688

Elm

STATE OF ALABAMA,)
BALDUIN COUNTY.)

TO ARY SERRIFF OF THE STATE OF ALABASIA - GREETING:

WE COMMAND YOU, That you summon J. W. KINSEY 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 ELLA STROUD KUSSY against said J. W. KINSEY, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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.

WITHESS, H. S. DUCK, Register of said Circuit Court, this 8th day of January, 1941.

R.S. Duck

ELLA STROUD KINSEY,

Complainant,

US.

J. W. KINSEY,

Respondent.

TO HOMORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALACAMA, IN BUILTY:

And now comes your Complement, ELLA STROUD KIESEY, and humbly complaining against the Respondent, J. W. KIESEY, respectfully represents and shows unto your flonor and this Honorable Court as follows:

- 1. That your Complainant and Respondent are both residents of Baldwin County, Alabama, and over twenty-one years of age.
- 2. That your Complainant and the Respondent were married at Bay Minette, in Baldwin County, Alabama, on November 20th, 1959, and lived together as husband and wife, until on to-wit, March 20th, 1940.
- 3. That on to-wit, March 20th, 1940, and various times prior thereto, the Respondent threatened and abaused your Complainant and often threatened to do violence to her person; that his conduct was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him as his wife, that 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 monor will, by proper process, make the said J. W. KINCEY party respondent to this Bill of Complaint, 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 upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, J. W. KIRSEY, and that a further decree be entered restoring to your Complainant her former name, Ella Stroud; Complainant prays for 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.

BEMBE & HALL,

The State of Alabama, BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Term, 194/

No. 455 vs.

Dw Mires Reservent

BILL OF COSTS

REGISTER'S FRES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—	1, 3	Summoning on Bill, Each Defendant	1 50
Docketing Cause, One fee only of1.90	1 100	Executing Writ of Injunction, or Ne Exeat, each1.50	' -
Issuing Summons on Bill, each50*	62	Executing Subpoenas for Witnesses, each	
Issuing Copies Thereof, each	4.0	Executing Writs of Possession, each5.00	:
Entering Return of Same, each	1, 1,5	Executing Scire Pacias or Notice, each	
Orders of Publication to Non-Residents, each1.00*	100	Taking and Approving Bonds, each	
Filing Bill or Other Paper, each	ga V	Impaneling Jury	
Copies of Same, Per 100 Words		Collecting Execution for Costs Only, each1.50	
Entering Appearances, each		Sheriff's Commissions	
Issuing Writs of Injunction, Ne Exeat, each1.50			\$ 17
Issuing Copies Thereof, each			
Entering Return of Same, each		Total Sheriff's Fees	150
Decrees Pro Confesso, each			
Order Appointing Guardian Ad Litem, each1.00*	5 //		
Issuing Commissions to Take Testimony, each 50		CHARACTER OF MILES COCURS AND TERRORISMONIO	
Taking Testimony, Per Day1.50	:	SUMMARY OF FEES, COSTS, AND JUDGMENT	
Taking Testimony, Per 100 words	10:	Fees in Circuit Court— Register's Fees	9110
Receiving and Filing Depositions, each pkg., 10		Ex-Register's Fees	1
Indorsing Depositions Published, each pkg.,10	16.5	Sheriff's Fees	1 1 50
All Entries on Commission Docket, Each Cause50	<i>ا</i> ک	Ex-Sheriff's Fees	
Entering Order Submitting Cases for Decree, each50	3.5	Witness Fees	:
Other Orders of Court, each	ار ا ، ا	Commissioner's Fees	6 19-7
Noting Testimony on Hearing of Cause, each50 Entering Decrees, of 500 Words of Less, each	75	Guardian Ad Litem	
Per 100 words over 500		Publisher's Fees	
Taking Accounts, etc., on Ref., per Day3.00*		Solicitor's Fees	
Taking Testimony on Reference Relating to		Court Reporter's Fees, Per Day or fraction thereof .5.00	
Trustee, etc., per 100 words		Trial Tax3.00	340
Reference and Reports, each2.00*		*,	
Reports of 500 Words or Less			
Per 100 Words over 500		• • • • • • • • • • • • • • • • • • • •	
Issuing Subpoenas for Witnesses, each25		Fees and Costs in Inferior Court:	-
Issuing Witness Certificates, each		Clerk of Inferior Court Fees	
All Entries on Subpoena Docket, each Cause50		Sheriff's Fees	
Taking and Approving Bonds, each	pa (8 4)	Witness Fees	
Making Complete Record, per 100 Words	phone I I I	,	
Hearing, etc., Regarding Appointment of Receiver or Trustee			
Settlements with Receiver or Trustee, each3.00		Total Fees and Costs in Inferior Court	1211/A
Examining Vouchers in Settlements, each			
Examining Answers on Exceptions, each Answer 3.00			
Removal Disabilities on Non-Age	i i i	Total Fees and Costs	
Commissions on Sales		Judgment	
Making Deeds to Property Sold, each2.00			
Receiving and Paying Out Money Other Than That Arising from Sales			
Certificates or Affidavits, with Seal, each50		Total Fees, Costs, and Judgment	
Certificates or Affidavits without Seal, each 25			
Issuing Scire Facias or other Notice, each			
Other Orders of Register, except Cont., each 50		·	
Entering Certificates of Supreme Court, each 50			
Transcript for Supreme Court, per 100 words, each15			
Additional Copies, per 100 words			
Appeal Bond, each1.00			
ertificate of Appeal, each			
Notice of Appeal, each			
Report to State Board of Health, each case50	50		
Certificate of Judgment, each			
Issuing Executions, each	m 2		
Entering Returns Thereof, each	1 200		
- Killy Andrewsking			
Total Register's Ress	Q IN		
Total Register's Fees			

