

1234

THE STATE OF ALABAMA, BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

ARDELL STEWART

Complainant

VS.

STANLEY STEWART

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conesso~~

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 ARDELL STEWART

is forever divorced from the said STANLEY STEWART

for and on account of CRUELTY

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 ARDELL STEWART the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 8<sup>th</sup> day of DECEMBER, 19 44

J. W. 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

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**The State of Alabama**  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

**DIVORCE DECREE**

Filed this \_\_\_\_\_ day of

\_\_\_\_\_, 194\_\_\_\_\_

Register

\_\_\_\_\_

\_\_\_\_\_

Ardell Stewart

\_\_\_\_\_

VS.

Stanley Stewart

\_\_\_\_\_

\_\_\_\_\_

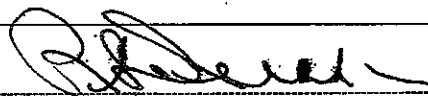
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THE STATE OF ALABAMA  
Baldwin County

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 the Respondent and testimony of Ardell Stewart and  
 \_\_\_\_\_  
 E. S. Stewart

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



Register.

No. 1234

**The State of Alabama**  
BALDWIN COUNTY

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

VS.

**NOTE OF TESTIMONY**

Filed in Open Court this 7

day of Dec 1944

*[Handwritten Signature]*

REGISTER

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETINGS:

WE COMMAND YOU, that you summon STANLEY STEWART to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by ARDELL STEWART, against the said Stanley 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 of the law, 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 7  
day of December, 1944.

  
Register

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ARDELL STEWART	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
STANLEY STEWART	)	IN EQUITY
RESPONDENT	)	

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

Now comes your Complainant, Ardell Stewart, and humbly complaining against the Respondent, Stanley Stewart, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and are over the age of twenty-one years;

2.

That they were married at Perdido, Alabama, on July 12, 1937, and lived together as husband and wife, in Baldwin County, Alabama, until November 15, 1944;

3.

That on November 15, 1944, and at various other times prior thereto, the Respondent cursed, threatened and abused the Complainant, and often threatened to do violence to her person which would necessarily endanger

her life and health;

That the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe, and she did actually believe that if she continued to live with the Respondent he would do further violence to her person which would necessarily endanger her life and health.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process, make the said Stanley 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 your Honor will, upon the final hearing hereof, enter an order and decree, granting to the Complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will give and grant to her such other, further, different or 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: 

Solicitors for the Complainant

REPLY TO THE ABOVE MENTIONED

DATE: 12/17/44

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*Filed*  
*12/17/44*  
*R S Darch*

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Ardell Stewart,

Complainant,

vs

Stanley Stewart

Respondent

IN THE CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA.

IN EQUITY

Now comes the respondent, Stanley Stewart, and accepts service of summons and complaint in this cause and waives further notice.

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 on behalf of the Complainant; the right to cross examine the Complainant's witnesses; and agrees that this cause be submitted forthwith for final decree without notice.

Witness

*J. S. Jones*

*Stanley Stewart*



1284

Stuart  
&

Stuart

Wass and  
Wain

Frederic 7/1944  
D. W. R. R.

THE STATE OF ALABAMA,  
Baldwin County

}

CIRCUIT COURT

Virginia Keel

TO \_\_\_\_\_

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 Ardell Stewart and E. S. Stewart

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

Complainant  
and Stanley Stewart

Defendant,  
on oath to be by you administered, upon Ardell Stewart and E. S. Stewart

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

Witness 6th day of December, 1944



REGISTER

Commissioner's Fee \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

NO. 1204

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

vs.

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 1234

Term, 194

Ardell Stewart

Complainant

Vs.

Stanley Stewart

Defendant

To R. S. Duck

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

Beebe & Hall

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 vaca-

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**The State of Alabama,**

Baldwin County

**CIRCUIT COURT, IN EQUITY**

*Stewart*

Vs.

*Stewart*

**REQUEST FOR DECREE IN  
VACATION**

Filed Dec 7, 1944

*Reid*

Register.

Recorded in \_\_\_\_\_ Record

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

Register.

Noted

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

ARDELL STEWART

Complainant

VS.

STANLEY STEWART

Respondent

I, Virginia Keel

as ~~Register and~~ Commissioner

have called and caused to come before me Ardell Stewart and E. S. Stewart

witness named in the Requirement for Oral Examination, on the 2 day of December  
194<sup>4</sup>, at the office of Beebe & Hall  
in Bay Minette

, Alabama, and having first sworn said Witness to speak the  
truth, the whole truth, and nothing but the truth, the said Ardell Stewart

doth depose and say as follows:

My name is Ardell Stewart. I am over twenty one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent Stanley Stewart is over twenty one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent and I married at Perdido in Baldwin County, Alabama on the 12th day of July 1937, and we lived together as husband and wife in Baldwin County, Alabama, until the 25th day of November, 1944. The Respondent on the 25th day of November 1944 and at various times prior thereto threatened and abused me and often threatened to do violence to my person which would necessarily endanger my life and health. The conduct of the Respondent is such as to give me every reasonable apprehension to believe and do actually believe that is I continue to live with him he will carry out his threats and do violence to my person which will necessarily endanger my life and health. We have several time during our married life had troubles but each time I decided to overlook them in an effort to make a go of it later to find that the same things woulf happe n again. I know that we cannot live together any longer.

Ardell Stewart

E. S. Stewart a witness for the Complainant being first duly sworn, deposes and says:

My name is E. S. Stewart. I am a resident of Baldwin County, Alabama, and am personally acquainted with the Complainant and the Respondent in this cause. The Respondent is a man of high temper, and I know that he has often threatened and abused the Complainant and threatened to do violence to her person which would necessarily endanger her life and health. The conditions are such as to render it impossible for the Complainant to live with the Respondent in safety.

E. S. Stewart

**ORAL EXAMINATION.**

I, Virginia Keel, 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—and read over to \_\_\_\_\_ and \_\_\_\_\_ signed the same in the presence of myself and H. M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 6th day of December, 1944.

Virginia Keel (L. S.)

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

**Oral Deposition**

Filed 12-7, 1944  
Virginia Keel, Register.

Recorded in \_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
\_\_\_\_\_, Register.