

3349

KATRINE KILLCREASE DEAN,	0	IN THE CIRCUIT COURT OF
Complainant,	0	BALDWIN COUNTY, ALABAMA.
VS.	0	IN EQUITY.
JAMES A. DEAN,	0	NO. _____
Respondent.	0	

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, KATRINE KILLCREASE DEAN, and files
this her bill of complaint against JAMES A. DEAN, and respectfully
represents and shows unto your Honor as follows:

1. That your Complainant is over the age of twenty-one years
and is a bona fide resident citizen of the State of Alabama, and has
been for more than two years next preceding the filing of this bill
of complaint; that the respondent is over the age of twenty-one
years and is a resident of the State of Alabama.

2. That your complainant and the respondent were lawfully
married in Lucedale, Mississippi, on February 12, 1949.

3. The complainant further avers that the respondent has
committed actual violence on her person attended with danger to her
life and health and from his conduct and manner she is reasonably
apprehensive of other and further violence, so much so that she can
no longer live with the respondent as his wife; that the respondent
has made numerous threats of doing her physical harm and from his
manner and conduct toward her she is reasonably convinced that he
will commit actual violence on her person attended with danger to
her life or health.

4. That there was born to this marriage one child, GINNA KAY
DEAN, an infant girl who is now of the age of ten months; That the
respondent is not a fit and proper person to have the custody and
control of an infant; That your complainant is a fit and proper
person to have the care, custody and control of the said infant and
it would be to the interest of the said infant to be placed in the
care, custody and control of your complainant.

5. That your respondent is a strong able bodied man, who is
well able to work and support your complainant and the said infant
child; that said respondent works at the Reserve Fleet in Bay Minette,

and earns \$1.76 per hour; and that he is on the Veterans Education Program and makes \$80.00 per month from that; and that he is a member of the National Guard and earns approximately \$25.00 per month from that; that your complainant has no money with which to hire a lawyer, and has no money for the support of herself and the infant daughter.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Your complainant prays that JAMES A. DEAN be made a party respondent to this cause by the usual process of this Honorable Court, requiring him to plead, answer and demur to this bill of complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF.

Complainant further prays that upon a final hearing of this cause she be granted a divorce from said respondent; that she be granted the care, custody and control of their infant daughter, GINNA KAY DEAN; that your Honor will fix a reasonable sum for the respondent to pay to your complainant for the support of herself and the said infant child; that your Honor will order the said respondent to pay said sum to your complainant at regular and fixed intervals; that your Honor will fix a reasonable fee to be paid to your complainant's solicitor and will order the respondent to pay the same; and, if your complainant is mistaken in the relief to which she is entitled, she prays for such other, further, different or general relief, as she may, in equity and good conscience, be entitled to receive; and as in duty bound, she will ever pray, Etc.

Sallie J. Mahoney
Solicitor for Complainant.

KATRINE KILLCREASE DEAN,
Complainant,
VS.
JAMES A. DEAN,
Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.
NO. _____

WAIVER AND ANSWER.

Comes the respondent in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree at any time without further notice to him.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.
2. He admits the allegations contained in paragraph 2 of said bill of complaint.
3. He denies the allegations contained in paragraph 3 of said bill of complaint and demands strict proof thereof.
4. He denies the allegations contained in paragraph 4 of said bill of complaint and demands strict proof thereof.
5. He denies the allegations contained in paragraph 5 of said bill of complaint and demands strict proof thereof.

James A. Dean
Respondent.

Executed in the presence of:

Jeffrey G. Maclebury, Jr.

3349

FILED
SEP 9 1954
ALICE J. DUCK, Register

KATRINE KILLCREASE DEAN,
Complainant,

vs.

JAMES A. DEAN,
Respondent.

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 and Waiver and Testimony of Katrine Killcrease Dean and

and in behalf of Defendant upon Answer and Waiver.

Doris French
Register.

J. J. Marshall, Jr.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

KATRINE KILLCREASE DEAN

Complainant,

vs.

JAMES A. DEAN

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of

9-9-54, 194

Alice L. Duck, Clerk

Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: James R. Owen, Esq.,

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 KATRINE KILLCREASE DEAN and GEORGIA KILLCREASE

as witnesses in behalf of KATRINE KILLCREASE DEAN in a cause pending in our Circuit Court in Baldwin County, of said State, wherein KATRINE KILLCREASE DEAN

is the _____, Complainant
and JAMES A. DEAN

is the _____ Respondent

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

Witness 9th day of September, 1954

Miss J. L. Smith
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

KATRINE KILLCREASE DEAN
Complainant
vs.
JAMES A. DEAN
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay Minette
....., in the County of Baldwin
Alabama, the place of trial of said cause, to-wit: Katrine Killcrease Dean
and Georgia Killcrease

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Julius J. Maslbury, Jr.
Solicitor for Complainant

NOTE:

Complainant suggests the name of James R. Owen
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Julius J. Maslbury, Jr.
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Complainant

vs.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed this _____ day of _____

194_____

FILED
SEP 9 1954

Moore Printing Co.

ALICE J. DICK, Register

Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

KATRINE KILLCREASE DEAN

Complainant

VS.

JAMES A. DEAN

Respondent

I, James R. Owen

as ~~XXXXXX~~ Commissioner heretofore appointed

have called and caused to come before me KATRINE KILLCREASE DEAN AND GEORGIA KILLCREASE

witness es named in the Requirement for Oral Examination, on the day of September

19 54, at the office of Telfair J. Mashburn, Jr.

in Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said KATRINE KILLCREASE DEAN

 doth depose and say as follows: "My name is Katrine Killcrease Dean. I am the complainant in this cause and I am over the age of twenty-one years. I am a bona fide resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama, and have been for more than two years next preceding the filing of the bill of complaint in this cause. The Respondent, JAMES A. DEAN, is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama. I married the said James A. Dean in Lucedale, Mississippi, on February 12, 1949. I lived with him as his wife until about the 28th day of November, 1953. On or about the 28th day of November, 1953, the said James A. Dean actually struck me; we had been having trouble for some time and he had threatened to strike me on several occasion. When he struck me on that date, I became convinced that he would carry out his threats and beat me if I continued to live with him as his wife and that it would be dangerous to my life or health to continue to do so. I left him at that time, and have not returned to live with him as his wife. We have one child, a baby daughter, GINA KAY DEAN, age ten months. I believe I am the proper person to have the care, custody and control of this child. My husband is not the fit and proper person to have the care, custody and control of an infant daughter. My husband works for the U. S. Government on the Reserve Fleet at Bay Minette, and make a sufficient salary to support me and the baby. I have no separate estate." Further Deponent says not.

Katrine Killcrease Dean

The said GEORGIA KILLCREASE doth depose and say as follows: "My name is Georgia Killcrease. I am the mother of Katrine Killcrease Dean. She is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama, and has been for more than the last past two years. She married James A. Dean in February, 1949, and they lived together as husband and wife until November, 1953. They have a little baby girl, ten months of age, and I believe that my daughter is the proper person to have the custody and control of said child. I am informed and believe that my daughter left the said James A. Dean because of his threats to do her bodily harm. I believe it would be to the best interests of all concerned if they were divorced." Further Deponent says not.

Georgia Killcrease

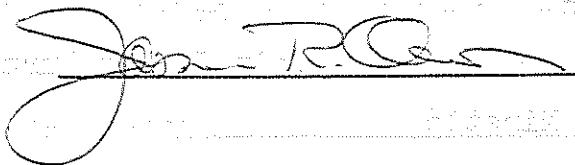
ORAL EXAMINATION

I, James R. Owen, ~~as Register and~~ Commissioner hereby certify that the foregoing deposition 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 Telfair J. Mashburn, Jr.

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 -----; 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 9th day of September, 1954.

 (L. S.)

3349

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

vs. Complainant

Respondent

Oral Deposition

Filed FILED, 1954

SEP 9 1954, Register

Also Recorded in
Register

Record

Vol. _____ Page _____, Register

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

KATRINE KILLCREASE DEAN, Complainant

vs.

JAMES A. DEAN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXXXXXXXX~~
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

KATRINE KILLCREASE DEAN is forever divorced from the said JAMES A. DEAN for and on account of

"Cruelty"

It is further ORDERED, ADJUDGED AND DECREED that the Complainant be, and she is hereby, awarded the care, custody and control of their infant daughter, GINA KAY DEAN, with rights of reasonable visitation in the respondent; and the respondent is ordered to pay to the Complainant, for the support and maintenance of said child, the sum of \$ 60⁰⁰ per month, payable on the first and fifteenth of each Month.

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 JAMES A. DEAN the Respondent pay the cost herein to be taxed, for which execution may issue.

This 10th day of September, 1954.

Robert M. Hall

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.

No. 3.349 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*Filed 9-10-54
Being French
Rep...*