

The State of Alabama, Baldwin County

Circuit Court, In Equity

Essie Lee Stewart, Complainant

vs.

A. L. Stewart, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered Mail 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 Essie Lee Stewart is forever divorced from the said A. L. Stewart for and on account of Voluntary Abandonment

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 Essie Lee Stewart the Complainant pay the cost herein to be taxed, for which execution may issue.

This 22<sup>nd</sup> day of August, 1951

Telfair J. Madhury 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

Essie Lee Stewart

Complainant

vs.

A. L. Stewart

Respondent

**DIVORCE DECREE**

FILED  
AUG 22 1951  
ALICE L. RICK, Register

**THE STATE OF ALABAMA**  
Baldwin County.Circuit Court of Baldwin County, Alabama  
(In Equity)Essie Lee Stewart

Complainant

VS.

A. L. Stewart

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Essie Lee Stewart and Leonar White

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 22 day of August,  
1945, at the office of Hubert M. Hall  
in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the  
truth, the whole truth, and nothing but the truth, the said Essie Lee Stewart and  
Leonar White doth depose and say as follows:

My name is Essie Lee Stewart. I am over twenty-one years of age, a bona fide resident of Baldwin County, Alabama, and have been for more than three years next preceeding the filing of the bill of complaint in this cause. The Respondent, A. L. Stewart is over twenty-one years of age, a non resident of the State of Alabama, his address being Barnwell, Georgia. The Respondent and I married at Lucedale, Mississippi, on to-wit June 12, 1950. We lived together as husband and wife in Baldwin County, Alabama, until, to-wit: June 27, 1950. The Respondent on to-wit, June 27, 1950 voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time. The Respondent has contributed nothing toward my support since leaving me.

Essie Lee Stewart

Mrs. Leona White, a witness for the Complainant being first duly sworn deposes and says:

My name is Leona White. I am personally acquainted with the Complainant in this case. The Complainant has lived with or near me for the past 20 years. She has lived with me continuously since the respondent abandoned her. I know that the Complainant and the Respondent have not lived together for more than a year and during that time the Respondent has contributed nothing toward the support of the Complainant.

Leona White

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Essie Lee Stewart

vs. Complainant

A. L. Stewart

Respondent.

Oral Deposition

Filed 8-22, 1947

Alvin J. French, Register.

Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

, Register.

ORAL EXAMINATION.

I, Evelyn Watts, 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 and Hubert M. Hall 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 22 day of August, 1945

Evelyn Watts (L. S.)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Essie Lee Stewart and Leonar White

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

and A. L. Stewart, Complainant

Respondent

on oath, to be by you administered, upon Essie Lee Stewart and Leonar White to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 22nd day of Aug, 1947

Alfred. Smith  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

Essie Lee Stewart

vs.

A. L. Stewart

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, \_\_\_\_\_

Decree pro confesso on Registered mail, testimony of Essie Lee Stewart  
and Leonar White

and in behalf of Defendant upon \_\_\_\_\_

*Wm. Hall*  
Solicitor for Complainant

*Alleg. Benson*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

Essie Lee Stewart

vs.

A. L. Stewart

**NOTE OF TESTIMONY**

Filed in Open Court this 22<sup>nd</sup>

day of Aug, 1947

Wm. J. Welch  
Register.

Printed By The Baldwin Times



STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons A. L. STEWART, to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ESSIE LEE STEWART, as Complainant, and against A. L. Stewart, as Respondent.

WITNESS my hand this the 11<sup>th</sup> day of July, 1951

Essie L. Stewart  
Register

ESSIE LEE STEWART

COMPLAINANT

VS

A. L. STEWART

RESPONDENT

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

TO HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Your Complainant, Essie Lee Stewart, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant is over twenty-one years of age, bona fide residents of Baldwin County, Alabama, and has been for more than three years next preceding the filing of this bill of complaint; that the Respondent is over twenty-one years of age, a non-resident of the State of Alabama, his address being C/o B. N. Jones, Barnesville, Georgia.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on June 12, 1950, and lived together as husband and wife, in Baldwin County, Alabama, until June 27, 1950.

3.

That on June 27, 1950, the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained voluntarily and continuously since that time.

That your Complainant and the Respondent have no children and no community property.

WHEREFORE, The premises considered, the Complainant prays that your Honor will by proper process make the said A. L. 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.

Your Complainant prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant

8600 - Motion for Decree Pro Confesso After Service by Registered Mail.

The State of Alabama,  
Baldwin County.

No. .... CIRCUIT COURT, IN EQUITY.

Essie Lee Stewart

Complainant

Vs.

A. L. Stewart

Defendant

Motion is hereby made for a Decree Pro Confesso against A. L. Stewart

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant, and that said summons was duly served by Registered Mail, according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 17 day of August, 1951.

*Thomhill*, Solicitor.

RECORDED

No. ....

Page .....

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, IN EQUITY

Essie Lee Stewart

Vs.

A. L. Stewart

MOTION FOR DECREE PRO CONFESSO  
AFTER NOTICE BY REGISTERED MAIL

Filed 8-22, 1927

*Archie French*  
Register.

Recorded in ..... Record,

Vol. .... Page .....

Register.

Essie Lee Stewart

Vs.

A. L. Stewart

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 16<sup>th</sup> day of July, 1951, a copy of the Bill of Complaint filed in this cause was sent to A. L. Stewart

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 16<sup>th</sup> day of July, 1951, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said A. L. Stewart

This the 20 day of August

Defendant

1951W. J. L. L. L. Register.

RECORDED

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

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

In Equity.

Essie Lee Stewart

Vs.

W. L. Stewart

DECREE PRO CONFESSO AFTER  
NOTICE BY REGISTERED MAIL

Filed in office this 22<sup>nd</sup> day of

Aug, 1941

Arthur J. Leach, Register

Entered in O. B. \_\_\_\_\_ Page \_\_\_\_\_

The Baldwin Times, Bay Minette, Ala.

2682

## RETURN RECEIPT

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

1 W. A. Stewart  
(Signature or name of addressee)

2 \_\_\_\_\_  
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery JUL 14 1951, 194

Post Office Department  
OFFICIAL BUSINESS

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



Return to

Street and Number,  
or Post Office Box,

(NAME OF SENDER)

REGISTERED ARTICLE

No.

INSURED PARCEL

Post Office

Bay Minette, Ala.

No.

16-12421

State