away the next morning about six o'clock.

I have heard this man Richard James tell other in my presence that he had ~~had~~ "been keeping this woman for four or five months" "that he had been sleeping with her and had sexual intercourse with her during this time."

Dunk Melvin has never lived with her since these things have happened for she ran away to Georgia with this man Richard James. I know of no reason she had to live this kind of life or to leave Dunk Melvin.

George James



I, D. W. Richmond, as Register

hereby certify that the foregoing deposition.... on oral examination was taken down by me in writing in the words of the witness.... and read over to him and her signed the same in the presence of W. C. Stone, at the time and place herein mentioned; that I have personal knowledge of the personal identity of the 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, and placed the same on file in my office.

Given under my hand and seal this the 17 day of July, 1919

D. W. Richmond (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....
- ..... days' attendance at \$1.50 per day..... \$.....

REGISTER'S FEES.

- ..... days at \$1.50 per day..... \$.....
- ..... words at 20 cents per hundred..... \$.....



**The State of Alabama,**

*Baldwin* COUNTY.

**IN CIRCUIT COURT, IN EQUITY.**

*Dunk Mulven*

vs. Complainant,

*Mary Everett Mulven*

Defendant.

**Deposition Taken Before Register on Oral Examination.**

Deposition of *George Davis*

for .....

Filed *12* day of *July*, 19*19*

Published by order of the Court, .....

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

Register.



THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Dunk Melvin Complainant

vs.

Mary Everett Melvin Defendant

Oral examination before the Register of the following witnesses:

Dunk Melvin, complainant

who reside in Alabama, said examination being conducted in Bay Minette, Alabama, on this the 3rd day of May, and there being present myself

The said witness being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Dunk Melvin. I am over twenty one years of age. I am a resident of Baldwin County, State of Alabama. I have lived in this county for the past six years continuously.

Mary Everett Melvin is my wife. She is over twenty one years of age. Mary Everett Melvin is a non-resident of the state of Alabama, and resides in the county of Decatur, State of Georgia.

Mary Everett Melvin and myself were married in the year 1912 in the state of Georgia. We lived together as man and wife until the month of October, 1917. We were living in Baldwin County, State of Alabama at the time she left me. She left with another man by the name of Richard James. My wife was not true to me. For some time prior to the time she left me with this man Richard James she led an immoral life. She committed adultery with this man Richard James. This living in adultery occurred in Baldwin County, Alabama and lasted for about six months.



This living in adultery by her was notorious.

I came home one night and found my wife and Richard James in the bed room at my house. Shortly after this he came to my house with a shot gun and told my wife to get her things and come with him. He told me, while he had the gun in his hand, not to raise my damn head. He then took my wife and they left. She has never been back since that time.

I never did condone this living in adultery by my wife at any time.

Witnesses

H. L. Taylor

P. A. Taylor

Richard <sup>his</sup> Melover  
mark



The State of Alabama,

*Baldwin* COUNTY.

IN CIRCUIT COURT, IN EQUITY.

*Alunk Melvin*

vs. Complainant,

*Mary Edutt Melvin*

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of *Alunk Melvin*

for *Compet.*

Filed *3rd* day of *May*, 19*19*

Published by order of the Court,

day of \_\_\_\_\_, 19\_\_\_\_

*T. M. [Signature]*  
Register.

*[Faint, illegible text, likely bleed-through from the reverse side of the page]*