(4722)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

B. J. STALLWORTH, Complainant

vs.

CYNTHIA STALLWORTH, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on NOTICE BY REGISTERED MAIL 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 B. J. Stallworth is forever divorced from the said Cynthia Stallworth for and on account of Adultery, and it is further ORDERED, ADJUDGED AND DECREED that the custory, care and control of the minor children born to Cynthia Stallworth during her marriage to B. J. Stallworth be awarded to Cynthia Stallworth

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 B. J. Stallworth the Complainant pay the cost herein to be taxed, for which executed may issue.

This 1st day of December 1959

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 the _____ day of _____, 19____

_____

Register of Circuit Court, In Equity.

LITHO IN U.S.A.

No. 4722 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

B. J. Stallworth

Complainant

vs.

Cynthia Stallworth

Respondent

DIVORCE DECREE

H 722

LAW OFFICES OF
Cohen & Silverstein
250 BROADWAY P. O. BOX 552
MONTICELLO, NEW YORK 12701

CARL J. SILVERSTEIN
MALVIN A. COHEN

(914) 794-5533

October 1, 1976

County Clerk
Baldwin County
Bay Minette, Alabama

Re: Benjamin Stawlworth vs. Cynthia Stawlworth (maiden name Gandy)
Judgment of Divorce 1959-1960

Honorable Sir:

I would like a copy of the divorce decree granted Benjamin Stawlworth against Cynthia Stawlworth (nee Gandy) which we believe was granted in your County in 1959-1960. We would want an exemplified copy of same.

Enclosed is a self addressed stamped envelope so that you may advise us the amount of fees for same which we will send by return mail.

Respectfully yours,

COHEN & SILVERSTEIN

By Carl J. Silverstein PC
Carl J. Silverstein

CJS/jd

Typed from dictation, but not read.

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

The State of Alabama, } No. 4722 CIRCUIT COURT, IN EQUITY
Baldwin County

B. J. Stallworth, Complainant

Vs.

Cynthia Stallworth, Defendant

Motion is hereby made for a Decree Pro Confesso against Cynthia Stallworth

, 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____ha s failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 30 day of November, 1959.

Mrs Phyllis S. Nesbit, Solicitor.

No. 4722 Page

THE STATE OF ALABAMA
Baldwin County.

Circuit Court, In Equity

B. J. Stallworth

vs.

Cynthia Stallworth

Motion For Decree Pro Confesso
After Notice By Registered Mail

Filed FILED, 19
NOV 30 1959

ALICE J. DUCK, Register Register.

Recorded in Record,

Vol. Page

Register.

Printed by Moore Ptg. Co.

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

B. J. Stallworth

Vs.

Cynthia Stallworth

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the _____ day of October, 19 59, a copy of the Bill of Complaint filed in this cause was sent to Cynthia Stallworth Rt. 2 Box 367 Monticello, New York

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 17 day of October, 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 Cynthia Stallworth

Defendant

This the 30 day of November, 19 59

Alice J. Duck Register

FILED
NOV 30 1959
ALICE J. DUCK, Register

No. 4722

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA

In Equity.

B. J. Stallworth

Vs.

Cynthia Stallworth

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

COMMISSION TO TAKE DEPOSITIONS B.T.-2-49-200

THE STATE OF ALABAMA
Baldwin County } Circuit Court

TO: Delta H. Gwaltney

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 B. J. Stallworth and Sherman Hinote

as witnesses in behalf of B. J. Stallworth in a cause pending in our Circuit Court in Baldwin County, of said State, wherein B. J. Stallworth

, Complainant

and Cynthia Stallworth

Respondent

on oath, to be by you administered, upon B. J. Stallworth and Sherman Hinote to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 25 day of Mar., 1959

Alice J. Dusk
Register.

Commissioner's Fee, $

Witness' Fees, $

No. 4722

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

B. J. STALLWORTH

Complainant

VS.

CYNTHIA STALLWORTH

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Delta H. Gwaltney

WITNESSES:

Sherman Hinote

B. J. Stallworth

FILED
NOV 30 1959
A. F. J. DUCK, Register

ORAL DEPOSITION

Printed by The Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

B. J. Stallworth COMPLAINANT

vs.

