

1668

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS;

WE COMMAND YOU, that you summon GEORGE STEWART to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by ALMEDIA STEWART, by D. J. Dunn, her father and next friend, against the said George Stewart, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK Register of said Circuit Court, this
the 22 day of July, 1944.

R. S. Duck
REGISTER.

ALMEDIA STEWART, BY)	
D. J. DUNN, HER FATHER)	IN THE CIRCUIT COURT OF
AND NEXT FRIEND,)	
COMPLAINANT)	BALDWIN COUNTY, ALABAMA
)	
VS)	IN EQUITY.
)	
GEORGE STEWART)	
RESPONDENT)	

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT, OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Now comes your Complainant, Almedia Stewart, by D. J. Dunn, her father and next friend, and humbly complaining against the Respondent, George Stewart, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is a bona fide resident of Baldwin County, Alabama, and fourteen years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, and over twenty one years of age;

2.

That they were married at Bay Minette, in Baldwin County, Alabama, on the 21st day of May, 1943, and lived together as husband and wife in Baldwin County, Alabama, until, to-wit, the 27th day of January, 1944.

3.

That, on to-wit, the 27th day of January 1944, the Respondent

committed the act of adultery with one Rachel Foster; that the said act of adultery on the part of the Respondent was without the consent and approval of the Complainant, and that the Complainant has not condoned the said acts of adultery.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said George Stewart 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.

Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEER & HALL

By Tom Hall
Solicitors for Complainant.

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

ALMEDIA STEWART, BY D. J. DUNN, HER FATHER
AND NEXT FRIEND Complainant

VS

GEORGE STEWART Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on answer and waiver of Respondent 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 Almedia Stewart is forever divorced from the said

George Stewart

for and on account of adultery

It is further ordered, adjudged, and decreed by the Court that the Complainant, Almedia Stewart, be given the right to resume her maiden name, Almedia Dunn.

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 Almedia Stewart and George Stewart be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that George Stewart the Respondent pay the cost herein to be taxed, for which execution may issue.

This 25th day of February, 1944
J. M. Hare
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. 1068

RECORDED
Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

ALMEDIA STEWART, BY D. J. DUNN, HER
FATHER AND NEXT FRIEND Complainant,
VS.
GEORGE STEWART
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:

D. J. Dunn

Almedia Stewart

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

BEERE & HALL

BY *Sam Hall*
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Bernice S. Reid

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beere & Hall
by *Sam Hall*
Solicitor for Complainant.

D. J. Dunn, being first duly sworn, deposes and says:

My names id D, J. Dunn. I live at Bay Minette in Baldwin County, Alabama. I am the Father of Almedia Stewart. She is a minor. fourteen years old, and lives with me.

The Respondent George Stewart is a resident of Baldwin County, Alabama, twenty-one eyars of age.

The Complainant and the Respondent are husband and wife, having intermarried at Bay Minette in Baldwin County, Alabama, on the 21st day of May, 1943. The Respondent on the 27th day of January 1944 committed the act of adultery with Rachel Foster. The said act was without the conswnt rapproval of my Daughter, and she has not condoned said act.

The Respondent was arrested for said act and when brought into court pleaded guilty.

D J Dunn

Almedia Stewart being first duly sworn, deposes and says:

I am the Complainant in the aboce styled cause. D. J. Dunn is my Father.

The Respondent and I married at Bay Minette, Alabama, on the 21st day of May, 1943. We lived together until in January of this year.

The Respondent on the 27th day of January, 1944 committed the act of adultery with one Rachel Foster. The said act of adultery was without my consent, and I have not condoned said act.

The Respondent when arrested, pleaded guilty in open court to the said offense of adultery. I have neither lived with nor had anything to do with him since that time. I can never live with him again.

Almedia Stewart

Almedia Stewart, a minor by
D. J. Dunn, her _____ and
next Friend,
Complainant,
vs
George Stewart,
Respondent.

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

NOW comes the Respondent, in his own proper person, and
accepts service of summons and complaint in this cause.

The Respondent denies each and every allegation contained
in the Complainant's bill of complaint, and demands strict proof of
the same.