THE	STATE OF ALABAMA	
100 miles	Baldwin County	

Witness' Fees, \$_

CIRCUIT COURT

TO MRS. O'BYERE J. THIELEY.	25.5 25.5		1 1		÷
IO 15:11:16 V. 11:11:11:11:11:11:11:11:11:11:11:11:11:					
KNOW YE: That we, having full i	faith in your	prudence an	d c ompeten	cy, have ap	pointed you Commis-
sioner, and by these presents do author	orize you, at	such time a	ınd place as	you may a	ppoint, to call before
you and examine Ella Stroud Ains	ov and C.	de Rugh			
					
	· · · · · · · · · · · · · · · · · · ·				
as witnesses in behalf ofComplain	ant			_in a cause r	ending in our Circuit
		10 7 7 - 1 decad		•	01101119 111 0111 0 1
Court of Baldwin County, of said State,	, wherein —	Ella itro	bu Rinbey		*
		· · · · · · · · · · · · · · · · · · ·			
	,				
	,				
					18 Complainant
and J. W. Kinsey					<u> </u>
on oath to be by you administered, upon	on the	ein	<u>,</u>	<u> </u>	
to take and certify the deposition	of the witness	es and re	eturn the sa	ame to our	Court, with all Con-
venient speed, under your hand.					
Witness0th da	v of <u>Janua</u>)1*Y		19_4]	
WINICID	J VI		RS (1	, <u>-</u> , .	
		/	bed there	n .	REGISTER
Commissioner's Fee \$ 5.00					

ELLA STHOUD KINSEY,

Complainant,

VS.

J. W. KIASEY,

Respendent.

And now coss the Respondent, in his own proper person, and for answer to the Complainant's dill of Complaint, and to each count thereof, separately and severally, says:

- 1. Third he admits the allegations contained in paragraphs 1 and 2.
- 2. That he denies the allegations contained in paragraph 3, 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 consents that this cause be submitted forthwith for final decree without further notice.

Jo M Kinsey

TITUES ES:

O'Bogsoney whitley

ELLA STROUD KIRSEY,

Complainant,

VS.

J. M. KINSEY,

Respondent.

IN THE CLECUIT COURT OF

BALDWIN COUNTY, ALERAGA,

IN MOUITY.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Taiver of the Respondent, and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THERETE GLOSSIED, ADJUDGED AND DECLEED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Mespondent on the ground of cruelty.

IT IS FUNTHER ORDERED that the Complainant and Respondent be and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUEGED AND DECREED that the said ELLA STROUD KINSEY shall not again marry, except to the said J. W. KIMSEY, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said J. W. KIMBEY, during the pendency of the appeal.

IT IS FURTHER OTHERED, ADJUDJED AND DECLEED that the Respondent pay the costs herein taxed, for which execution may issue.

IT IS FUNTHER ORDERED, ANJUNCED AND DECREED that the Complainant be restored her former name: Ella Stroud.

Dated at Mouroeville, Mouroe County, Alabama, this ______ day of January, 1941.

