

3258

DIVORCE DECREE

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

Anthony L. Cominotto, Complainant

vs.

Benedetta Mary Cominotto, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on motion of Complainant 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

Anthony L. Cominotto is forever divorced from the said Benedetta Mary Cominotto 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 Anthony L. Cominotto the Complainant pay the cost herein to be taxed, for which execution may issue.

This 8th day of September, 1954

Hubert M. Hale

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

Anthony L. Cominotto

Complainant

vs.

Benedetta Mary Cominotto

Respondent

DIVORCE DECREE

FILED
SEP 8 1954
ALICE J. DUCK, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Anthony L. Cominotto

Complainant

VS.

Benedetta Mary Cominotto

Respondent

I, Grady P. Gilbert, Jr.

as ~~Registered~~ Commissioner

have called and caused to come before me Anthony L. Cominotto and Betty Wallace

witness es named in the Requirement for Oral Examination, on the 4th day of September

19 54, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said Witness es to speak the

truth, the whole truth, and nothing but the truth, the said Anthony L. Cominotto and

Betty Wallace doth depose and say as follows:

My name is Anthony L. Cominotto, I am over the age of twenty-one years old and have lived here in Baldwin County, Alabama, for more than the past five or six years. Benedetta Mary Cominotto is over the age of twenty-one years and lives at 35-51 95th Street, Jackson Heights, New York. Benedetta and I were married at New York City, New York on June 15, 1929. Benedetta voluntarily left and abandoned me on about December 10, 1942, and since that we have not lived together, nor have we in any way recognized each other as husband and wife, in fact I have seen her only a few times since then and then for only a few minutes at a time; I did nothing to make her leave when she left, she left of her own free will and accord.

Anthony L. Cominotto
Anthony L. Cominotto

My name is Betty Wallace, I am over twenty-one years old and have lived herein Baldwin County, Alabama, for several years; I have known Anthony L. Cominotto for many years, he is over twenty-one years old and has lived here in Baldwin County, Alabama, for more than the past five or six years, Benedetta Mary Cominotto is over twenty-one years old and lives at 35-51 95th Street, Jackson Heights, New York. They were married at New York City, New York, the first part of June, 1929. Benedetta left Anthony voluntarily along about the first part of December, 1942 and since that time they have not lived together nor in any way recognized each other as husband and wife.

Betty Wallace
Betty Wallace

ORAL EXAMINATION

I, Grady P. Gilbert, Jr., as ~~Notary~~ 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

Grady P. Gilbert, Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es...or had proof 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 4th day of September, 1954.

Grady P. Gilbert, Jr.
Notary Public, Baldwin County, Ala.

No. _____	Page _____
The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
Anthony L. Cominotto	Complainant
vs.	
Benedetta Mary Cominotto	Respondent
Oral Deposition	
Filed _____	19____
FILED	
SEP 8 1954	Recorded in
Alfred J. Webb, Register	Record
Vol. _____	Page _____
Register	

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

Circuit Court

TO: Grady P. Gilbert, Jr.

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 Anthony L. Cominotto and Betty Wallace

as witnesses in behalf of Anthony L. Cominotto in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Anthony L. Cominotto is

Complainant
and Benedetta Mary Cominotto is

Respondent

on oath, to be by you administered, upon them

to take and certify the deposition ~~s~~ of the witness ~~es~~ and return the same to our Court, with all convenient speed, under your hand.

Witness 4th day of Sept, 1964

David F. Black
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

The State of Alabama,
Baldwin County. }

No. CIRCUIT COURT, IN EQUITY.

Anthony L. Cominotto Complainant.....

Vs.

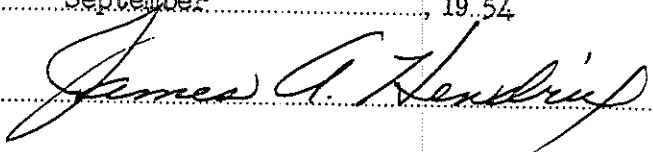
Benedetta Mary Cominotto Defendant.....

Motion is hereby made for a Decree Pro Confesso against

Benedetta Mary Cominotto 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..... ha.S... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 2nd day of September, 19.54

 Solicitor.

No.

Page

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

Anthony L. Cominotto

Vs.

Benedetta Mary Cominotto

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed, 19.....

FILED

SEP 3 1954

Register.

ALICE J. DUCK, Clerk

Recorded in Record,

Vol. Page

Register.

The Baldwin Times, Bay Minette, Ala.

Anthony L. Cominotto

Vs.

Benedetta Mary CominottoCIRCUIT COURT OF
Baldwin County.

IN EQUITY

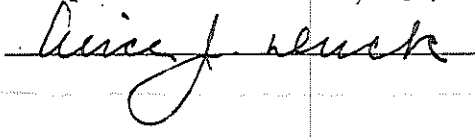
In this cause it being made to appear to the Register that on the 20th day of May
day of _____, 1954, a copy of the Bill of Complaint filed in this cause was
sent to Benedetta Mary Cominotto

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
31st day of July, 1954, 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 Benedetta Mary Cominotto

Defendant

This the 2nd day of September, 1954

 Register.

Anthony L. Cominotto

vs.

Benedetta Mary Cominotto

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, _____
Motion for decree Pro Confesso after service by registered mail and the
Testimony of Anthony L. Cominotto and Betty Wallace in the oral deposition.

and in behalf of Defendant upon _____

James A. Hendrix

Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Anthony L. Cominotto

vs.

Benedetta Mary Cominotto

NOTE OF TESTIMONY

Filed in Open Court this **FILED**

day of **SEP 8 1954**, 194.....

ALICE L. BUCK, Register
Register.

Printed By The Baldwin Times

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Benedetta Mary Cominotto

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State By

Anthony L. Cominottoagainst Benedetta Mary Cominotto

Herein fail not. Due return make of this writ as the law directs.

Witness this 20th day of May, 1954, Asa J. Duck, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

STATE OF ALABAMA, BALDWIN COUNTY

ANTHONY L. COMINOTTO	II	
Complainant,	II	IN THE CIRCUIT COURT OF
vs.	II	BALDWIN COUNTY, ALABAMA
BENEDETTA MARY COMINOTTO	II	IN EQUITY.
Respondent.	II	

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Your complainant, Anthony L. Cominotto, respectfully represents and shows unto your Honor:

1. That complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona fide resident of said State for more than two years next preceding the filing of this bill of complaint; that Respondent, Benedetta Mary Cominotto, is over the age of twenty-one years and resides at 35-51 95th Street, Jackson Heights, New York.

2. That your complainant and respondent were lawfully married on or about, to-wit June 15, 1929, at New York, New York.

3. Complainant further avers that said respondent voluntarily abandoned the bed and board of complainant for more than one year next preceding the filing of this bill of complaint, to-wit, on December 10, 1942, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Benedetta Mary Cominotto a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Benedetta Mary Cominotto, commanding her to answer, plead or demur to this bill of complaint, within the time required by law; and on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said respondent, granting the complainant the right to remarry, and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray, etc.

FILED

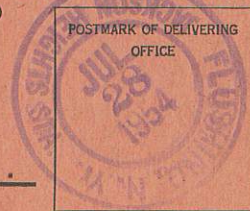
5-20-54

ALICE A. DUCK, Register

James C. Hendrix
Solicitor for Complainant

Post Office Department
OFFICIAL BUSINESS

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



Return to Miss J. Duck
(NAME OF SENDER)

Street and Number,
or Post Office Box,

Registon

REGISTERED ARTICLE

No. 913

Post Office Bay Minette

INSURED PARCEL

No. _____

16-12421

State Ala

Form 3811
Rev. 1-52

Duplicate 3258
RETURN RECEIPT

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

1

Benedetta Cam...
(Signature or name of addressee)

Deliver to Addressee Only

2

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

Date of delivery *May 24*, 19 *57*

FILED
JUL 31
1954
AUG 1, 1954
Register

PRINTING LITHOGRAPHING OFFICE SUPPLIES



Marshall & Bruce Co.

401 12TH AVENUE, SOUTH
NASHVILLE, TENN.

PHONE: 6-3661

Hold this —

Answer & answer
will be in shortly.

5-22-54