

822

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY KINSEY

Complainant

VS

J. W. KINSEY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree~~ ~~to~~ ~~Confess~~ ~~and~~ Answer & Waiver of 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 MARY KINSEY is forever divorced from the said

J. W. KINSEY

for and on account of CRUELTY

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 MARY KINSEY and J. W. KINSEY be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

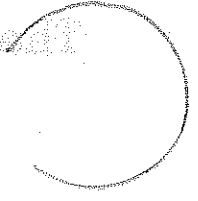
This 19th day of May, 1942
J. W. Hare
Judge Circuit Court, in Equity.

I, H. S. DUCK, 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.

The State of Alabama
Circuit Court in Equity



No. **822** Page

The State Of Alabama
Baldwin County

In Circuit Court, In Equity

MARY KINSLEY
vs. Complainant.

J. W. KINSLEY
Respondent.

DIVORCE DECREE

RECORDED


MARY KINSEY, COMPLAINANT,
VS.
J. W. KINSEY, RESPONDENT.

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

Now comes the Respondent, J. W. KINSEY, in his own proper person and for answer to the Complainant's Bill of Complaint, and to each count thereof, separately and severally, says:

1. He admits the allegations contained in Paragraphs 1 and 2.
2. 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 agrees that this matter be submitted for final decree forthwith, without further notice.


Respondent.

MARY KINSEY, COMPLAINANT

VS.

J. W. KINSEY, 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 Respondent, Request for decree in vacation, and _____
Testimony of Mary Kinsey and C. E. Pugh _____

and in behalf of Defendant upon _____

R. S. Dyer
Register.

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__.

MARY KINSEY,
Complainant—.

VS.

J. W. KINSEY
Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause an Answer and Waiver
having been filed by _____ the Respondent—,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant—, by Beebe & Hall
Solicitors— of record, now files with the Register of this Court this written request to deliver the
papers in this cause to the Judge for final decree in vacation.

Beebe & Hall
Solicitor— for Complainant—.

THE STATE OF ALABAMA,
Baldwin County



CIRCUIT COURT

TO Frances Brantley

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

Mary Kinsey and C. E. Pugh

as witnesses in behalf of Mary Kinsey in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Mary Kinsey Complainant

and J. W. Kinsey Defendant,

on oath to be by you administered, upon to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all convenient speed, under your hand.

Witness 15 day of May 1945 REGISTER

Commissioner's Fee \$

Witness' Fees, \$

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - 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 this summons, and there to answer, plead, or demur, without oath, to a Bill of Complaint lately exhibited by MARY KINSEY, against said J. W. KINSEY, and further to do and perform what said Judge shall order, and direct in that behalf, and this the 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.

WITNESS, R. S. DUCK, Register of said Circuit Court, this the _____ day of _____, 1942.

Register.

MARY KINSEY, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

J. W. KINSEY, RESPONDENT.

IN EQUITY.

TO HONORABLE F. W. HARR, JUDGE OF CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Your Complainant, MARY KINSEY, respectfully represents and shows unto your Honor and this Honorable Court, as follows:

1. That the Complainant, Mary Kinsey, and the Respondent, J. W. Kinsey, are both bona fide residents of Baldwin County, Alabama, over twenty-one years of age;
2. That the Complainant and the Respondent were married in Pensacola, Florida, on, to-wit, January 28, 1942;
3. That soon after their marriage the Respondent began to threaten and abuse the Complainant; 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, as his wife, he would carry out his threats and do violence to her person which would necessarily endanger her life and health.

Wherefore, the premises considered, the Complainant prays that this Honorable Court will by proper process make the said J. W. KINSEY party respondent to this Bill of Complaint and by appropriate orders, require 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; that she be granted

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: *Miss Lane*
Solicitors for Complainant.

Mary J. J. J.

The State of Alabama }
Baldwin County

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

MARY KINSEY

COMPLAINANT

VS:

J. W. KINSEY

RESPONDENT

I, Frances Brantley

as ~~Register and~~ Commissioner

have called and caused to come before me

Mary Kinsey and

witnesses named in the Requirement for Oral Examination, on the _____ day of _____

19____, at the office of BEEBE & HALL, LAWYERS

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said _____

Mary Kinsey doth depose and say as follows:

My name is Mary Kinsey. I live at Summerdale, in Baldwin County, Alabama. I am over twenty-one years of age. J. W. Kinsey is over twenty-one years of age, and lives in Baldwin County, Alabama, between Summerdale and Foley. J. W. Kinsey and I were married at Pensacola, Florida, on January 28, 1942, and immediately returned to Baldwin County, Alabama, where we lived before and have since lived. The Respondent is about seventy-six years of age, and very disagreeable. He often, while I tried to live with him, threatened and abused me. His conduct was such that I had every reasonable apprehension to believe and did acutally believe that if I lived with him as his wife he would do violence to my person which would necessarily endanger my life and health. His home is out in the country and there is no one living in a quarter of a mile of his place. I was afraid to live with him and his conduct is such that I feel that my life is in danger if I try to live with him as his wife.

Mary Kinsey

C. E. PUGH, A WITNESS FOR THE COMPLAINANT, DEPOSES AND SAYS:

My name is C. E. Pugh. I live at Summerdale, in Baldwin County, Alabama. I am personally acquainted with J. W. Kinsey and Mary Kinsey. They were married some time in the latter part of January, 1942. Mr. Kinsey is a men about seventy-six years of age and he has a high temper. His conduct toward Mary Kinsey was such as to render it impossible for her to live with him as his wife. In my opinion it is impossible for them to liye together as husband and wife.

C. E. Pugh

ORAL EXAMINATION

I, Frances Brantley, as Register and Commissioner hereby certify that the foregoing deposition s. 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 H. M. Hall 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 12th day of May 1942.

Frances Brantley (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY
IN CIRCUIT COURT, IN EQUITY

MARY KINSEY,

COMPLAINANT

vs.

J. W. KINSEY

RESPONDENT

ORAL DEPOSITION

Filed May 15, 1942

Frances Brantley Register

RECORDED IN

_____ Record

Vol. _____ Page _____

_____ Register

RECORDED
NO. _____

MARY KINSEY

Complainant—.

VS.

J. W. KINSEY

Respondent—.

Request For Decree In Vacation

Filed

May 15—

194~~8~~

R. S. D. U. C. H.

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

MARY KINSEY, COMPLAINANT,

vs.

J. W. KINSEY, RESPONDENT.

NOTE OF TESTIMONY

Filed in Open Court this 15

day of May 1937

Radner

REGISTER

RECORDED

MARY KINSEY, COMPLAINANT

VS.

J. W. KINSEY, RESPONDENT

ANSWER AND WAIVER

Filed Aug 15 1942
W. B. Pouch

Beebe & Hall, Lawyers,
Bay Minette, Alabama

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MARY KIMSEY

Complainant

VS.

J. W. KIMSEY

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

RECORDED

MARY KINSEY, COMPLAINANT

VS.

J. W. KINSEY, RESPONDENT

BILL OF COMPLAINT

Filed May 15 1942
Bebe & Hall

Bebe & Hall
Bay Minette, Ala.

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