

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Sue Hinton, Complainant

vs.

Alton S. Hinton, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on answer and waiver 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 Sue Hinton is forever divorced from the said Alton S. Hinton for and on account of

Cruelty. The care, custody, and control of Allan Hinton and Cynthia

Hinton is hereby awarded to Sue Hinton, giving Alton S. Hinton the right to visit these children at reasonable times and places and have them visit him at reasonable times and places. It is further ordered, adjudged and decreed that the Respondent pay the Complainant the sum of \$50.00 per month payable \$25.00 on the 3rd of each month and \$25.00 payable on the 13th day of each month.

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 payment of the cost of this suit.

It is further ordered that Sue Hinton the Complainant pay the cost herein to be taxed, for which executed may issue.

This 7th day of September 1937

Hubert M. Hall
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 _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

SUE HINTON

Complainant

vs.

ALTON S. HINTON

Respondent

DIVORCE DECREE

FILED

SEP 7 1957

ALICE L. ROCK, Register

[Faint, illegible text visible through the paper]

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, _____

Answer and waiver, and testimony of Sue Hinton

and in behalf of Defendant upon _____

*Walters & Brantley
by Gray J. Walters Jr.*

Alice J. Hinkle
Register.

8581. NOTE OF TESTIMONY:

Printed by the Baldwin Times, Bay Minette, Alabama.

Sue Hinton
vs.
Alfonso Hinton

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, _____

Answer and waiver, and testimony of Sue Hinton

and in behalf of Defendant upon _____

Walters & Brantley
by Gary J. Walters Jr.

Alice J. Hulse
Register.

ANSWER AND WAIVER

SUE HINTON	∩	
COMPLAINANT	∩	IN THE CIRCUIT COURT OF
VS	∩	BALDWIN COUNTY, ALABAMA,
ALTON S. HINTON	∩	IN DEBIT
RESPONDENT	∩	

Now comes the Respondent, in his own proper person, and admits the allegations contained in the Bill of Complaint filed in the above styled cause as to ages, residences, marriage and children, but denies all other allegations therein contained and demands strict proof of the same.

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

Alton S. Hinton

STATE OF ALABAMA
BALDWIN COUNTY

I, *Henry J. Wilton, Jr.*, a Notary Public, in and for said County, in said State, hereby certify that Alton S. Hinton, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 2 day of September, 1957.

Henry J. Wilton, Jr.
Notary Public, Baldwin County, Alabama

SUE HINTON

COMPLAINANT

VS

ALTON S. HINTON

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ANSWER AND WAIVER

FILED
SEP. 7 1957
AIGLE L. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ALTON HINTON 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 SUE HINTON, as Complainant and against Alton Hinton, as Respondent.

WITNESS my hand this the 24 day of July, 1957. L

Reine J. Bluck
Register

SUE HINTON	Ø	
	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA,
VS	Ø	IN EQUITY
ALTON S. HINTON	Ø	
RESPONDENT	Ø	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes now your Complainant and respectfully shows unto Your Honor as follows:

1.

That the Complainant and Respondent are both over the age of twenty-one years and are bona fide residents citizens of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this Bill of Complaint.

2,

That your Complainant and Respondent were lawfully married to one another on to-wit: January 15, 1945, at Loxley, Alabama.

3.

That on to-wit: The 24th day of March, 1957, and on many occasions prior thereto the Respondent threatened, abused and struck your Complainant about the body and threatened to do further actual violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did and still does believe that if she continued to live with the Respondent, he would do actual violence to her person which would necessarily

endanger her life and health.

4.

Your Complainant further avers that since the said marriage, the said Respondent has become addicted to habitual drunkenness, and that said addiction has continued to the time of filing of this Bill of Complaint.

5.

That there was born to the marriage between your Complainant and the Respondent two children: Allan Hinton, age 9, and Cyathia Hinton, age 8; that your Complainant is a fit and proper person to have the care, custody and control of the minor children and the Respondent is not.

6.