Cynthia Stallworth RESPONDENT

I, Delta H. Gwaltney

as ~~Register and~~ Commissioner

have called and caused to come before me B. J. Stallworth and Sherman Hinote

witness es named in the requirement for Oral Examination, on the 25th day of November

19 59, at the office of Wilters, Brantley and Nesbit

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

truth, the whole truth, and nothing but the truth, the said B. J. Stallworth

and Sherman Hinote doth depose and say as follows:

My name is B. J. Stallworth and I am the Complainant in this suit. I and the Respondent were married at Bay Minette, Alabama on January 26, 1950 and lived together until November 8, 1958. On that day she told me she was leaving me and going to New York to live and she left. Before she left me, she had a baby boy on July 17 and she told all the neighbors that the baby was not mine. She came back to Alabama in April to get the rest of her clothes and she was just about five months pregnant again and she had been gone from my home at that time about six months.

B. J. Stallworth

Ny name is Sherman Hinote. I have known B. J. Stallworth for about fifteen years and he has been working for me about three or four months now. I knew his wife Cynthia when I seen her but did not know her personally. I don't recall the exact day that she left Stallworth but I do know and recall that it was in Nov. of last year. I asked why Stallworth's wife left and I was told that she left to go with some other man in another state and that the baby she had was not Stallworth's. It is my belief that it would be best for all parties concerned if Stallworth be given a divorce from his wife.

Sherman Hinote

ORAL EXAMINATION

Printed by The Baldwin Times

I, Delta H. Gwaltney 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 Phyllis S. Nesbit 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 25th day of November, 19 59.

Delta H. Gwaltney (L. S.)

No. 4722 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

B. J STALLWORTH
COMPLAINANT

vs.

CYNTHIA STALLWORTH
RESPONDENT

ORAL DEPOSITION

Filed FILED, 19

NOV 30 1959 Register.

ALICE J. DUBOR, Register

RECORDED IN

Record

Vol. Page

Register.

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons CYNTHIA STALLWORTH, to appear and plead, answer or demur within thirty days from the service hereto the Bill of Complaint filed the Circuit Court of Baldwin County, Alabama, in Equity, by B. J. Stallworth, as Complainant and against CYNTHIA STALLWORTH, as Respondent.

WITNESS my hand this the 8 day of Oct., 1959.

Alice J. Duke
Register

B. J. STALLWORTH	)	
COMPLAINANT	)	IN THE CIRCUTT COURT OF
	)	BALDWIN COUNTY, ALABAMA
VS	)	IN EQUITY
CYNTHIA STALLWORTH	)	NO. 4722
RESPONDENT	)	

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

Your Complainant, B. J. STALLWORTH, respectfully represents unto Your Honor and this Honorable Court as Follows:

1.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama and over twenty-one years of age; that your Respondent is a non-resident citizen of Baldwin County and is over the age of twenty-one years of age.

2.

That your Complainant and the Respondent married at Bay Minette, Alabama, on January 26, 1950 and lived together as husband and wife in Baldwin County, Alabama, until on to-wit; November 8, 1958.

3.

That the Complainant alleges that the Respondent has committed various acts of adultery with various men, whose names at this time are unknown to this Complainant; said acts having been committed without the connivance or consent of this Complainant and have occurred since January 26, 1950.

To the best of the knowledge of the Complainant there has been only one child born to the Respondent while your Complainant and the Respondent have been married, but the Complainant has no knowledge of the child's given name, There is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will be proper process make the said CYNTHIA STALLWORTH, party Respondent to this bill of Complaint requiring her 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.

Your Complainant further prays that upon a final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent and that the Respondent be granted the care, custody and control of the child born to her. Your Complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

WILTERS, BRANTLEY & NESBIT

BY: Phyllis S. Nesbit

Solicitors for the Complainant

Respondent may be served by registered mail at the following address:

FILED

OCT 8 1959

ALICE J. DUCK, Register

Mrs. Cynthia Stallworth
Route 2 Box 367
Monticello, New York

4722

STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

IN EQUITY

B. J. STALLWORTH

Complainant

VS

Cynthia STALLWORTH

Respondent

BILL OF COMPLAINT

WILTERS, BRANTLEY & NESBIT
ATTORNEYS FOR COMPLAINANT