(522)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

# The State of Alabama, Baldwin County

## CIRCUIT COURT, IN EQUITY

CLAUDE L. STEWART, Complainant

vs.

BETTY JEAN STEWART, 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 CLAUDE L. STEWART is forever divorced from the said BETTY JEAN STEWART for and on account of Abandonment

It is futher 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 futher ordered that Claude L. Stewart the Complainant pay the cost herein to be taxed, for which executed may issue.

This 12th day of November 19 59

Robert M. Hill

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.

m

No._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

# DIVORCE DECREE

8581—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

CLAUDE L. STEWART
COMPLAINANT
vs.
BETTY JEAN STEWART
RESPONDENT

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the ~~original~~ amended Bill of Complaint,

Respondent's Answer and Waiver
Commission to take Deposition
Oral Deposition of Complainant's witnesses

and in behalf of Defendant upon

Arthur E. Epperson
Attorney for Complainant

Doris J. Duck
Register.

m

No. 4522

# THE STATE OF ALABAMA
## Baldwin County

IN EQUITY

Circuit Court of Baldwin County

CLAUDE L. STEWART

COMPLAINANT

VS.

BETTY JEAN STEWART

RESPONDENT

# Note of Testimony

Filed in Open Court this

FILED

day of, 19

NOV 12 1959

ALICE J. DUCK, CLERK REGISTER

Register.

MOORE PRINTING CO., BAY MINETTE, ALA.

May 13, 1959

Mrs. Alice J. Duck
Register of theCircuit Court
Bay Minette, Ala.

Re: Claude L. Stewart
Vs.
Betty Jean Stewart

Dear Mrs. Duck,

Please obtain service by registered mail on Mrs. Betty Jean Stewart at the following address: 513 Havilson Street, Apt. 2, Portsmouth, Virginia.

Thank You,

Arthur C. Epperson

8600 _ Motion for Decree Pro Confesso After Service by Registered Mail.

The State of Alabama,
Baldwin County.

No. 4522 CIRCUIT COURT, IN EQUITY.

CLAUDE L. STEWART Complainant

Vs.

BETTY JEAN STEWART Defendant

Motion is hereby made for a Decree Pro Confesso against

BETTY JEAN STEWART 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.....has..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 18th day of August, 19 59

Arthur L. Epperson, Solicitor.

No. ..... Page .....

# THE STATE OF ALABAMA
## Baldwin County

## CIRCUIT COURT, IN EQUITY

.....

CLAUDE L. STEWART

**Vs.**

BETTY JEAN STEWART

.....

**MOTION FOR DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL**

Filed FILED, 19.....

AUG 18-59

..... Register.

ALICE J. DUCK, CLERK REGISTER

Recorded in ..... Record,

Vol. ..... Page .....

..... Register.

The Baldwin Times, Bay Minette, Alabama

8602 DECREE PRO CONFESSO AFTER NOTICE BY REGISTERED MAIL BT-7-49-200

CLAUDE L. STEWART

Vs.

BETTY JEAN STEWART

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 6th day of March, 19 59, a copy of the Bill of Complaint filed in this cause was sent to Betty Jean Stewart

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 16th day of April, 19 59, 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 Betty Jean Stewart

Defendant

This the 18th day of August, 19 59

Register.

No. _____

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

CLAUDE L. STEWART

Vs.

BETTY JEAN STEWART

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL

Filed in office this _____ day of

_____, 19____

_____, Register

Entered in O. B. _____ Page _____

The Baldwin Times, Bay Minette, Alabama

| | |
|---|---|
| CLAUDE L. STEWART )<br>COMPLAINANT )<br>)<br>VS: )<br>)<br>BETTY JEAN STEWART )<br>RESPONDENT ) | IN THE CIRCUIT COURT OF<br>BALDWIN COUNTY, ALABAMA<br>IN EQUITY |

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

Your complainant, Claude L. Stewart, respectfully represents and shows unto your Honor:

1. That the 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 for more than one year next preceding the filing of this Bill of Complaint; that Betty Jean Stewart is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on or about to-wit: April 1, 1958, in Gulf Port, Mississippi, and of this marriage there are no children.