That the Respondent now has title to the following described land in Baldwin County, Alabama, to-wit:

Lots 26-27, Blk 26 of the Mahler Park Addition to the Town of Loxley, the same being recorded in the office of the Probate Judge, Baldwin County, Alabama, in Map Book 4, page 64.

Further that upon these lots your Complainant and the Respondent built a home. Further the greater portion of the purchase price of the home and lots was paid by your Complainant.

7.

Further that the Respondent is an abled bodied man and is presently earning a salary of \$60.00 per week.

8.

That the Complainant has employed the firm of Wilters & Brantley to represent her in this matter of divorce and has no means of paying them for their service.

Wherefore: The premises considered, your Complainant prays that your Honor will by proper process make the said Alton S. Hinton, party Respondent to this Bill of Complaint 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.

Premises considered, your Complainant prays that on a final hearing of this cause, your Honor will enter a decree granting your Complainant a divorce from

the Respondent and granting her the right to remarry; your Complainant further prays that your Honor will by said decree grant her the permanent care, custody and control of her minor children: Allan Hinton and Cynthia Hinton; your Complainant prays further that your Honor will grant her alimony in gross and cause the Respondent to convey the title to the property described in the Bill of Complaint, to the Complainant in payment of the same. Your Complainant further prays that your Honor will order the Respondent to pay the Complainant support money for his minor children, Your Complainant further prays that the court will ascertain a reasonable attorney's fees to be paid the firm of Wilters & Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceeding. Your Complainant prays for such other, further or different relief to which your Complainant may in Equity be entitled.

Wilters & Brantley

BY:

Harry J. Wilters
attorney for the Complainant

Lucy Hinton
Complainant

Sofley

12263

NO. 4089

Received 24 day of July 1957
and on 9 day of July 1957
I served a copy of the within B/E
on Alton Hinton

SUE HINTON

COMPLAINANT

VS

ALTON S. HINTON

RESPONDENT

By service on _____

TAYLOR WILKINS, Sheriff
By Elmer Steadman D. S.

Sofley

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

Sheriff claims 40 miles at
Ten Cents per mile. Total \$ 4.00
TAYLOR WILKINS, Sheriff
BY Elmer Steadman
DEPUTY SHERIFF

FILED

JUL 24 1957

ALICE J. BOCK, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Sue Hinton

COMPLAINANT

vs.

Alton S. Hinton

RESPONDENT

I, June Rider

as Register and Commissioner

have called and caused to come before me Sue Hinton and Laura Mae Childress

witness^{es} named in the requirement for Oral Examination, on the _____ day of September
19 57, at the office of Walters & Brantley

in Bay Minette, Alabama, and having first sworn said witness^{es} to speak the
truth, the whole truth, and nothing but the truth, the said Sue Hinton and Laura Mae

Childress doth depose and say as follows:

My name is Sue Hinton and I am the Complainant in this case and the Respondent is Alton S. Hinton. We are both over the age of twenty-one years and bona-fide residents of Baldwin County, Alabama, for more than one year. We were married on January 15, 1945, in Loxley, Alabama. That on March 24 of this year and many times prior thereto the Respondent threatened, abused and struck me about the body and threatened to do actual violence to me which would necessarily endanger my life and health. His conduct towards me gave me every reasonable apprehension to believe and I did believe and still do that if I continued to live with him, he would do actual violence to me which would necessarily endanger my life and health. There was born to this marriage, two children, Allan Hinton, age 9 years, and Cynthia Hinton, age 3 years. I am a fit and proper person to have the care, custody and control of my children. During the time the Respondent and I were married, we purchased two lots in Loxley and had built a house on one. We have entered into an agreement concerning the disposition of our property. The Respondent is an able-bodied man and is presently earning a salary of about \$60.00 per week. It was necessary for me to hire the firm of Walters & Brantley to represent me and they have done so.

Sue Hinton

My name is Laura Mae Childress. I have known Sue and Alton Hinton all of their married life and I know that for the last few years they have had difficulties between themselves and that they cannot get along at all. In my opinion, it is to the best interest of both of them and their children that they separate. I have known Sue Hinton all of her life and know that she is a fit and proper person to have the care, custody and control of her son, Allan Hinton, and her daughter, Cynthia Hinton.

