

2630

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

MARY GATES KILPATRICK
vs.

Complainant

JAMES A. KILPATRICK

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 Mary Gates Kilpatrick is forever divorced from the said James A. Kilpatrick for and on account of voluntarily abandonment

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant be and she is hereby awarded the care, custody and control of the said minors, James Arthur Kilpatrick, Jr., age 3; and Joan Monette Kilpatrick, age 1.

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

This 26th day of April, 1951

Jeffair J. Mosley, Jr.
Judge Circuit Court, In Equity.

I, Alice J. 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.

17.
No. 2630 Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

MARY GATES KILPATRICK

Complainant

vs.

JAMES A. KILPATRICK

Respondent

DIVORCE DECREE

FILED
APR 27 1951
ALICE J. DUCK, Register

*Law Offices of
J. Fletcher Jones
Court Square
Andalusia, Alabama*

O'Neal Building

~~XXXXXXXXXXXXXXXXXXXX~~

36420

August 16, 1967

TELEPHONE 222-5633
POST OFFICE DRAWER 1128

Register
Circuit Court of Baldwin County, Alabama
Bay Minette, Alabama

RE: Mary Monette Kilpatrick vs. James Author
Kilpatrick

2-30

Dear Sir:

I would like to obtain a certified copy of the final decree of divorce rendered in the cause of Mary Monette Kilpatrick vs. James Author Kilpatrick in the Circuit Court of Baldwin County, Alabama. I am told that the decree was rendered in 1950.

Enclosed herewith you will find my check for \$1.50 covering costs of a certified copy of this final decree.

Thanking you in advance for your assistance, I am

Very truly yours,

J. Fletcher Jones
J. Fletcher Jones

JFJ/jb

ENCLOSURE

none
8-17-67

STATE OF ALABAMA }
BALDWIN COUNTY }

You are hereby commanded to summon JAMES A. KILPATRICK, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by MARY GATES KILPATRICK, as Respondent.

WITNESS my hand this _____ day of July, 1950.

Register

MARY GATES KILPATRICK }

Complainant }

Vs }

JAMES A. KILPATRICK }

Respondent }

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE TILFAIR J. DASHBURN, JR., JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your Complainant, MARY GATES KILPATRICK, respectfully re-
presents and shows unto your Honor and this Honorable Court as
follows:

1.

That your Complainant and the Respondent are both bona fide
residents of Baldwin County, Alabama and over twenty-one years of age.

2.

That your Complainant and the Respondent married in Bay
Minette, Alabama on Feb. 2, 1946 and lived together as husband
and wife in Baldwin County, Alabama until on to-wit, Feb. 15, 1949.

3.

Complainant avers that said Respondent voluntarily
abandoned the bed and board of Complainant for more than one year
next preceding the filing of this bill of complaint, since which
time Complainant and Respondent have not lived together nor in any
way recognized each other as husband and wife.

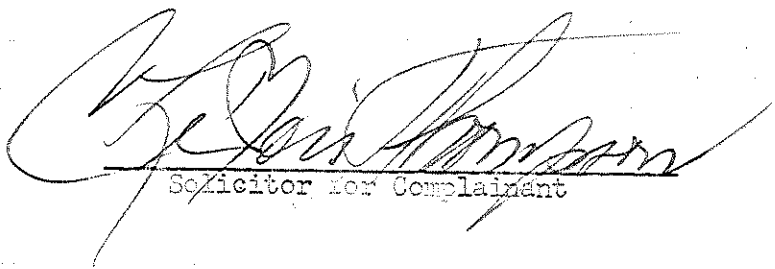
4.

There were born as fruits of this marriage between the Complainant and the Respondent two children; James Arthur Kilpatrick, Jr., age 3; and Joan Monette Kilpatrick, age 1. That the Mother of said children is a suitable, fit and proper person to have the care, custody and control.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said JAMES A. KILPATRICK 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.

Your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent.

That the care, custody and control of the children be awarded to the Complainant, and that upon a final hearing of this cause; that your Complainant be awarded such other further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for Complainant

RECORDED

700 2636

MARY GATES KILPATRICK

Complainant

Vs

JAMES A. KILPATRICK

Respondent

SUBPOENS AND COMPLAINT

FILED

APR 21 1951

ALICE J. DUCK, Register

From the law office of
C. Leloir Thompson
Bay Minette, Alabama

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MARY GATES KILPATRICK

Complainant

VS.