3. Your complainant further avers and alleges that said respondent has been guilty of adultry with divers parties and persons whose names to your complainant are unknown.

Complainant avers that this is a reasonable, just and proper agreement and prays the Court that in the event a decree of divorce is given in this cause that the Court will decree that the parties keep and abide by the terms of said agreement.

The premises considered, your complainant makes the said Betty Jean Stewart a party respondent to this Bill of Complaint, a and in order that the 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 Betty Jean Stewart, commanding her to asnwer, plead or demur to this Bill of Complaint within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the respondent; and that your Honor will grant such other, further or different relief as unto your Honor may seem just and proper, and your complainant will ever pray.

Arthur C. Etheson
Solicitor for Complainant

Respondent's Address:

Mrs. Betty Jean Stewart
Room 311 Victory Hotel
Norfolk, Virginia.

Filed
Mar. 6, 1959
Alice J. Clark, Reg.

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALA.

IN EQUITY

* * * * * * * * * * * *

CLAUDE L. STEWART

COMPLAINANT

VS

BETTTY JEAN STEWART

RESPONDENT

* * * * * * * * * * * *

BILL OF COMPLAINT

************

FILED

MAR 6 1959

ALICE J. DUCK, CLERK
REGISTER

| | | |
|---|---|---|
| CLAUDE L. STEWART<br>COMPLAINANT | ).<br>) | IN THE CIRCUIT COURT OF |
| VS | ) | BALDWIN COUNTY, ALABAMA |
| | ) | IN EQUITY |
| BETTY JEAN STEWART<br>RESPONDENT | ) | |

STATE OF ALABAMA

BALDWIN COUNTY

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court, Arthur C. Epperson, Solicitor of record for the complainant in the above styled cause, who being duly sworn, deposes and says that he is informed and verily believes that Betty Jean Stewart has been absent from the State of Alabama for more than three months preceding the filing of the bill of complaint or that the she conceals hereself so that process cannot be served; that Betty Jean Stewart is a non resident of the State of Alabama and whose last known post office address was " Room 311, Victory Hotel, Norfolk, Virginia and that said respondent in the belief of affiant is over the age of twenty-one years.

Arthur C. Epperson

Sworn to and subscribed before me, this the 5th day of March, 1959.

Alice J. Duck

Alice J. Duck, Clerk of the Circuit Court, Baldwin Co. Ala.

45222

AMENDED
BILL OF COMPLAINT

| | | |
|---|---|---|
| CLAUDE L. STEWART<br>COMPLAINANT | ) | IN THE CIRCUIT COURT OF |
| | ) | BALDWIN COUNTY, ALABAMA |
| VS: | ) | |
| | ) | IN EQUITY |
| BETTY JEAN STEWART<br>RESPONDENT | ) | |

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

Comes your Complainant and amends his Bill of Complaint heretofore filed as follows:

Your Complainant, Claude L. Stewart, respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one years and is a resident of said State and County, and has been a bona-fide resdient for more than one year next preceding the filing of this Bill of Complaint; that Betty Jean Stewart is over the age of twnety-one years and is a resident of Baldwin County, Alabama.

2. That your Complainant and Respondent were lawfully married on or about, to-wit: April 1, 1958, in Gulf Port, Mississippi, and of this marriage there are no children.

3. Your Compaliant 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, 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 Betty Jean Stewart a party Respondent to this Bill of Complaint, and in order that the 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 Betty Jean Stewart, commanding her to answer, plead or demur to this Bill of Complaint within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from the Respondent; and that your Honor will grant such other further or different relief as unto your Honor may seem just and proper, and your Complainant will ever pray.

