

2470

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

FRANKIE BUCK KELLY

, Complainant

vs.

R. V. KELLY

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on answer & 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 FRANKIE BUCK KELLY is forever divorced from the said R. V. KELLY 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 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 FRANKIE BUCK KELLY

the Complainant pay the cost herein to be taxed, for which execution may issue.

This 22<sup>nd</sup> day of May, 1950.

Julian J. Madaleno Jr.  
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.

RECORDED

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

*Frankie Buck Kelly*  
Complainant

vs.

*R. V. Kelly*  
Respondent

DIVORCE DECREE

FILED  
MAY 22 1950  
ALICE J. DUCK, Register

THE STATE OF ALABAMA  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Frankie Buck Kelly

Complainant

VS.

R. V. Kelly

Respondent

I, Madeline S. Bryars

as Register and Commissioner

have called and caused to come before me Frankie Buck Kelly and Maxine Baggett

witnesses named in the Requirement for Oral Examination, on the 12 day of May 1948, at the office of W. C. Beebe in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Frankie Buck Kelly and Maxine Baggett doth depose and say as follows:

My name is Frankie Buck Kelly. I am over the age of twenty-one years, a resident of Baldwin County, Alabama, where I have resided all of my life. I am the complainant in the suit pending in the Circuit Court of Baldwin County, Alabama in equity against R. V. Kelly for divorce. He is over the age of twenty-one years and now a resident of Choctaw County, Alabama. We were married January 12, 1950 at Quitman, Mississippi and lived together as husband and wife until we separated April 8, 1950 at Bay Minette, where we were then residing. The cause of our separation was his extreme cruelty and drunkenness. On the evening of April 8, 1950 he threatened and cursed and abused me and brutally beat me about the face and body with his fists causing lacerations and bruises and threatened to kill me and drove me away from home. We have not lived together since. I have been afraid that should I go back he would carry out his threats and do me bodily harm attendant with danger to my life or health.

Frankie Buck Kelly

My name is Maxine Baggett. Frankie Buck Kelly is my mother. On April 8th, R. V. Kelly, who was then her husband, beat her severely and cursed and abused her. I saw the bruises on her body a short while after it happened.

Miss Maxine Baggett

ORAL EXAMINATION.

I, Madeline S. Bryers, 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 W. C. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ES 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 22 day of May, 1940

Madeline S. Bryers (L. S.)

NO. 2771 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Frankie Buck Kelly  
vs. Complainant

R. V. Bull  
Respondent.

Oral Deposition

Filed 25-7-40, 1940

Beise J. French Register.  
Recorded in \_\_\_\_\_

\_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register.

FRANKIE BUCK KELLY  
COMPLAINANT

VS

R. V. KELLY  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

And now comes the respondent in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same.

The respondent waives notice of the time of taking testimony on behalf of Complainant, the right to cross examine complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without notice.

R. V. Kelly

STATE OF ALABAMA

CHOCTAW COUNTY

I, F. D. Smith, a Register, a Notary Public in and for the said county in said State, hereby certify that R. V. Kelly, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 20 day of May, 1950.

F. D. Smith  
Notary Public, Choctaw County, Ala.

RECORDED W 2470

Frankie Buck Kelly  
Complainant

VS

R. V. Kelley  
Respondent

Anne Kerner

FILED

MAY 22 1950

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

You are hereby commanded to summon R. V. KELLY to be and appear before the Judge of the Circuit Court of Baldwin County, in equity, 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 FRANKIE BUCK KELLY against the said R. V. KELLY and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law.

WITNESS, ALICE J. DUCK, Register of said Circuit Court, this 22<sup>nd</sup> day of May, 1950.

*Alice J. Duck*  
Register

FRANKIE BUCK KELLY  
COMPLAINANT

VS

R. V. KELLY  
DEFENDANT

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

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, Frankie Buck Kelly, in the above styled cause and humbly complaining against R. V. Kelly respectfully shows unto your Honor:

FIRST:

That your complainant, Frankie Buck Kelly, is over the age of twenty-one years and a resident of Baldwin County, Alabama, where she has resided all of her life; that the defendant, R. V. Kelly, is over the age of twenty-one years and now a resident of Choctaw County, Alabama.

SECOND:

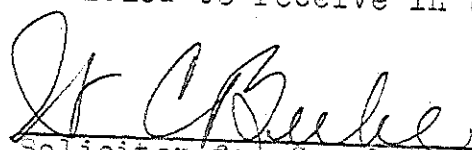
That your complainant and the said defendant are husband and wife, having intermarried at Quitman, Mississippi, January 12, 1950, that they lived together as husband and wife in Bay Minette, Alabama, until April 8, 1950, when they separated.

THIRD:

That the defendant, is a man of violent and ungovernable temper and frequently becomes enraged and when enraged is a dangerous man and often has become enraged at complainant without just cause or reasonable excuse and has cursed and abused complainant and threatened to kill her; That on the evening of April 8th, 1950, he became enraged and threatened and cursed and abused complainant and brutally beat her about the face and body with his fists, causing lacerations and bruises and threatened to kill her; That she separated from him the evening of April 8th, 1950, and they have not lived together as husband and wife since; From his conduct there is probable belief and it is believed that should she continue to live with him he would inflict bodily injury upon her attendant with danger to her life or health.

WHEREFORE, your complainant prays that this Honorable Court will take the jurisdiction of the cause made by this bill of complaint and make the said R. V. Kelly party defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant, and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

  
Solicitor for Complainant



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Madeline S. Bryars

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 Frankie Buck Kelly and Maxine Baggett

as witnesses in behalf of Frankie Buck Kelly in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Frankie Buck Kelly

is, Complainant  
and R. V. Kelly

is Respondent

on oath, to be by you administered, upon Oral examination  
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 22<sup>nd</sup> day of May, 1947

Alice J. Jones  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2470

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

Frankie Buck Kelly

Complainant

VS.

R. V. Kelly

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

MAY 22 1950

MAY 1 1950

FRANKIE BUCK KELLY                    |   IN THE CIRCUIT COURT OF  
                                  COMPLAINANT   |  
VS                                       |   BALDWIN COUNTY, ALABAMA.  
                                      |  
R. V. KELLY                            |   IN EQUITY  
                                  RESPONDENT   |


Comes the complainant in the above styled cause by her solicitor, W. C. Beebe, and request the oral examination of Frankie Buck Kelly and Maxine Baggett, witnesses for complainant and shows that the said witnesses reside at Bay Minette in Baldwin County, Alabama, within one hundred miles of the courthouse; that the testimony of such witnesses will be material for complainant in said cause.

This the 22 day of May, 1950.

  
Solicitor for Complainant

Complainant suggests Madeline S. Bryars as a suitable person to act as commissioner in the taking of testimony of the foregoing witnesses.

This the 22 day of May, 1950.

  
Solicitor for complainant.

2470

Franklin Buck Kelly  
Complainant

vs.

R. V. Kelly  
Respondent

Removal for Draft  
Examinations

FILED  
MAY 22 1950  
CLERK U. S. DEPT. OF JUSTICE

Frankie Buck Kelly

R v Kelly<sup>vs.</sup>

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, Answer  
& Waiver, oral deposition

and in behalf of Defendant upon answer & waiver

J. C. Buebe

Register.

RECORDED

No. 2470

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

Frankie Buck Kelly

vs.

R. V. Kelly

**NOTE OF TESTIMONY**

Filed in Open Court this 22<sup>nd</sup>

day of May, 1940

Alvin J. [Signature]  
Register.

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2470