The Respondent waives notice of the time of taking testimony
of the Complainant; the right to cross-examine the Complainant's witnesses;
and agrees that this cause be submitted forthwith without notice.

George Stewart

Witnesses:

John R. ...

...

1068

Street V. Stewart

Mrs. W. W. Wanner

Delivered July 23 1944
R. S. Welch
Ripon

Father &

la:

THE STATE OF ALABAMA }
Baldwin County }

Circuit Court of Baldwin County, Alabama.
(In Equity)

ALMEDIA STEWART, BY D. J. DUNN, HER COMPLAINANT
FATHER AND NEXT FRIEND

vs.

GEORGE STEWART RESPONDENT

I, Bernice S. Reid

as Register and Commissioner

have called and caused to come before me D. J. Dunn and Almedia Stewart

witnesses named in the requirement for Oral Examination, on the 23 day of February

1944, at the office of Beebe & Hall

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said D. J. Dunn

doth depose and say as follows:

27-1-44

I, Bernice S. Reid as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and of E. M. Hall at the time and place herein mentioned; that I have personal knowledge of 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 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 23 day of February 1944

Bernice S. Reid (L. S.)

No. 1067 Page _____
THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ALMEDIA STEWART, BY D. J. DUNN, HER
FATHER AND NEXT FRIEND

COMPLAINANT

GEORGE STEWART
 VS.

RESPONDENT

ORAL DEPOSITION

Filed Jul 24, 1944

RECORDED IN _____, Register.

Record

Vol. _____ Page _____
Bernice S. Reid, Register

1668

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETINGS:

WE COMMAND YOU, that you summon GEORGE STEWART to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by ALMEDIA STEWART, by D. J. Dunn, her father and next friend, against the said George Stewart, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK Register of said Circuit Court, this
the 22 day of July, 1944.


REGISTER.

ALMEDIA STEWART, BY
D. J. DUNN, HER FATHER
AND NEXT FRIEND,
COMPLAINANT

VS

GEORGE STEWART
RESPONDENT

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

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT, OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Now comes your Complainant, Almedia Stewart, by D. J. Dunn, her father and next friend, and humbly complaining against the Respondent, George Stewart, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant is a bona fide resident of Baldwin County, Alabama, and fourteen years of age; that the Respondent is a bona fide resident of Baldwin County, Alabama, and over twenty one years of age;

2.

That they were married at Bay Minette, in Baldwin County, Alabama, on the 21st day of May, 1943, and lived together as husband and wife in Baldwin County, Alabama, until, to-wit, the 27th day of January, 1944.

3.

That, on to-wit, the 27th day of January 1944, the Respondent

committed the act of adultery with one Rachel Foster; that the said act of adultery on the part of the Respondent was without the consent and approval of the Complainant, and that the Complainant has not condoned the said acts of adultery.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said George Stewart 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.

Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent, and that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

By John Hall
Solicitors for Complainant.

The State Of Alabama, Baldwin County CIRCUIT COURT, IN EQUITY

ALMEDIA STEWART, BY D. J. DUNN, HER FATHER Complainant
AND NEXT FRIEND

VS

GEORGE STEWART Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decrees Pro Confesso on ~~Answer and waiver of Respondent~~ 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 Almedia Stewart is forever divorced from the said

George Stewart
for and on account of adultery

It is further ordered, adjudged, and decreed by the Court that the Complainant, Almedia Stewart, be given the right to resume her maiden name, Almedia Dunn.

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 Almedia Stewart and George Stewart be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that George Stewart the Respondent pay the cost herein to be taxed, for which execution may issue.

This 25th day of February, 1944
W. M. Ware
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.

ALMEDIA STEWART, BY D. J. DUNN, HER
FATHER AND NEXT FRIEND Complainant,
VS.
GEORGE STEWART
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
Ray Minette....., in the County of Baldwin.....

Alabama, the place of trial of said cause, to-wit:.....

D. J. Dunn
Almedia Stewart

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

BEEBE & HALL
BY *Sam Hall*
Solicitor for Complainant.

