

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- Bobbie W. Kern -----, Complainant

vs.

----- Clermont J. Kern -----, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~DEEDS FROM RECORDS~~ 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 ----- Bobbie W. Kern ----- is forever divorced from the said ----- Clermont J. Kern ----- 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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that ----- Clermont J. Kern ----- the ----- respondent ----- pay the cost herein to be taxed, for which executed may issue.

This 3 day of September 1957

Hubert M. Hall

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.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Bobbie W. Kern

Complainant

vs.

Clermont J. Kern

Respondent

DIVORCE DECREE

FILED
SEP 3 1957
ALICE L. DUCK, Register

Bobbie W. Kern

vs.

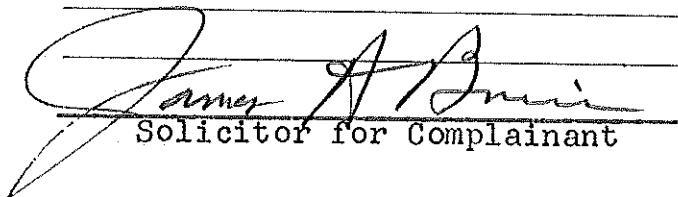
Glermont J. Kern

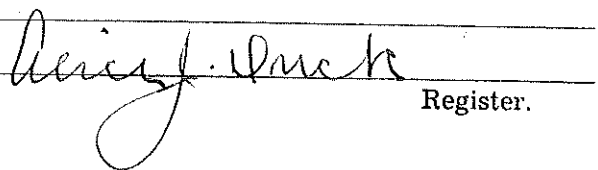
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

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

and in behalf of Defendant upon _____ Answer and Waiver


Solicitor for Complainant


Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Robbie W. Kern

vs.

Clermont J. Kern

NOTE OF TESTIMONY

Filed in Open Court this

day of

FILED
AUG 31 1957

194

ALICE J. BECK

Register.

Printed by the Baldwin Times Register

WAIVER AND ANSWER

BOBBIE W. KERN)
Complainant)
VS.)
CLERMONT J. KERN)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the respondent in the above styled cause and accepts service of a Bill of Complaint filed heretofore 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.

And for answers 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 each and every allegation contained in paragraph 3 of said Bill of Complaint and demands strict proof thereof.

Clermont J. Kern
Respondent

STATE OF ALABAMA)
BALDWIN COUNTY)

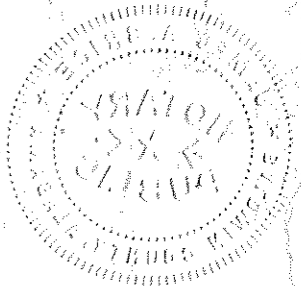
I, James A. [Signature], a Notary Public in and for said County and State, hereby certify that Clermont J. Kern, whose name is signed to the foregoing waiver, and who is known to me, acknowledged before me on this day that, being informed of the contents of the waiver, he executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I hereunto set my hand and official seal, on this the 26 day of August, 1957.

James A. [Signature]
Notary Public

725.4117

Answer & Waiver



FILED
AUG 13 1957

ALICE J. DUCK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Eva C. Gibbins

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Emile J. Legros

a witnesses in behalf of Bobbie W. Kern in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Bobbie W. Kern, Complainant

and

Clermont J. Kern Respondent

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

Witness 30 day of Aug, 1957

Handwritten signature of Alice J. ... Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4117

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Bobbie W. Kern

Complainant

VS.

Clermont J. Kern

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

any testimony and deposition the evidence which has been taken and the same shall be admissible in any trial which may be had in any court of law or equity in this State.

and the same shall be admissible in any trial which may be had in any court of law or equity in this State.

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BILL OF COMPLAINT

BOBBIE W. KERN)
Complainant :
VS.) IN THE CIRCUIT COURT OF
CLERMONT J. KERN : BALDWIN COUNTY, ALABAMA
Respondent) IN EQUITY

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


Comes your complainant, Bobbie W. Kern, and respectfully shows and avers unto your Honor and the Court as follows:

1. That your complainant is over the age of twenty-one years of age and is a bona fide resident citizen of Baldwin County, Alabama; that the respondent, Clermont J. Kern, is over the age of twenty-one years, and is a bona fide resident citizen of Baldwin County, Alabama.

