

JAMES STEPHENS

Complainant,

vs.

SINDIE STEPHENS,

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,

Testimony of James Stephens and Eugene Griffin.

and in behalf of Defendant upon answer & waiver

H. S. Dush

By - Wallace Thompson
Deputy

Register.

The State of Alabama }
Baldwin County

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

JAMES STEPHENS,

COMPLAINANT

VS.

SINDIE STEPHENS,

RESPONDENT

I, NAN ALICE THOMPSON,

Deputy
as Register and Commissioner

have called and caused to come before me JAMES STEPHENS and EUGENE GRIFFIN,

witnesses named in the Requirement for Oral Examination, on the 5th day of April

1939, at the office of R. S. DUCK,

in BAY MINETTE, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said JAMES STEPHENS,

doth depose and say as follows:

TESTIMONY OF JAMES STEPHENS:-

My name is James Stephens, and I am the complainant in this cause. I am over the age of twenty-one years, and have been a resident citizen of Baldwin County, Alabama, for more than one year next preceding the filing of my bill of complaint in this cause. The Respondent, Sindie Stephens, is over the age of twenty-one years and resides at ~~Stockton~~ TENSAW, in Baldwin County, Alabama.

I and the said Sindie Stephens, the respondent, were married by Judge G. L. Lambert, Probate Judge here in Bay Minette, Baldwin County, Alabama, on the 27th day of October, 1923. We lived together as man and wife until the 2nd day of October, 1935, when she left me.

On the 2nd day of October, 1935, the said Sindie Stephens, voluntarily abandoned my bed and board, and we have not lived together as man and wife, or otherwise, since this date. The abandonment was without fault on my part; was without my consent, and has been continuous since October 2nd, 1935, and on this date the Respondent, and myself, were living at Stockton, in Baldwin County, Alabama, in my home there, and on that day, when I returned home from work, she had left our home without any cause or excuse, and has failed and refused to return. I therefore charge the Respondent with voluntary abandonment from my bed and board for more than two years, next, preceding the filing of my bill of complaint. The said abandonment occurred more than two years, next, preceding the filing of my bill of complaint. I did not give her any cause for leaving me, as I always provided for her the best I could.

His
James Stephens
James Stephens, Complainant
mark

WITNESSETH

N. A. Thompson

Sindie Stephens

531

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JAMES STEPHENS, Complainant

VS.

SINDIE STEPHENS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ answer & waiver

on _____ 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 JAMES STEPHENS is forever divorced from the said

SINDIE STEPHENS

for and on account of Voluntary 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 JAMES STEPHENS & SINDIE STEPHENS be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that JAMES STEPHENS the Complainant pay the cost herein to be taxed, for which execution may issue.

This 13th day of April 19 39

J. W. Hare

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JAMES STEPHENS, Complainant

VS.

SINDIE STEPHENS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Deceit Pro Confesso~~ ^{answer & waiver} on _____ 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 JAMES STEPHENS is forever divorced from the said

SINDIE STEPHENS
for and on account of Voluntary 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 JAMES STEPHENS & SINDIE STEPHENS be, and ~~they~~ ^{she} ~~thereby~~ permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that JAMES STEPHENS the ~~Complainant~~ pay the cost herein to be taxed, for which execution may issue.

This _____ day of April, 19 39.

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JAMES STEPHENS Complainant

VS.

SINDIE STEPHENS Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on _____ 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 _____ is forever divorced from the said _____

for and on account of Voluntary 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 _____ be, and _____ hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that _____ the Complainant pay the cost herein to be taxed, for which execution may issue.

This _____ day of April, 19 29.

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

The State Of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon SINDIE STEPHENS

of BALDWIN County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

JAMES STEPHENS

against said SINDIE STEPHENS

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. Duck, Register of said Circuit Court, this 5th day of

April, 1930

R. S. DUCK
clerk, - register

By Audilee Thompson, Register
Deputy

N. B. — Any party defendant is entitled to a copy of the bill upon application to the Register.

The State Of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon SINDIE STEPHENS

of BALDWIN County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by JAMES STEPHENS

against said SINDIE STEPHENS

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. Duck, Register of said Circuit Court, this 5th day of April, 1939.

R. S. DUCK
clerk, - register

By Alice Thompson, Register
Deputy

N. B. — Any party defendant is entitled to a copy of the bill upon application to the Register.

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

Now comes James Stephens as your complainant and brings this his bill of complaint against Sindie Stephens as respondent and respectfully alleges and represents to your Honor and the Court as follows:

1. That he, the complainant, is over the age of twenty-one years and has been a resident citizen of Baldwin County, Alabama, for more than one year next preceding the filing of this his bill of complaint. That the respondent is over the age of twenty-one years and resides at Tensaw, in Baldwin County, Alabama.

2. That the complainant and the respondent were lawfully married in Baldwin County, Alabama, on, to-wit: the 27th day of October, 1923, and lived together as man and wife until, to-wit: the second day of October, 1935.