JAMES A. KILPATRICK

Respondent

I, Peggy Guy

as Register and Commissioner in the above styled cause
have called and caused to come before me Marv Gates Kilpatrick and William D. Gates

witness es named in the Requirement for Oral Examination, on the 29 day of July
1945, at the office of C. LeNoir Thompson
in Bay Minette, Alabama, and having first sworn said Witness to speak the
truth, the whole truth, and nothing but the truth, the said Mary Gates Kilpatrick and
William D. Gates doth depose and say as follows:

That my name is Mary Gates Kilpatrick, I am over the age of twenty-one and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent is also over the age of twenty-one and a resident of Baldwin County, Alabama and has been more than two years next preceding. We were married February 2, 1946 in Bay Minette and lived together as husband and wife, until February 15, 1949 at which time my husband abandoned me without grounds for such. There are two children born as fruits of this marriage; James Arthur Kilpatrick, Jr., age 3, and Joan Monette Kilpatrick, age 1. The children reside with me and have since birth. I would like to have their care, custody and control.

Mary Gates Kilpatrick

That I am William D. Gates, that I know both parties to this suit, that I know that they were married in February, 1946 and lived together, until the first part of 1949. That I know that they have not lived together since he abandoned her and I do not know any reason on her part for his treatment. They have two children; James Arthur Kilpatrick, Jr., and Joan Monette Kilpatrick.

William D. Gates

ORAL EXAMINATION.

I, Peggy Guy, as Register and Commissioner hereby certify that the foregoing deposition s on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. LeNair Thompson 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 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 29 day of July, 1950.

Peggy Guy (L. S.)

NO. 2630 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MARY GATES KILPATRICK

vs. Complainant

JAMES A. KILPATRICK

Respondent.

Oral Deposition

Filed _____, 194_____

APR

21 1951

Register.

ALICE J. added in
Redbook, Register

Record

Vol. _____

Page _____

, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Peggy Guy

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 Gates Kilpatrick and William D. Gates

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

Mary Gates Kilpatrick, Complainant

and

James A. Kilpatrick Respondent

on oath, to be by you administered, upon Peggy Guy

to take and certify the deposition of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 29th day of July, 1945

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MARY GATES KILPATRICK

Complainant

vs.

JAMES A. KILPATRICK

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

PEGGY GUY

WITNESSES:

MARY GATES KILPATRICK

WILLIAM D. GATES

MARY GATES KILPATRICK

Complainant

VS

JAMES A. KILPATRICK

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

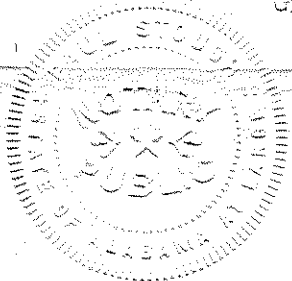
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

James A. Kilpatrick

STATE OF ALABAMA
ESCALA COUNTY

Paul D. Stump, a Notary Public, in and for said County, in said State, hereby certify that James A. Kilpatrick, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 29 day of July, 1950.



Paul D. Stump
Notary Public, Escala County, Alabama.

RECORDED

2630

MARY GATES KILPATRICK

Complainant

Vs

JAMES A. KILPATRICK

Respondent

ANSWER AND WAIVER

FILED
APR 21 1951
ALICE J. BUEK, Register

From the law office of
C. LeNoir Thompson
Bay Minette, Alabama

MARY GATES KILPATRICK

vs.

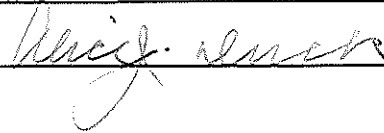
JAMES A. KILPATRICK

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,

and oral depositions of Mary Gates Kilpatrick and William D. Gates

and in behalf of Defendant upon answer and waiver


Solicitor for Complainant

Register.

m.

No. 2630.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MARY GATES KILPATRICK

VS.

JAMES D. KILPATRICK

NOTE OF TESTIMONY

Filed in Open Court this 21.....

day of April, 1947.

Archie. Newch
Register.

Printed By The Baldwin Times

2630