

4239

DIVORCE DECREE

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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 For Confession~~ 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. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the Court, that the Complainant be and she is hereby awarded the care, custody and control of the two minor children, Allan Hinton and Cynthia Hinton, with the right of the Respondent to visit them at reasonable times, and have them visit him at reasonable times, and for reasonable periods of time.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Respondent pay to Complainant the sum of FIFTY (\$50.00) DOLLARS per month, to be due and payable in two equal payments of Twenty-five (\$25.00) Dollars each on the First and Fifteenth 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 futher 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 14th day of March 1958

Robert 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 the _____ day of _____, 19_____

Register of Circuit Court, In Equity.

No. 44-3-9 Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Sue Hinton

Complainant

VS.

Alton S. Hinton

Respondent

DIVORCE DECREE

FILED

MAY 14 1958

ALICE J. DICK, Registrar

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

, Complainant

and Alton S. Hinton is

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 15 day of March

, 1958

[Handwritten Signature]
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4739

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Sue Hinton

VS. Complainant

Alton S. Hinton

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Sue Hinton
Laura Mae Childress

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Sue Hinton

COMPLAINANT

vs.

Alton S. Hinton

RESPONDENT

I, Evelyn Watts

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 15 day of March
19 58, at the office of Wilters and 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 the Respondent is Alton S. Hinton, and we are both residents of Baldwin County, Alabama, and over the age of twenty-one. He and I were first married on January 15, 1945, and were divorced last year and re-married November 18, 1957. On February 8 of this year the Respondent threatened, abused and struck me about my body and kicked me on my leg and threatened to do further actual violence to me. If he did carry out his threats and these things he has done many times prior to me it would necessary endanger my life and health and I have every reasonable apprehension to believe and I do believe that if I continued to live with him he would do actual violence to my person which would endanger my life and health. During our marriage there were two children born to us, Allan Hinton, age 9, and Cynthia Hinton, age 8. I have the care, control and custody of the children now and I am a fit and proper person to have their care, control and custody. The respondent is an abled bodied man and is presently earning \$60.00 a week.

Sue Hinton

My name is Laura Mae Childress. I have known Sue Hinton and Alton Hinton all their married life and I know that they have had a number of fights and do not get along well at all. In my opinion it would be to the best interest of all concerned that they be separated. Sue Hinton is a fit and proper person to have the care, control and custody of their two children.

Laura Mae Childress

I, Evelyn Watts 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 witness es 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 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 15 day of March, 1958

Evelyn Watts (L. S.)

No. 4939 Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

Sue Hinton

COMPLAINANT

Alton S. Hinton vs.

RESPONDENT

ORAL DEPOSITION

Filed FILED 19 _____

MAR 15 1958

ALICE J. DUCK, Register
RECORDED IN _____

Record

Vol. _____ Page _____

Register

No.

THE STATE OF ALABAMA
Baldwin County

I N E Q U I T Y
Circuit Court of Baldwin County

Sue Hinton

VS.

Alton S. Hinton

NOTE OF TESTIMONY

Filed in Open Court this
day of , 194

FILED
MAR 15 1958

MAICE J. DUCK, Register
Register.

Sue Hinton

Alton S. Hinton

vs.

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 of respondent and testimony of Sue Hinton and Laura

Mae Childress

and in behalf of Defendant upon

Gary J. Wilkins
attys for Complaint

David ...
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 _____ day of March, 1958.

Register

SUE HINTON	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 resident 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, and divorced, and re-married again on November 18, 1957, at Loxley, Alabama.

3.

That on, to-wit, the 8th day of February, 1958, 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.

That there was born to the marriage between your Complainant and the Respondent two children: Allan Hinton, age 9 and Cynthia 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.

5.

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

6.

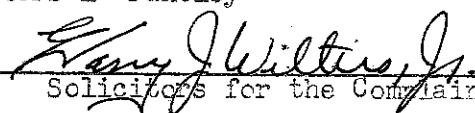
That the Complainant has employed the firm of Wilters & Brantley to represent her in this matter of divorce and has no means of paying them for their services.

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; 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:


Solicitors for the Complainant

49-39

SUE HINTON

COMPLAINANT

VS

ALTON S. HINTON

RESPONDENT

BILL OF COMPLAINT

FILED

MAR 15 1958

WALTER J. DUCK, Register

SUE HINTON

COMPLAINANT

VS

ALTON S. HINTON

RESPONDENT

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

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 crossexamine Complainant's Witnesses, and agreed that this cause be submitted for final decree without further notice.

Alton S. Hinton

STATE OF ALABAMA
BALDWIN COUNTY

I, Evelyn Watts, 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 10 day of March, 1958.

Evelyn Watts
Notary Public, Baldwin County, Alabama

4-239

SUE HINTON

COMPLAINANT

VS

ALTON S. HINTON

RESPONDENT

ANSWER AND WAIVER

FILED
MAR 15 1958
ALICE J. DUCK, Registrar