IN THE CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUTTY:

CLAUDINE KINARD,

Complainant,

-vs-

HORACE KINARD,

Respondent.

Deposition of Claudine Kinard and of Annette Roberts, witness on behalf of the Complainant, in this cause.

COMMISIONER'S FEE $10.00
peggy preston

Law Offices Of
WILLIAM GRAYSON
65 St. Emanuel Street
MOBILE, ALABAMA

4273

INSTRUCTIONS TO DELIVERING EMPLOYEE

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a16—71548-8

(4273)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CLAUDINE KINARD, Complainant

vs.

HORACE KINARD, 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 Claudine Kinard is forever divorced from the said Horace Kinard for and on account of Cruelty

It is futher 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 futher ordered that Complainant, Claudine Kinard the Complainant pay the cost herein to be taxed, for which executed may issue.

This 26th day of August 1958

Hubert 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._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

DIVORCE DECREE

FILED

AUG 28 1958

ALICE J. DUCK, CLERK REGISTER

CLAUDINE KINARD,	)	IN THE CIRCUIT COURT OF
		BALDWIN COUNTY, ALABAMA
Complainant,	)	IN EQUITY:
-vs-	)	
HORACE KINARD,		
Respondent	)	NO._____

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF ~~MXXXXX~~ BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes theComplainant and shows unto this Honorable Court and the Honorable Judges thereof as follows:

ONE

The Complainant is the wife of the Respondent and they were married to each other on December 16, 1952 in Lucedale, Mississippi. Both the Complainant and the Respondent are each over the age of twenty-one years. The Complainant is a bona-fide resident citizen of Mobile County, Alabama and has been such for more than one year next preceding the filing of the bill of complaint herein. The Respondent is a resident of Mississippi. There is one minor child as issue of their marriage, Thomas David Kinard, age two and a half years.

TWO

Respondent has inflicted actual violence upon the person of the Complainant, attended with danger to her life or health or from his conduct there is reasonable apprehension of such violence.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said Horace Kinard, party-respondent hereto, and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent and Complainant further prays for such other, further and different relief asin equity she may be due, and as in du ty bound she will ever pray, etc.

William F. Gregory

SOLICITOR FOR COMPLAINANT.

4273

CLAUDINE KINARD	)	IN THE CIRCUIT COURT OF
Complainant,	:	BALDWIN ~~MOBILE~~ COUNTY, ALABAMA.
-vs-	)	IN EQUITY.
HORACE KINARD	:	NO._____
Respondent.	)	

NON-RESIDENCY AFFIDAVIT

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority in and for said State and County, personally appeared Claudine Kinard who was made known to me, and who by me first being duly sworn on oath deposes and says as follows:

That I am the wife of the Respondent herein and I am the Complainant in the above styled cause. The Respondent is over the age of twenty-one years and he is a non-resident of the State of Alabama. He is a resident of the State of Louisiana and his place of residence and post office address is, % Gordon's Jewelry Store, New Orleans, La.

Claudine Kinard
AFFIANT.

Sworn and subscribed to before me on this the 5th day of May 1958.

William Stanzo
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

CLAUDINE KINARD Complainant,	)	IN THE CIRCUIT COURT OF BALDWIN ~~MOBILE~~ COUNTY, ALABAMA
Vs.	)	IN EQUITY
HORACE KINARD Respondent.	)	NO._____

ANSWER AND WAIVER

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint herein admits the allegations as to the ages, residences and marriage and denies the other allegations of said Bill of Complaint and demands strict proof thereof.

Respondent agrees that the testimony in this cause may be taken by deposition on oral examination, and waives notice of the time and place of the taking of such testimony and agrees that this cause may be submitted for final decree at any time. Respondent waives all notices to which he or she may be entitled by law in this cause. Respondent agrees that Peggy Preston may take the testimony in this cause as commissioner, without the issuance of a commission.

~~ATTEST:~~

1._____

2._____

Horace Kinard
RESPONDENT

Complainant agrees that Peggy Preston may take the testimony in this cause as commissioner, without issuance of a commission.

William Grayson
SOLICITOR FOR COMPLAINANT.

Note: The Space below is intended for "Agreements Between the Parties"

Complainant releases the Respondent from all claims of alimony and support, both temporary and permanent as to herself alone.

Horace Kinard
Respondent

William Grayson
Sol. for Complainant

STATE OF MISSISSIPPI

COUNTY OF LAUDERDALE

Before me, the undersigned authority, in and for said State and County personally appeared the above named Respondent, whose name is signed to the foregoing instrument, and who was made known to me, acknowledged before me this day, that being informed of the contents of the instrument, said Respondent executed the same voluntarily on the day same bears date.

Witness my hand and seal this 23rd day of ~~April~~ May 1958.

Filed in Registers Office

_____195__

W.ELSWORTH HAUGHTON, REGISTER

C. L. Denton
NOTARY PUBLIC
(Please affix official seal)

My Com. expires Sept. 26, 1960.