Judge of the 21st Judicial Circuit of Ala.

688

RECORDED

BILL OF COMPLAINT

ELLA STROUD KINSEY,

Complainant,

VS.

J. W. KINSEL,

Respondent.

IN THE CURCUIT COURT OF BALDWIN COUNTY, ALASANA,

Filed January 8, 19 41. R.S. Duch, Registre y serving copy of within Summons a complaint on

MR Steat Shor.

Deputy Eheri

FINAL PRORES OF SIVORCE:

ELIA STROUD KINSEY,

Compleinent,

٧Q.

J. T. KINSEL,

Respondent.

IN THE CIRCUIT COURT OF RALEFULL COUNTY, ALARAMA, IN EQUATY.

Filed January 13, 1941 R.S. Duch, Register

ARSTAL ALD TAITEL:

ELLA STROUD MINGEN,

. Compleinent,

VS.

J. W. KLISBY,

Respondent.

THE THE CIRCULT COURT OF BALDWIN COURTY, ALABERA,

Field Jamesy 9, 1941 R.S. Duch Register

	÷,
RECORDE	Ţ
AND TO STATE OF THE PARTY OF THE	3
	y E

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant___

Commission To Take Deposition

COMMISSIONER:

Witnesses:

Elle Stroud Kinsey

C. B. rugh

THE STATE OF ALABAMA Baldwin County

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

	ELLA STROUD KINSEY	COMPLAINANT	1 1 1
	vs.		
	J. M. KINSEY	RESPONDENT	
I, <u>0</u> !	Byrne J. Whitley		
as B egister a r	rd Commissioner	· · · · · · · · · · · · · · · · · · ·	
	nd caused to come before meElle_St	V:	1 · · · · · · · · · · · · · · · · · · ·
<u> </u>			
	named in the requirement for Oral Exam		,[ឧក្សាសក្ស
	, Alabama, and hav		to speak the
truth, the wh	ole truth, and nothing but the truth, the	said Ella Strond Kinsey	
	doth	depose and say as follows:	·

My name is Ella Stroud Kinsey. I am a resident of Baldwin County, Alabama, 65 years of age. The Respondent, J. W. Kinsey, is a resident of Baldwin County, Alabama, and about 68 or 70 years of age. We were married at Bay Minette, Alabama, on November 20th, 1939. Mr. Kinsey, at the time we were married, had a home some several miles out of Foley and we moved out there and lived until March 20th, 1940, when it became necessary for me to leave. Mr. Kinsey had no way for me to go back and forth to town. Soon after we were married, we learned that it was absolutely impossible for us to live together as husband and wife. Mr. Kinsey is a man of high temperament and often, when mad, threatened and abused me. His conduct was such as to give me every reasonable apprehension to believe, and I did believe, that if I should live with him as his wife, he might do violence to my person, which would necessarily endanger my life and health.

My name, before marriage, was Ella Stroud. I would like, very much, for the Court to restore my maiden name.

I know from my experience with Mr. Kinsey that it is absolutely impossible for us to live together as husband and wife. We have agreed on a division of property, and I am claiming no alimony or property settlement from Mr. Kinsey.

Mrs. Ella Stroud Kindey

I, _ O' Syrme J. Whitley		as B	egister.	and Con	mission	er here	by certify
that the foregoing deposition on Oral Exan	ninatio	n was tai	ken dov	vn in writ	ing by n	ae in th	e words of
the witness es and read over to them	— and	they	— sign	ed the sa	ne in th	e prese	nce of my-
self and Hubert M. Hall	_				<u>.</u>	·	
at the time and place herein mentioned; t	hat I h	ave pers	onal kno	owledge o	f person	al iden	tity of said
witness_@S_ or had proof made before me	of the	identity	of sai	d witnes	<u>ses</u> ; t	hat I:	am not of
counsel or of kin to any of the parties to	said ca	use, or a	ny man	ner intere	ested in	the res	ult thereof.
I enclose the said Oral Examination	in an e	nvelope	to the F	Register o	f said C	ourt.	
Given under my hand and seal, this	9th	day	of -	: <u>Ienuery-</u>	19	<u>4 l .</u>	
							(L. S.)
	·						
							·· -
				William y F			
		ď.	d ,	in the second of		**.**	The transfer of Are
ting the second of the second	ge interested of the Pro-	parent was process		Telegrane (1) (1)			Zirkitza (e. e. e. e. e. e.
	•		<u>.</u>				No.
Filed -	0		• •		W.F.Ta	Į.	Ħ
	ORAL		K		SUS	CII	iri m
REC.	F		AMSECTN		ALSTIN COPALS	RCUI	TA
RECC	ᄓ			į	STTS	T C	H
RECORDED IN	Ğ		VS.		EX	our	
D IN	SO				- Andrews	IT COURT, IN EQ	Page- TATE OF ALAI BALDWIN COUNTY
		R.E		COM	SOCIETY CONTRACTOR	EO	Page—ALAB.
, 194./	DEPOSITION	RESPONDEN		COMPLAINAN	Transfer in	IN CIRCUIT COURT, IN EQUITY	Page STATE OF ALABAMA. BALDWIN COUNTY
194./ Registe	Z	NEC		NAN		Y	P