NOTE:

Complainant suggests the name of Bernice S. Reid.....
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Beebe & Hall
by *Sam Hall*
Solicitor for Complainant.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To Bernice S. Reid

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 D. J. Dunn and Almedia Stewart

as witnesses in behalf of Almedia Stewart in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Almedia Stewart, by D. J. Dunn, her father and next friend

Complainant

and George Stewart

Defendant,

on oath to be by you administered, upon February 23, 1944 to take and certify the deposition s. of the witness as. and return the same to our Court, with all convenient speed, under your hand.

Witness 2243 day of February 1944

Redwood

REGISTER

COMMISSIONER'S FEE, \$ _____

WITNESS' FEES, \$ _____

D. J. Dunn, being first duly sworn, deposes and says:

My name is D. J. Dunn. I live at Bay Minette in Baldwin County, Alabama. I am the Father of Almedia Stewart. She is a minor, fourteen years old, and lives with me.

The Respondent George Stewart is a resident of Baldwin County, Alabama, twenty-one years of age.

The Complainant and the Respondent are husband and wife, having intermarried at Bay Minette in Baldwin County, Alabama, on the 21st day of May, 1943. The Respondent on the 27th day of January, 1944 committed the act of adultery with Rachel Foster. The said act was without the consent or approval of my Daughter, and she has not condoned said act.

The Respondent was arrested for said act and when brought into court pleaded guilty.

D. J. Dunn

Almedia Stewart being first duly sworn, deposes and says:

I am the Complainant in the above styled cause. D. J. Dunn is my Father.

The Respondent and I married at Bay Minette, Alabama, on the 21st day of May, 1943. We lived together until in January of this year.

The Respondent on the 27th day of January, 1944 committed the act of adultery with one Rachel Foster. The said act of adultery was without my consent, and I have not condoned said act.

The Respondent when arrested, pleaded guilty in open court to the said offense of adultery. I have neither lived with nor had anything to do with him since that time. I can never live with him again.

Almedia Stewart

NO. 1068

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

ALMEDIA STEWART, BY D. J. DUNN
HER FATHER AND NEXT FRIEND

Complainant
vs.

GEORGE STEWART

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

DEMAND FOR ORAL EXAMINATION.

ERT-6-40-500

ALMIDA STEWART, BY D. J. DUNN.
HER FATHER AND NEXT FRIEND
Complainant,

vs.

GEORGE STEWART

Respondent.

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

Filed this 24 day of Feb

1944

Robb

Register.

1068

1068

ALMEDIA STEWART, BY D. J.
DUNN, HER FATHER AND NEXT
FRIEND

COMPLAINANT

VS

GEORGE STEWART
RESPONDENT

SUMMONS AND COMPLAINT.

Filed Feb 22 1944
R. J. [unclear]
[unclear]

1068

Stuart V. Stewart

Museum der Warner

Delivered July 23 1944
R. S. Welch
Reynolds

Father 6

1st

ALMEDIA STEWART, BY D J. DUNN, HER
FATHER AND NEXT FRIEND,

COMPLAINANT

VS.

GEORGE STEWART

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 and waiver of respondent, and testimony of Complainant's witnesses,

and in behalf of Defendant upon _____

R. H. Huch

Register.

RECORDED

No. 10-68

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

ALMEDIA STEWART, BY D. J. DUNN,
HER FATHER AND NEXT FRIEND,
COMPLAINANT

VS.

GEORGE STEWART

NOTE OF TESTIMONY

Filed in Open Court this 24

day of Feb 1947

R. L. [Signature]
Register.

ALMEDIA STEWART, BY D J. DUNN, HER
FATHER AND NEXT FRIEND,

COMPLAINANT

VS.

GEORGE STEWART

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 and waiver of respondent, and testimony of Complainant's witnesses,

and in behalf of Defendant upon _____

Bluck

Register.

RECORDED

No. 10-68

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

ALMEDIA STEWART, BY D. J. DUNN,
HER FATHER AND NEXT FRIEND,
COMPLAINANT

VS.

GEORGE STEWART

NOTE OF TESTIMONY

Filed in Open Court this 24

day of Feb 1947

R. L. [Signature]
Register.