3. That on said last date of, to-wit: the second day of October, 1935, the respondent voluntarily abandoned the bed and board of complainant and they have not lived together as man and wife of otherwise since said last date. That the said abandonment was without fault on the part of complainant, was without complainant's consent and has been continuous. That on said last date, complainant and respondent were residing at Stockton, in Baldwin County, Alabama, in the home of complainant, and when on said last date complainant returned home from work, the respondent had left without cause or excuse and has failed and refused to return. That complainant therefore charges the respondent with voluntary abandonment from bed and board for more than two years next preceding the filing of this his bill of complaint, and complainant alleges that such abandonment occurred more than two years next preceding the filing hereof.

WHEREFORE, the premises considered, complainant prays that the said Sindie Stephens be made party respondent to this his bill of complaint and that due process of law, in accordance with the practice of this Court, forthwith issue for service upon her.

And your complainant further prays that upon a final hearing of this cause your Honor and the Court will be pleased to give and grant to him a decree of absolute divorce from the said Sindie Stephens and will dissolve the bonds of matrimony now existing between them, and will grant to complainant permission to again marry should he see fit so to do. And complainant further prays for such other, further and different relief as he may be entitled to receive.

H. E. Smith

Solicitor for the Complainant.

FOOT-NOTE: The respondent is required to answer each and every allegation of the foregoing bill of complaint, but not under oath as oath to such answer is hereby expressly waived.

H. E. Smith

Solicitor for the complainant.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed April 5, 1939

REGISTER
RECORDED IN
[Signature]
Record

Vol. _____ Page _____

Register

[Signature]

(D. S.)

Given under my hand and seal, this 5 day of April, 1939.

I enclose the said Oral Examination in an envelope to the Register of said Court.

counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. witness or had proof made before me of the identity of said witness; that I am not of at the time and place herein mentioned; that I have personal knowledge of personal identity of said myself _____

of the witness^s and read over to *[Name]* and *[Name]* signed the same in the presence of

that the foregoing deposition on Oral Examination was taken down in writing by me in the words

I, *[Signature]* as Register and Commissioner hereby certify

Bills of Complaint

James Stephens
Complainant

vs

Sindie Stephens
Respondent

In the Circuit Court
of Baldwin County,
Alabama.

Filed April 5, 1939

R. S. Dand, Register

By: Tommie Johnson, Deputy

FOR THE TOWNSHIP OF DELAWARE
THE TOWNSHIP OF DELAWARE
TO THE TOWNSHIP OF DELAWARE
TO THE TOWNSHIP OF DELAWARE
TO THE TOWNSHIP OF DELAWARE

Original

Serve On SINDIE STEPHENS
PENSAULA, ALA.

**Circuit Court of Baldwin County
IN EQUITY**

No. 536

Summons

~~XXXXXXXXXX~~

JAMES STEPHENS,

Complainant,

vs.

SINDIE STEPHENS,

Defendant.

H. E. SMITH
Solicitor for Complainant

Recorded in Vol. _____ Page _____

**THE STATE OF ALABAMA,
Baldwin County**

Received in office this _____

day of _____, 193_____

Sheriff.

Executed this _____ day of _____

193_____

by leaving a copy of the Summons with

Defendant

Sheriff

By _____
Deputy Sheriff

COPY

Serve On SINDIE STEPHENS

TENNESSEE, ALA.
Circuit Court of Baldwin County

IN EQUITY

No. 556

Summons

~~JAMES STEPHENS~~

JAMES STEPHENS,

Complainant,

vs.

SINDIE STEPHENS,

Defendant.

H. B. S. Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 193_____

Sheriff.

Executed this _____ day of _____

, 193_____

by leaving a copy of the Summons with

Defendant

Sheriff

By

Deputy Sheriff

The State of Alabama, Baldwin County

CIRCUIT COURT IN EQUITY

Copyright

copy

No. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

vs. **Complainant.**

Respondent.

DIVORCE DECREE

and respondent do hereby certify that the above is a true and correct copy of the original decree as entered in the records of the Circuit Court in Equity of Baldwin County, Alabama, on this _____ day of _____, 19____.

The undersigned, Clerk of the Circuit Court in Equity of Baldwin County, Alabama, do hereby certify that the above is a true and correct copy of the original decree as entered in the records of the Circuit Court in Equity of Baldwin County, Alabama, on this _____ day of _____, 19____.

Witness my hand and the seal of said Court at Baldwin, Alabama, this _____ day of _____, 19____.

Clerk of the Circuit Court in Equity of Baldwin County, Alabama

Respondent

Complainant

Judge of the Circuit Court in Equity of Baldwin County, Alabama

RECORDED

No. Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

Filed April 13, 1939
R. B. DICK
clerk, registrar

By *Arthur H. ...*
Deputy

[Faint, mostly illegible text from the reverse side of the document, including what appears to be the beginning of a legal opinion or decree.]

RECORDED

Answer

Filed April 5, 1939

R. S. Smith, Register

By: *Santhia Thompson*
Deputy

FOOT NOTE:

The Respondent, OBIE MATTINGLY, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 4, inclusive, but not under oath, oath being hereby expressly waived.

Richard J. Bell
Solicitors for Complainant.