Filed
11-12-59
Alice J. Clark
Register

Arthur C. Gibson
Solicitor for Complainant

# 4522

Amended Bill of Complaint

FILED

NOV 12 1959

ALICE L. DUCK, CLERK REGISTER

FILED

NOV 12 1959

ALICE L. DUCK, CLERK REGISTER

| | | |
|---|---|---|
| CLAUDE L. STEWART<br>COMPLAINANT<br>VS:<br><br>BETTY JEAN STEWART<br>RESPONDENT | )<br>)<br>)<br>)<br>)<br>) | IN THE CIRCUIT COURT OF<br>BALDWIN COUNTY, ALABAMA<br>IN EQUITY |

Comes the Respondent in the above styled cause and accepts service of a amended Bill of Complaint heretofore filed in this cause; waives notice of the filing of interrogatories in this cause and the right to cross the same; waives notice of the taking of testimony in said cuase and consents that the same may be taken and the cause submitted for final decree, and for answer to the amended Complaint hereto filed in this cause, the Respondent says:

1. She admits the allegations contained in paragraph one of the amended Bill of Complaint.

2. She admits the allegations contained in paragraph two of the amended Bill of Complaint.

3. She denies the allegations contained in paragraph three of the amended Bill of Complaint and demands strict proof of the same.

Betty Jean Stewart
RESPONDENT

Sue Cabaniss
WITNESS

Lola Hamilton
WITNESS

Filed
11-12-59
Alice J. Hucks
Register

ORAL DEPOSITION

**THE STATE OF ALABAMA**
**BALDWIN COUNTY**

**Circuit Court of Baldwin County, Alabama**
**(In Equity)**

CLAUDE L. STEWART
COMPLAINANT

vs.

BETTY JEAN STEWART
RESPONDENT

I, GLENDA SWITZER

as Register and Commissioner

have called and caused to come before me CLAUDE L. STEWART

witness named in the requirement for Oral Examination, on the 11th day of November,

19 59 , at the office of GLENDA SWITZER

in FOLEY , Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said CLAUDE L. STEWART

doth depose and say as follows:

My name is Claude L. Stewart. I am 21 years of age and I have lived in Baldwin County all of my life.

Betty Jean Stewart is over the age of 21 years and was a resident of Baldwin County, but now is living in the State of West Virginia.

I married Betty Jean Stewart on April 1, 1958 in Gulf Port, Mississippi and we do not have any children. Betty Jean Stewart lived with me for about two months, then in the latter part of June, 1958, she voluntaril y abandoned me without fault on my part, since which time we have not lived together nor recognized each other as man and wife.

Claude L. Stewart

ORAL EXAMINATION

I, GLENDA SWITZER 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 and read over to and signed the same in the presence of myself and

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 12th day of November , 19 59 .

Glenda Switzer (L. S.)

No. 4552 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed FILED , 19

NOV 12 1959 , Register.

RECORDED CHECK
RECORDED REGISTER

Record

Vol. Page

, Register.

## #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee

☐ Show address where delivered

*(Additional charges required for these services)*

**RETURN RECEIPT**

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

| DATE DELIVERED | ADDRESS WHERE DELIVERED *(only if requested in item #1)* |
|---|---|
| | |

C55—16—71548-4 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

| | |
|---|---|
| REGISTERED NO. | NAME OF SENDER<br>Alice J. Neuck |
| CERTIFIED NO.<br>676567 | STREET AND NO. OR P. O. BOX<br>Box 239 |
| INSURED NO. | CITY, ZONE AND STATE<br>Bay Minette Ala |

C55—16—71548-4

PCD Form 3811 Jan. 1958

ALICE J. DUCK, Circuit Clerk

Baldwin County

BAY MINETTE, ALA.

CERTIFIED

Nº 676567

MAIL

BAY MINETTE
MAY 15
230PM
1959
ALA.

Returned to Writer

REASON CHECKED
Unclaimed..... Refused....
Unknown.....
Insufficient address.....
Moved, Left no address.....
No such office in state.....
Do not remail in this envelope

Moved no order
4/13
DEW

Moved Left No Address

Certified

For Delivery Only To Person
To Whom Addressed

Return Receipt Requested

Mrs. Betty Jean Stewart,
513 Havilson Street, Apt. 2,
Portsmouth, Virginia

Here Del
Welch, West Va

PORTSMOUTH
MAY 21
6 30PM
1959
VA.