4273

Answer of Warwick

Ranard
vs
Ranard

FILED
MAY 28 1958
ALICE J. DUCK, Register

5M—9-57

CERTIFICATE

I, Peggy Preston, the Commissioner appointed by the Court and named in ~~xxxxxxxxxxxxxxxxx~~, or named by agreement of the parties, in that certain cause now pending in the Honorable Circuit Court of ~~xxxxx~~ Baldwin County, Alabama, Sitting in Equity, No. 4273, wherein Claudine Kinard is Complainant, and Horace Kinard is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as such commissioner, caused Claudine Kinard, and Annette Roberts who ~~were~~ are made known to me, to come before me at 3:00 o'clock P M., on June 30th, 19 58, at 65 St. Emanuel Street Mobile, Alabama; that said witnesses were first duly sworn by me as stated; that they were then examined by WILLIAM GRAYSON, Solicitor for the complainant ~~XXXXXXXXXXXXXXXX~~ ~~and cross-examined by~~ ~~XXXXXX~~ ~~Solicitor for~~ ~~Guardian Ad Litem &~~ ~~Attorney Ad Litem for~~ ~~XXXXXXXXXXXXXXXX~~, ~~XXXXXXXXXXXXXXXX~~, and they testified in response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near might be the identical language of said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who assented to and signed same, ~~who refused to sign same, who was physically unable to sign same, or who waived the reading and signing of same~~, in my presence and in the presence of said Solicitor for Complainant ~~Solicitor for and Guardian Ad Litem & Attorney Ad Litem for~~.

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof, and that the depositions are true and correct as given by the witnesses.

Witness my hand this 1st day of July, 19 58.

Peggy Preston
Commissioner

TESTIMONY OF CLAUDINE KINARD, WITNESS ON HER OWN BEHALF:

I am the Complainant in this cause and I am the wife of the Respondent. We were married to each on December 16, 1952 in Lucedale, Mississippi. Both myself and the Respondent are each over the age of twenty-one years and were such at the time of the filing of the bill of complaint herein. The Respondent is a resident of Mississippi. I am a bona-fide resident citizen of the State of Alabama and have been such for more than one year next preceding the filing of the bill of complaint herein. There is one minor child as issue of our marriage, Thomas David Kinard, age two and a half years. Said child lives temporarily with its paternal grandmother in Meridian, Mississippi, and the Respondent has been providing adequate support and maintenance for said child. I think that I am a fit and proper person to be granted the custody and control of the said child. The Respondent has committed actual violence upon my person attended with danger to my life and health and from his conduct there is reasonable apprehension of such violence being inflicted upon my person if I were to ever live with the Respondent again in any respect as husband and wife. The Respondent has a very violent and bad temper which he loses when things don't go to suit him. He is insanely jealous and has slapped me all the way down for just speaking to someone on the street. I have had to wear numberous bruises on and about my body for days at a time which were the result of the Respondent's losing his temper and hitting me with his hands and fists. He has crused and abused me with nasty and fulgar names on more than one occasion. I donot ever intend to live with the Respondent again because of his cruelty towards me and his violent temper.

Mrs Claudine Kinard

TESTIMONY OF ANNETTE ROBERTS, WITNESS ON BEHALF OF THE COMPLAINANT.

My name is Annette Roberts and I have known the Complainant in this cause for approximately seven years. The Complainant is the wife of the Respondent and they were married to each other on December 16, 1952 in Lucedale, Mississippi. Both the Complainant and the Respondent are each over the age of twenty-one years and the Complainant is a bona-fide resident citizen of Mobile County, Alabama and has been such for more than one year next preceding the filing of the Bill of Complaint herein. The Respondent is a resident of the State of Mississippi. There is one minor child as issue of our marriage, Thomas David Kinard, age two and a half years. Said child lives with its paternal grandmother in Meridian, Mississippi. The Respondent has inflicted actual violence upon the person of the Complainant, attended with danger to her life and health, and from his conduct there is reasonable apprehsnion of such violence being inflicted upon her person if she were to ever livewith the Respondent again in any respect as husband and wife. The Respondent possesses a very vile and quick temper which he lets get the best of him when things don't goto suit him. I have been present when the Respondent has lost his temper with Complainant and has struck her in the face with his hands and fists. On one particular occasion the Respondent hit the Complainant with such force that he broke her nose and she was caused to wear a swollen and very sore nose for weeks afterwards. I have been present when the Respondent has crused and abused the Complainant with nasty and fulgar names and I do not think it is safe for her to ever live with the Respondent again.

Annette Roberts

C. C. Equity 35—2M—10-67 Note of Evidence

CLAUDINE KINARD

No. _____ VS

HORACE KINARD

Entered on _____

Min. Book No. _____ Entry _____

~~W. Elsworth Haughton~~, Register

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FOR COMPLAINANT

1. Bill of Complaint
2. Answer, Waiver & Agreement
3. Testimony of Claudine Kinard and of Annette Roberts, witness on behalf of the complainant in this cause.

FILED, FILED JUL 2 1958 Register

ALICE L. BUCK, Register

William Thayer

Solicitor—for Complainant

FOR RESPONDENT

Solicitor—For Respondent

No. .....

Vs.

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Filed FILED JUL 2 1958 Register

ALICE L. BECK, Register

Ent. Min. No. ..... Entry .....

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