C. E. PUGH, A WITHESS FOR THE COMPLAINANT, BELIEC FIRST BULY SWORM, DEPOSES AND SAYS:

I am personally acquainted with J. W. Kinsey, who lives about three miles from boley. I am also personally acquainted with Mrs. Ella Stroud Kinsey. The Complainant and Respondent were married sometime about Movember 20th, 1939. The Complainant lived with the Respondent only a short time. While I was not around them very much, it was generally understood in the community where they lived that it was impossible for them to live together as husband and wife. I know of my own personal knowledge that they have not lived together as husband and wife since sometime in March, 1940, and since that time the Respondent has contributed nothing toward the support of the Complainant. I am, from what I have gained from personal knowledge and from what I have heard in the community, in a position to state that the Complainant and the Respondent cannot live together as busband and wife.

6 Etyp

ELLA STROUD KIWSEY.	
	THE STATE OF ALABAMA Baldwin County
Vs.	
J. W. KINSEY,	IN EQUITY
	Circuit Court of Baldwin County
This cause is submitted in behalf of Complainant u	pon the original Bill of Complaint,
Testimony of Ella Stroud Minsey and C.	E. Pugh, and Request for Decree in
Vacation: Commission to Take Depositio	n issued to Mrs. O'Syrma J. whitioy;
ad in behalf of Defendant upon— Answer & Maiver	
<u> </u>	Register.

'he	BA	LDWI	N CO	UNTY	: :	<i>a</i>
ircu	it C	N E	Q U of Ba	IT! Idwir	Coun	ty
ELL	A STR	OUD KI	IHSEY ,			
			VS.			
Jo	7. K	insey.				
	TOI	E O	FI	ESTI	MONY	
Filed	in O	pen Co	ourt th	is ——	9	
day (of	Ja	mure D b	Du	19	5

	2 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -		
TATE OF ALABAM	A,	CIRCUIT COURT	, IN EQUITY.
BALDWIN COUNTY	No.—	<u> </u>	Term, 193
		•	
SELLA STROLD KIHSEY,			, Complainant
	Vs.		
	!		
J. W. KINSEY	<u> </u>		, Defendant
, Hon. R. S. DUM		, Register :	
		,	
			n filed by the Responden
In the above stated cause	a Decree Pro-Conf	essoxhavingxbeen/ta	ken against the Defendant;
d evidence having been taken,	and the cause being	g ready for submiss	ion for final decree, and max
		e ermina	
fense having been interposed, the	Complainant, by	و للمراتبة عن بالأقالية	
	Solicitors	of record, now files w	ith the Register of this Court
		•	
is written request to deliver the p	papers in this cause to	o the Judge for final d	lecree in vacation.
	BEE	BE & HALL,	
	<u> Dⁿ ∓</u>	proving part	Solicitor for Complainant.

No.

Page-

The State of Alabama	,
Baldwin County.	
CIRCUIT COURT, IN EQUITY	7
ELLA STROUD KINSEY,	
	:
Vs.	* :
J. VI. KINSIY	• • •
	No.
REQUEST FOR DECREI	IN E
. •	
VACATION VACATION	
. —	The same to the second second
VACATION	19 % /
VACATION Filed January 9	19 %
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January G R.S. Wuch	19 % /
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January G R.S. Wuch	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January 9 R. S. Wush Re	gister.
VACATION Filed January 9 R. S. Wush Re	: • • • • • • • • • • • • • • • • • • •
VACATION Filed January 9 R. S. Wush Recorded in	gister.
VACATION Filed January 9 R. S. Wush Re	gister.

Moore Ptg. Co. Bay Minette