Laura Mae Childress

I, June Rider 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 witnesses and read over to them and they signed the same in the presence of myself and Harry J. Wilters, Jr.

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof 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 7 day of September, 1957.

June Rider (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

SUB MITTENT

COMPLAINANT

ATTONI S. HINTON
VS.

RESPONDENT

ORAL DEPOSITION

Filed _____ 19__

Register.

FILED
RECORDED IN
SEP 12 1957

Record

AMM D. DUCK, Register

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: June Rider

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Sue Hinton and Laura Mae Childress

a witness in behalf of Sue Hinton in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Sue Hinton

, Complainant

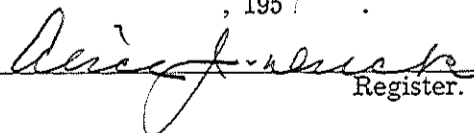
and Alton S. Hinton

Respondent

on oath, to be by you administered, upon Sue Hinton and Laura Mae Childress
to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 6 day of September

, 1957


Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

SUE HINTON

Complainant

VS.

ALTON S. HINTON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

FILED

SEP 7 1957

WITNESSES:
ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

AGREEMENT OF PARTIES CONTEMPLATING DIVORCE

This agreement made and entered into on this the 5th day of September, 1957, by and between SUE HINTON, hereinafter referred to as the Party of the First Part, and ALTON S. HINTON, hereinafter referred to as the Party of the Second Part; WITNESSETH:

Whereas the parties hereto have been husband and wife for a period of twelve years and as a result of such union have two children, Allan Hinton, now 9 years old and Cynthia Hinton, now 9 years old; and

Whereas, the parties have definitely concluded that under conditions now existing it is impractical for them to live together as man and wife.

Now, therefore, in consideration thereof, and of the mutual agreement hereinafter made, they have mutually agreed to a complete separation under the following express terms and conditions:

1. That the Parties shall entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate or otherwise act in any way so as to embarrass or humiliate the other party.

2. The Party of the First Part shall have the custody, control and support of the said children and the Party of the Second Part shall be allowed to visit the children at reasonable times and to have the children to visit him at reasonable times and for reasonable periods of time.

3. The Party of the second part agrees to pay to the Party of the first part for the support and maintenance of the said Children, Allan Hinton and Cynthia Hinton, the sum of FIFTY (\$50.00) DOLLARS per month. This amount is to be made in two equal payments of TWENTY FIVE (\$25.00) DOLLARS each on the 3rd and 18th day of each month. The payments are to commence the 15th day of September, 1957.

4. During their marriage, the Parties acquired two and one-half lots in the city of Loxley, Alabama, which are described as follows:

Lot 26 and 27, Block 26 of the Mahler's Park Addition to the City of Loxley and recorded in Map Book 4, page 64 in the office of the Judge of Probate, Baldwin County, Alabama. Also the North half of Lot 25, Block 26, same subdivision.

The Party of the first part has agreed to execute and convey Lot 27, Block 26 of said subdivision to the Party of the second part. The Party of the second part has agreed to execute and convey unto the Party of the first part Lot 26 and the North half of Lot 25 of said subdivision to the Party of the first part.

5. The parties have divided the personal property satisfactory to both of them.

This agreement has been made and executed by the parties hereto on the day and date herein above set forth, in good faith, with full understanding of all its provisions and the mutual promise on the part of each to comply therewith faithfully and completely.

Witness our hands and seals this 6 day of September, 1957.

Sue Hinton (SEAL)
Alton S. Hinton (SEAL)

STATE OF ALABAMA
BALDWIN COUNTY

I, Ray J. Wilton, Jr., A Notary Public, in and for said County, in said State, hereby certify that Sue Hinton and Alton S. Hinton, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 6 day of September, 1957.

Ray J. Wilton, Jr.
Notary Public, Baldwin County, Alabama

AGREEMENT OF PARTIES
CONTINGENT DIVORCE

FILED
SEP 7 1957
ALICE J. DUCK, Register

4089