

1280

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

LILLIAN MAE STEWART Complainant

VS.

BUSTER STEWART Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Waiver of the Respondent~~

on Answer and Waiver of the 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 Lillian Mae Stewart

is forever divorced from the said Buster Stewart

for and on account of cruelty

It is further ordered, adjudged and decreed that the Complainant be and she is hereby given the right to resume her maiden name, Lillian Mae Joiner.

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 Buster Stewart the Respondent pay the cost herein to be taxed, for which execution may issue.

This 14th day of Feb., 1945
[Signature]
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. 1380 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194____

Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIEF OF THE STATE OF ALABAMA - - GREETINGS;

WE COMMAND YOU that you summon BUSTER 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 summons, and there to plead, answer or demur without oath to a bill of complaint lately exhibited by Lillian Mae Stewart, against the said Buster 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 Court, this the 4 day of February, 1945.



Register

LILLIAN MAE STEWART)	
COMPLAINANT)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
BUSTER STEWART)	IN EQUITY
RESPONDENT)	

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

Your Complainant, Lillian Mae Stewart, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and the Respondent were married at Bay Minette, Alabama, on July 15, 1935, and lived together as husband and wife until June 21, 1944.

3.

That on to-wit June 21, 1944, and at various 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 him, he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Buster 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 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; and that your Honor 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: *J. L. Beebe*
Solicitors for the Complainant

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LILLIAN MAE STEWART
COMPLAINANT

VS.

BUSTER STEWART
RESPONDENT

SUMMONS AND COMPLAINT

R. S. DUCK
Clerk
[Signature]
1/5

[Faint handwritten text]

LILLIAN MAE STEWART
COMPLAINANT

VS.

BUSTER STEWART
RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

And now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent admits the allegations as to resident, age and marriage, alleged in the bill of complaint, but denies all other allegations contained therein, 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 for final decree without notice.

Buster Stewart
Respondent

WITNESSES

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LILLIAN MAE STEWART
COMPLAINANT

VS.

BUSTER STEWART
RESPONDENT

ANSWER AND WAIVER

Filed July 14 1945
R. S. DUCK
Clerk / Register
[Signature]

Lillian Mae Stewart

Complainant

vs.

Buster Stewart

Respondent

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 Lillian Mae Stewart
and Lucille Joiner

and in behalf of Defendant upon _____

Register.

No. 1280

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 14th

day of July clerk, - register 1931

[Handwritten Signature]

REGISTER

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

LILLIAN MAE STEWART

Complainant

VS.

BUSTER STEWART

Respondent

I, Lillian Patterson

as ~~Register and~~ Commissioner

have called and caused to come before me Lillian Mae Stewart and Lucille Joiner

witnesses named in the Requirement for Oral Examination, on the 12th day of February 1945, at the office of Beebe & Hall in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Lillian Mae Stewart doth depose and say as follows:

My name is Lillian Mae Stewart. I am the Complainant in the foregoing cause. I am a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age. The Respondent is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age.

The Respondent and I married at Bay Minette, Baldwin County, Alabama, on June 15, 1935. We lived together as husband and wife, in Baldwin County, Alabama, until June 21, 1944.

The Respondent on June 21, 1944, and at various times prior thereto, cursed, threatened and abused me and often threatened to do violence to me which would necessarily endanger my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe, and I did actually believe that if I continued to live with him, he would carry out his threats and do violence to my person which would necessarily endanger my life and health.

We have made repeated efforts to live together as husband wife, however, conditions are such that I have concluded it is absolutely impossible for us to make a go of it. We have no children and no property.

Lillian Mae Stewart

Lucille Joiner, a witness for the Complainant being first duly sworn deposes and says:

My name is Lucille Joiner, I am a sister of the Complainant, I have during the time that the Complainant and the Respondent lived together as husband and wife, had occasion to be with them and around them.

I know from my own observation that the conditions existing between the Complainant and the Respondent are such as to render it absolutely impossible for them to live together as husband and wife. The Complainant and the Respondent have had trouble for a number of years, however, have each time tried to reconcile their differences, however, the conditions grow worse from time to time, until now it is needless for them to try to live together as husband and wife.

Lucille Joiner

ORAL EXAMINATION.

I, Lillian Patterson, as ~~Register and~~ Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proom 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 12th day of February, 1945.

Lillian Patterson (L. S.)

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THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed 2. 14, 1945

R. B. Johnson, Register.
clerk, - register
Recorded in _____

Record

Vol. _____ Page _____, Register.

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT

TO Lillian Patterson

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 Lillian Mae Stewart and Lucille Joiner

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

Complainant

and Buster Stewart

Defendant,

on oath to be by you administered, upon Lillian Mae Stewart and Lucille Joiner

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

Witness 14 day of Feb 1945

[Handwritten Signature]

REGISTER

Commissioner's Fee \$ _____

Witness' Fees. \$ _____

NO.

1280

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses: