The State of Alabama, Baldwin County

Circuit Court, In Equity

| MAGALENE LO | RETTE STOKES | | , Complainant | |
|---|--|---|--|---------------------|
| | vs. | | - | |
| HERMAN P. S | TOKES | | , Respondent | 3 . |
| This cause coming on to be | heard was submitted up | on Bill of Compl | aint, Decrée RioxConxesso | X MK |
| ANSWER OF DEFENDANT | and Testimo | ny as noted by t | he Register, and upon | con- |
| sideration thereof, the Court is of the | opinion that the Con | nplainant is entit | led to the relief prayed fo | or in |
| said bill. | | message messag | | |
| It is therefore ordered, adjuc | lged and decreed by the | Court that the l | oonds of matrimony hereto | ofore |
| existing between the Complainant an | d Defendant be, and th | e same are her | eby, dissolved, and that | the |
| said MAGALENE LORETTE ST | OKES | | is forever divorced from | the |
| said HERMAN P. STOKES | | | for and on accoun | nt of |
| DRUNKENNESS | | | | |
| IT IS FURTHER ORDE | RED ADJUDGED | AND DECREE |) that the compl | loin |
| | | | | |
| have the care, customer Regina Lorette Stoke cause; | es, minor child | of James bren of the | ierman Stokes and parties to this | <u> </u> |
| It is further ordered, adjudge to each other until sixty days after the | the said minors d and decreed that neither the rendition of this decreed that the control of th | , for which | suit shall again marry exappeal is taken within s | LS Su —— cept |
| days, neither party shall again marry | except to each other di | uring the penden | cy of said appeal. | |
| It is further ordered that the | - | - | they are hereby permitte | ed to |
| again contract marriage upon the pay | ment of the cost of this | s suit. | | |
| It is further ordered that | Herman P. Stoke | e-s | | |
| the defendant pa | ay the cost herein to be | taxed, for which | execution may issue. | |
| This 22 nd day of 1 | usust | | 951 | |
| | Jely Jely | oir A. n | Male Revery A | <u>}_</u> |
| Ι | | | Register of the Ci | |
| | Court of Baldwin Co | ounty, Alabama, copy of the ori ourt in the abov | do hereby certify that ginal decree rendered by e stated cause, which said | the the |
| | | | he | _day |
| | of | | , 19 | |
| | | Register | of Circuit Court, In Equi | ty. |
| <u>&</u> | | J. | | સ્ય |

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ALICE J. DUCK, Register

| eral ene Torette Stokoc | The state of the s | |
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| Complainant | THE STATE OF ALABAI | MA |
| | Baldwin County | |
| rman P. Stoke g | | , |
| Defendant | IN EQUITY | |
| | Circuit Court of Baldwin Co | un |
| congri coming Mari Marin Marin Coming | | |
| This cause is submitted in behalf of Complain service, and oral examination | | |
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| service, and oral examination | of witnesses. | |
| | of witnesses. | |
| service, and oral examination | of witnesses. | |
| service, and oral examination | of witnesses. | |
| service, and oral examination | of witnesses. | |

| THE STATE OF ALABAMA Baldwin County IN EQUITY Circuit Court of Baldwin County Magalene Lorette Stokes Complainant vs. Herman P. Stokes Defendant NOTE OF TESTIMONY | 706 |
|---|--|
| Magalene Lorette Stokes Complainant vs. Herman P. Stokes Defendant | |
| Complainant vs. Herman P. Stokes Defendant | |
| Complainant vs. Herman P. Stokes Defendant | |
| Herman P. Stokes Defendant | lene Lorette Stokes |
| Defendant | |
| NOTE OF TESTIMONY | |
| | NOTE OF TESTIMONY |
| Filed in Open Court this 5/ | |
| Register. Printed By The Baldwin Times | AND THE RESIDENCE OF THE PROPERTY OF THE PROPE |

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| Ct (XI.I. |) | | | * ** | |
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| State of Alabama, Baldwin County. | NO | - | | | TERM, 194 |
| base will obuilty. | , | | | | |
| MAGALENE LORETTE | STOKES | _ | | V . | |
| | Complainant | | | | |
| VS. | | | | | |
| v 5. | | 1 | | | |
| - HERMAN P. STOKES | | | e de la companya de l | | |
| | Respondent | 1 | | | |

TO R. S. DUCK, REGISTER:

In the above stated cause a n answer and waiver

having been __filed by Herman P. Stokes, _______ the Respondent___,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant____, by __W. C. Beebe _______,
Solicitor___ 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.