BAY MINETTE
MAY
29
1959
ALA.

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING OFFICE

NORFOLK JUN 2 1959 W. VA.

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

| | |
|---|---|
| REGISTERED NO. | NAME OF SENDER Alice J. Duck - Reg |
| CERTIFIED NO. 194659 | STREET AND NO. OR P. O. BOX Box 239 |
| INSURED NO. | CITY, ZONE AND STATE Bay Minette, Ala |

POD Form 3811 Jan. 1958

C55—16—71548-4

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300

POSTMARK OF DELIVERING OFFICE

NORFOLK APR 14 1959 VA.

INQUIRY SECTION

INSTRUCTIONS: Fill in items below and complete #1 on other side, when applicable. Moisten gummed ends and attach to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN TO

| | |
|---|---|
| REGISTERED NO. | NAME OF SENDER Alice J. Duck, Registe |
| CERTIFIED NO. 676 568 | STREET AND NO. OR P. O. BOX Box 239 |
| INSURED NO. | CITY, ZONE AND STATE Bay Minette, Ala |

POD Form 3811 Jan. 1958

C55—16—71548-4

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

Duplicate

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE $300

POSTMARK OF DELIVERING OFFICE

INSTRUCTIONS.—*Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.*

RETURN TO

| | |
|---|---|
| REGISTERED NO. | NAME OF SENDER Alice J. Duck, Register |
| CERTIFIED NO. 676 568 | STREET AND NO. OR P. O. BOX Box 239 |
| INSURED NO. | CITY, ZONE, AND STATE Bay Minette, Alabama |

POD Form 3811, Dec. 1955

o16—71548-8

4522

## #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Deliver *ONLY* to addressee ☐ Show address where delivered

*(Additional charges required for these services)*

**RETURN RECEIPT**

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

Betty Jean Stewart

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Addressee Only

DATE DELIVERED: JUN 2 1959

ADDRESS WHERE DELIVERED *(only if requested in item #1)*

C55—16—71548-4 GPO

FILED JUN 4 1959 CLERK REGISTER DUK

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## #1-INSTRUCTIONS TO DELIVERING EMPLOYEE

☑ Deliver *ONLY* to addressee ☐ Show address where delivered

*(Additional charges required for these services)*

**RETURN RECEIPT**

Received the numbered article described on other side.

SIGNATURE OR NAME OF ADDRESSEE *(must always be filled in)*

Betty Jean Stewart Va
Box 311, Victoria Hotel, Norfolk

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Delivered March 9, 1959
signed for by Sylvia Reynolds

DATE DELIVERED: March 9,59

ADDRESS WHERE DELIVERED *(only if requested in item #1)*

508 Main St.

Aubrey G. Graham, Postmaster

C55—16—71548-4 GPO

FILED APR 16 1959 CLERK REGISTER DUK

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## INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ DELIVER ONLY TO ADDRESSEE *(20¢ additional)*

☐ SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW *(31¢ additional)*

RECEIPT

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

1. SIGNATURE OR NAME OF ADDRESSEE

x Delivered Letter signed for by

2. SIGNATURE OF ADDRESSEE'S AGENT *(Agent should enter addressee's name in item 1 above)*

Sylvia Reynolds

3. DELIVERY DATE

March 9, 1959

4.

Aubrey G. Graham, Postmaster

NORFOLK, VA. APR 17 1959 INQUIRY SECTION

c16—71548-3 GPO

Mrs Duell
Please obtain Service by
Registered Mail. Thanks
Arthur

Sure -
attached
to
copy

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

**THE STATE OF ALABAMA**
**Baldwin County**

**Circuit Court**

TO: GLENDA SWITZER

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 CLAUDE L. STEWART

a witnesses in behalf of _____ in a cause pending in our Circuit Court in Baldwin County, of said State, wherein _____

CLAUDE L. STEWART, Complainant

and _____

BETTY JEAN STEWART Respondent

on oath, to be by you administered, upon them

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

Witness 12th day of November, 1959

Register

Commissioner's Fee, $_____

Witness' Fees, $_____

No. 4522

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES: