

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

WILLIAM A. STEWART Complainant

VS.

CALLIE 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 William A. Stewart

is forever divorced from the said Callie Stewart

for and on account of Abandonment

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 William A. Stewart the **Complainant** pay the cost herein to be taxed, for which execution may issue.

This 21st day of July, 19 45

J. W. Lane
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. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194_____

Register

William A. Stewart,
Complainant,

VS:

Callie Stewart,
Respondent.

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

ANSWER OF RESPONDENT

Now comes the respondent, Callie Stewart, and for answer to the Bill of Complaint filed in this cause against her by the Complainant, William A. Stewart, she denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And he, the said respondent, waives all service of notice or process of the filing of said Bill of Complaint, and further waives all notices of the taking of testimony on said cause and further waives all notices of the submission of said cause for final decree.

Callie Stewart

Respondent

Before me the undersigned personally appeared Callie Stewart who being known to me and being informed as to the contents herein signed voluntarily on the ^{same} date herein set out.

Sworn to this the 3rd day of July 1945

R. R. R. R.
Register Circuit Court Baldwin County,
Alabama.

1359

RECORDED

Willis A Stuart

v.

Callic Stuart

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Dated July 30, 1945
R. H. [unclear]
R. H. [unclear]

[Handwritten signature]

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THE STATE OF ALABAMA
Baldwin County

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

William A. Stewart

COMPLAINANT

VS.

Callie Stewart

RESPONDENT

I, R. S. Duck

as Register and Commissioner

have called and caused to come before me William A. Stewart and John L. Teal

witness^{es} named in the Requirement for Oral Examination, on the 14th day of July

19 45, at the office of ~~myself~~ myself

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 William A. Stewart

doth depose and say as follows:

My name is William A. Stewart. I am the complainant in this cause and have brought this action for divorce against Callie Stewart as respondent herein. I am a bona fide resident of Baldwin County, Alabama, and have been a bona fide resident of said State and County for more than one year next preceding the filing of my bill of complaint in this cause. I am over the age of twenty-one years, the said Callie Stewart is over the age of twenty-one ~~year~~ years and she is a resident of Baldwin County, Alabama.

I and the said Callie Stewart were married to each other on the 2nd day of December, 1931, at Bay Minette, Alabama, and lived together as man and wife until March 24, 1944, and we have not lived together as man and wife or otherwise since March 24, 1944. On said date of March 24, 1944, the said Callie ~~Stewart~~ Stewart voluntarily abandoned my bed and board and this abandonment occurred more than one year next preceding the filing of my bill of complaint in this cause.

On and prior to said date of March 24, 1944, I was in the armed services of the United States in the U. S. Navy stationed at U. S. Naval Naval Air Station at Atlanta, Georgia, and she was there with me living in an apartment. She became very dissatisfied and wanted to come back to her folks here and ~~was~~ refused to live further with me. I brought her back here and she still refused to live with me in any home I would furnish, so I just had to leave her with her folks. I was discharged shortly after that and came back here to my home here at Robertsedale to live. I do not understand why she should have taken this attitude as I always acted toward her as a dutiful husband should and provided for her to the best of my ability. We did not have any children born to us of our marriage. My home has always been in Baldwin County, Alabama.

William A Stewart

ORAL EXAMINATION

I, R. S. Duck, 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 H. E. Smith, Solicitor for Complainant, 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 14th day of July, 1945.

R. S. Duck
Register (L. S.)

No. 1354 Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

William A. Stewart

Complainant

Vs.

Callie Stewart

Respondent

ORAL DEPOSITION

Filed July 14, 19 45

R. S. Duck, Register
RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

John L. Teal, being first by me duly sworn, as a witness in behalf of complainant, testified in substance as follows:

My name is John L. Teal. I am 36 years of age and live at Robertsdale, Alabama.

I have been intimately acquainted with both parties to this cause for more than fourteen years.

I have read over the testimony of the complainant in this cause and know that it is substantially true.

I remember when they separated in March of 1944 and know that they have not lived together as man and wife since that time. I do not know all of the circumstances but I hear her say she was not going to live with him any more as long as her was in the Navy. She seemed to want to stay with or around her folks and not with him. He always seemed to provide well for her and I do not know of any reason she had for leaving except that she was dissatisfied away from her folks. I know she refused to go back to him because I heard her say so.

John L. Teal

William A. Stewart,
Complainant,

VS:

Callie Stewart,
Respondent.

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

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Your orator, William A. Stewart, brings this his Bill of Complaint against Callie Stewart and respectfully represents that he is a resident of Baldwin County, Alabama and has been a bona fide resident of said state and county for more than one year next preceding the filing of this Bill of Complaint, that he is over the age of twenty-one years and that the respondent, Callie Stewart, is over the age of twenty-one years and resides in said state and county.

On the 2nd. day of December, 1931, your orator was married to the respondent, the said Callie Stewart, at Bay Minette, Baldwin County, Alabama, and that they lived together as man and wife until to-wit: March 24, 1944. Your orator and the said respondent have not lived together as man and wife or otherwise since said last date. On said last date respondent, voluntarily abandoned the bed and board of complainant. That said abandonment occurred more than one year next preceding the filing of this Bill of Complaint.

WHEREFORE, the premises considered, your orator prays that a summons be issued directed to the said respondent, Callie Stewart, requiring her to appear and plead, answer or demur to this Bill of Complaint within the time required by law; and that upon a final hearing your Honor will grant to your orator a decree of absolute divorce from the said Callie Stewart, with permission to your Orator to again marry should he see fit to do so; and that such other relief may be granted to your orator as your Honor may deem proper, the premises considered.

H. E. Smith

Solicitor for Complainant.

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RECORDED

William A Stewart

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Callie Stewart..

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Filed July 3 1945
R. Welch,
Post

8581. NOTE OF TESTIMONY

William A. Stewart

vs.

Callie Stewart

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,
and Testimony of Complainant and John L Teal.

and in behalf of Defendant upon ~~Answer and Waiver~~

H E. Smith Solicitor for Complainant

[Signature]
Register.

No.

1359

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Stuart

vs.

Stuart

NOTE OF TESTIMONY

Filed in Open Court this

16th

day of

July

1945

[Signature]

Register.

FILED IN OPEN COURT THIS 16th DAY OF JULY 1945

STUART VS. STUART

[Handwritten signature]