C. Delle

Solicitor for Complaintant

| NO | |
|-----|------|
| 410 | |

Magalene Lorette Stokes

Complainant......

VS.

Herman P. Stokes
Respondent...

Request For Decree In Vacation

Filed august 2, 194/

STATE OF ALABAMA

BALDWIN COUNTY

Magelene Lorette Stokes has sued the undersigned for divorce in the Circuit Court of Baldwin County in equity, in which said suit she prays for custody of the children and support for them. I hereby agree and consent that in the event divorce is granted that the court award the custody of our children, namely, James Herman Stokes, age 3, and Regina Lorette Stokes, age 10 months, and a decree in her favor against me for support of said children in the sum of \$50.00 per month. Witness my hand this the 4 day of August, 1951.

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RECORDED

Fred 8.20.51 Auch hench

| MAGALENE | LORETTE | STOKES |
|----------|----------|--------------|
| | | Complainant |
| | Vs. | (|
| HERMAN P | . STOKES | |
| | | Respondent / |

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

No.____

DEMAND FOR ORAL EXAMINATION

| 1. That the f | following named witnesses | s reside within one l | undred miles from | Bay Minet |
|------------------------|--|--|----------------------|-------------------|
| | , in the County o | of _Baldwin | | ~~~ |
| Alabama, the place o | of trial of said cause, to-w | it:Ba_Ja_Jor | nes_and_Magal: | ene Lorett |
| tokes | | | | |
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| | A [#] ; | The second secon | | 777 - 1017/- 1017 |
| : | | | | |
| 2. That said C | Complainant requires an o | ral examination of sa | d witnesses before a | Commissioner |
| appointed by the Reg | | | | |
| | | Ill al | 2/9/ | 0 4 |
| | And the second s | | | or Complainant |
| | | | | |
| NOTE: | | Madaliz | o S Promo | |
| | uggests the name of petent person to act as co | | | |
| as a suitable and con- | petent person to act as et | ommissioner upon the | examination of said | withesses. |
| | | W C | Delle | |
| | | | Solicitor for | Complainant. |
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no2706

DEMAND FOR ORAL EXAMINATION

Magalene Lorette Stokes
Complainant

VS

Herman P. Stokes

Respondent

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

AN EQUITY

Filed this Z O day of August

185-2-

Mich hench Register

Moore Printing Co.

THE STATE OF ALABAMA. Baldwin County.

Witness' Fees, \$_

CIRCUIT COURT

| TO: Mad | eline S. | Bryars_ | W. Th | | 1 (4.4) (4.4) | | |
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| as witness | ses in behal | f of Magal | ene Lòret | te Stoke | es | in a cau | se pending in ou |
| Circuit Co | ourt in Baldv | vin County, | of said State, | wherein | | | |
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| | | | Magalen | e Toreti | te Stoke | ae ie | _, Complainant_ |
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| and | | | | | | | |
| | | *************************************** | | | | | |
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| | | | Her | man P. S | Stokes : | LS | Respondent_ |
| on oath, to | o be by you | administered | i, upon <u>ora</u> | l exami | nation_ | | |
| to take an | nd certify the | e deposition | _ of the witn | nesses and | return the | same to or | ur Court, with al |
| convenien | t speed, und | er your hand | i. | | | | |
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| No. 2106 | | |
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| THE STATE OF ALA Baldwin Count | | |
| CIRCUIT CO | URT | |
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| Magalene Lorette St | okes omplainant | |
| vs. | | |
| | | |
| : | | |
| Herman P. Stokes | | |
| | Defendant | |
| COMMISSION TO TAKE DE | EPOSITION | |
| COMMISSIONER | | |
| Madeline S. Bryar | 9 | |
| WITNESSES: | | |

THE STATE OF ALABAMA Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

| | MAGALENE LORETTE | STOKES | Compla | inant |
|-----------------|---|----------------|---------------------|--|
| | | vs. | | A constraint of the constraint |
| and British | HERMAN P. STOKES | | Respon | dent |
| • | MADELINE S. BRYARS | | | |
| | aused to come before meB. | | | LORETTE STOKES |
| witness ES_name | ed in the Requirement for Or | al Examination | n, on the day o | f |
| 194, at the o | ffice of W. C. BEEBE | | | |
| in BAY MINET | PE, Alabama, a | nd having fir | st sworn said Witne | ssES to speak the |
| | ruth, and nothing but the tru TOKES doth depose | | | ND MAGALENE |
| age and a re | My name is Magaler esident of Baldwin | | | |