2. That your complainant and the respondent inter-married in Folkston, Charlton County, Georgia, on, to-wit: April 12, 1957, and ever since have been and are now husband and wife.

3. Your complainant avers and charges that the said respondent did at divers times prior to the 5th day of July, 1957, and on or about the 5th day of July, 1957, act in an abusive, insulting and threatening manner toward your complainant; that the said respondent on the 5th day of July committed acts of physical violence in the presence of your complainant attended with danger to her health or life; that 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 upon her person, attended with danger to her health or life; that on, to-wit, the 5th day of July, 1957, she separated from and abandoned the said respondent, and is now living separate and apart from him.

THE PREMISES CONSIDERED, complainant prays that the respondent be made a party respondent to this Bill Of Complaint by the usual process of this Honorable Court, and the statutes in such cases made and provided, requiring him to plead, answer or demur within the time and within the manner provided by law; and that on a final hearing of this cause that your Honor will enter a decree divorcing your complainant from the said respondent, and granting both parties the right to remarry; and complainant further prays that your Honor will grant such other, further, different, and general relief to which the complainant may be entitled, as in duty bound she will ever pray


Solicitor for Complainant

7/1/17
S. A. B.
S. A. B.
S. A. B.

Solicitor for Complainant

RECORDED
INDEXED
JUL 1 1917

THE PREMISES CONSIDERED; COMPLAINT BEING
 respondent be made a party respondent to this Bill of
 complaint by the usual process of this Honorable Court,
 and the statutes in such cases made and provided, re-
 spondent herein to stand answer or deny within the time
 and within the manner provided by law; and that on a
 final hearing of this cause that your Honor will enter
 a decree divorcing your complainant from the said
 respondent, and granting both parties the right to
 remarry; and complainant (whether that your Honor
 deems best) and other matters, different, and general
 relief to which the complainant may be entitled, as in
 duty bound she will ever

[Signature]
 RECEIVED FOR ORIGINAL
[Signature]

4117

Bobbie W. Kern

VS

Clarence J. Kern

Bill of Complaint

FILED

AUG 31 1957

ALICE L. DUCK, Register

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THE STATE OF ALABAMA }
Baldwin County }

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

BOBBIE W. KERN COMPLAINANT

vs.

CLEERMONT J. KERN RESPONDENT

I, Eva C. Gibbins

as Register and Commissioner

have called and caused to come before me Emile J. Legros

witness named in the requirement for Oral Examination, on the 24 day of August
1957, at the office of James A. Brice, Foley, Alabama

in _____, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Emile J. Legros

doth depose and say as follows:

My name is Emile J. Legros. I have known Elermont J. Kern and
Bobbie W. Kern since April 17, 1957, and during that period of time
I have had many opportunities to observe them together; they are
residents of Baldwin County, Alabama, and have held themselves out
to all the world as husband and wife; Mr. Kern is about thirty years
old and Mrs. Kern is twenty-six years old. They separated July 5, 1957.

During the time I have known them I have witnessed many
quarrels, scraps, and angry words between them; Mr. Kern has on
many occasions used violent and abusive language in addressing Mrs.
Kern, and I have heard him threaten her with physical harm if she
did not do as he commanded. The type of language and threats he
made were of a nature sufficient to induce fear and apprehension
of bodily harm in the person to whom the words and threats were
addressed. Further deponent saith not.

Emile J. Legros

I, Eva C. Gibbins as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness and read over to him and he signed the same in the presence of myself and James A. Brice at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof 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 30 day of August 1957.

Eva C. Gibbins (L. S.)
Eva C. Gibbins

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

Bobbie W. Kern

COMPLAINANT

VS.

Clermont J. Kern

RESPONDENT

ORAL DEPOSITION

Filed _____, 1957

FILED
RECORDED IN
AUG 31 1957

Register.

Record

ALBERT J. BECK, Register

Vol. _____ Page _____

Register