My name is Magalene Lorette Stokes. I am 19 years of age and a resident of Baldwin County, residing at Stockton. I am the complainant in that cause pending in the Circuit Court of Baldwin County in equity for divorce against Herman P. Stokes. He is 29 years of age and a resident of Baldwin County. We were married at Lucedale, Mississippi, March 5, 1948 and lived together as husband and wife in Baldwin County until November 7, 1950 when we were separated and have not lived together since. At the time we were married he was a sober and industrious man but since our marriage he has become an habitual drunkard. We separated because of his drinking. He is a merchant seaman and when he came home he would always be drunk and while in such drunken condition frequently cursed and abused me and mistreated me and the children and because of such drunkenness we separated November 7, 1950. There were born to us two children, James Herman, aged three and Regina Lorette, aged 10 months. The children are in my custody and have been since we separated. He has no way of taking care of them and is not a suitable person because of his drinking to have care and custody of the children of such tender age. He earns approximately \$200.00 every two weeks and is amply able to make proper provision for the support of the children. I have no property and am unemployed and could not take regular employment because of the age of the children. Since our separateon he has not made any contibution to me or the children's support. My father has supported me and the children.

My name is B. L. Jones. I am the father of Magalene Lorette Stokes, who is suing Herman P. Stokes for divorce in the Circuit Court of Baldwin County. There were married March 5, 1948 and have lived together as husband and wife until they separated November 7, 1950. They have not lived together since. He has been a merchant seaman continuously since their marriage and whenever he would come to see her at my home in Stockton where she resided during his absence. When they were married he was sober and industrious but for more than a year prior to their separation he would be drunk every time he same and would stay drunk the whole time in port. They separated because of his drinking and when he was drunk he was a man of violent temper and cursed and abused both Magalene and the children. Because of his excessive drinking he is not a suitable person to have the care and custody of the children, nor has he any one with whom he could leave them.

BI Jones

. Historic Constant Rabberta Constitution Alabama

| I, MADELINE S. BRYARS | , as Register and Commissioner hereby certify that |
|---|---|
| the foregoing deposition_Son Oral Examination | n 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 W. C. Beebe | |
| at the time and place herein mentioned; that | I have personal knowledge of personal identity of |
| said witnesses or had proom made before me | of the identity of said witnesses_; 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 2/ | day of Guerot, 186/ |
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| Depo | PAGE E STATE OF ALABA BALDWIN COUNTY COURT, IN EN CO P. Stokes Re |
| eposition 194 Corded in Page Reg Reg | PAGE F ALA COUN RT, IN |
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| On 194) / Register. Record | BAMA TY EQUITY. Okes Complainant |
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THE STATE OF ALABAMA

Circuit Court of Baldwin County, Alabama

| Baldwin County. | J | (In Equity) | |
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| MAGALENE LORETT | E STOKES. | Complainant | : |
| natinga sua suus | vs. | | and the second of the |
| HERMAN P. STOKE | <u>S</u> | Respondent | in the second second second |
| I, MADELINE S. BRY | ARS | | |
| as Register and Commissioner | | | |
| have called and caused to come before me_ | | | RETTE STOKES |
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| witness ES named in the Requirement for | | | |
| 194 at the office of W. C. BEEB | | | |
| in BAY MINETTE, Alabam | | | - |
| truth, the whole truth, and nothing but the | truth, the said | B. J. JONES AND | MAGALENE |
| LORETTE STOKES doth dep | ose and say as fo | llows: | |
| age and a resident of Baldwi the complainant in that caus Baldwin County in equity for is 29 years of age and a res married at Lucedale, Mississ as husband and wife in Baldw we were separated and have n we were married he was a sob marriage he has become an ha of his drinking. He is a me would always be drunk and wh cursed and abused me and mis of such drunkenness we separ to us two children, James He aged 10 months. The childre we separated. He has no way suitable person because of h the children of such tender | e pending in divorce aga ident of Bal ippi, March in County un ot lived toger and indus bitual drunk rchant seama ile in such treated medated Novemberman, aged to are in my of taking cis drinking | the Circuit Counts therman P. S. dwin County. We 5, 1948 and live til November 7, gether since. At trious man but stard. We separate and when he can drunken conditional the children for 7, 1950. There and Regina I custody and have are of them and to have care and | rt of tokes. He were d together 1950 when the time ince our ed because me home he n frequently and because e were born Lorette, been since is not a custody of |
| every two weeks and is amply support of the children. I | able to mak have no prop | e proper provision erty and amounement | on for the ployed and |
| could not take regular employ | yment becaus | e of the age of | the children |
| Since our separateon he has a children's support. My fath | not made any er has suppo | contribution to a | ne or the |

My name is B. L. Jones. I am the father of Magalene Lorette Stokes, who is suing Herman P. Stokes for divorce in the Circuit Court of Baldwin County. There were married March 5, 1948 Circuit Court of Baldwin County. There were married March 5, 1948 and have lived together as husband and wife until they separated November 7, 1950. They have not lived together since. He has been a merchant seaman continuously since their marriage and whenever he would come to see her at my home in Stockton where she resided during his absence. When they were married he was sober and industrious but for more than a year prior to their separation he would be drunk every time he same and would stay drunk the whole time in port. They separated because of his drinking and when he was drunk he was a man of violent temper and cursed and abused both Magalene and the children. Because of his excessive drinking he is not a suitable person to have the care and custody of the children, nor suitable person to have the care and custody of the children, nor has he any one with whom he could leave them.

magalene L. Stokes

| MAGALEI | VE] | LORETTE | STOKES COMPLAINANT | X | IN THE CIRCUIT COURT OF | |
|------------------|------|---------|-----------------------|--------|--------------------------|--------|
| T TTTTT NAT N NY | V .D | OMOY/TO | | Ĭ Q | BALDWIN COUNTY, ALABAMA, | , , |
| nenwan | Υ. | STOKES | DEFENDANT | Ĭ | IN EQUITY | |

And now comes the Defendant in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same.

The defendant waives notice of the time of taking testimony on behalf of complainant, the right to cross-examine complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without further notice.

Defendant

RECORDED TW2706

Magalene Lorette Stokes Complainant

٧s

Herman P. Stokes
Respondent

Answer & Waiver

I iled aug. 20, 1951 Alreid. Lenck Register STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WE COMMAND YOU that you summon HERMAN P. STOKES to be and appear before the Judge of the Circuit Court of Baldwin County, in equity, within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a bill of complaint lately exhibited by Magalene Lorette Stokes against the said Herman P. Stokes and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

WITNESS, ALICE J. DUCK, Register of said Circuit Court this day of August, 1951.

| Register. | | | | | |
|------------------|-------------|---|--------------------------|--|--|
| | | | - - | | |
| MAGALENE LORETTE | STOKES | | IN THE CIRCUIT COURT OF | | |
| | COMPLAINANT | I | | | |
| VS | | Į | BALDWIN COUNTY, ALABAMA, | | |
| HERMAN P. STOKES | | Ĭ | | | |
| | DEFENDANT | Ĭ | IN EQUITY. | | |

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

And now comes your complainant, Magalene Lorette Stokes, and humbly complaining against Herman P. Stokes, defendant, respectfully shows unto your Honor:

FIRST:

That your complainant is nineteen years of age, and the said Herman P. Stokes is over the age of twenty-one years, and are residents of Baldwin County, where they have resided continuously since their marriage.

SECOND:

That complainant and defendant were married March 5, 1948 in Lucedate, Mississippi, and lived together as husband and wife until November 7, 1950, when they separated at S_{t} ockton, in Baldwin County, Alabama.

THIRD:

That the said defendant at the time of their marriage was a sober and industrious man, but since their marriage has become an habitual drunkard, and because of such habitual drunkenness this complainant was compelled to separate from him as aforesaid on November 7, 1950, in Stockton, in Baldwin County, Alabama.

FOURTH:

That there were born to complainant and defendant two children, namely: James Herman Stokes, age three and Regina Lorette Stokes, age ten months, both of whom reside with and are in the custody of complainant. The defendant is an able bodied man, a merchant marine, and earns approximately \$100.00 a week, and that he is amply able to provide for the maintenance and support of the said minor children.

WHEREFORE your complainant prays that this Honorable Court will take the jurisdiction of the cause made by this bill of complaint and make the said Herman P. Stokes, party defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between the complainant and the said defendant; that the complainant be awarded the custody and control of the said minors, and that this Honorable Court make and enter a decree awarding to, and requiring the defendant to pay, to the complainant such reasonable and suitable sum each month for the support and maintenance of the said minor children, within the ability of the defendant, and the complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

Solicitor for Complainant