

9320

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MAE EVANS SCOTT, Complainant

vs.

W. KYLE SCOTT, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conate XXXX~~

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

MAE EVANS SCOTT is forever divorced from the said W. KYLE SCOTT 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 payment of the cost of this suit.

It is further ordered that Mae Evans Scott the Complainant pay the cost herein to be taxed, for which executed may issue.

This 21 day of July, 1958

Signature of Judge: Hubert M. Lane

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

APR 21 1958

ALICE I. DUCK, Register

MAE EVANS SCOTT

THE STATE OF ALABAMA
Baldwin County

vs.

W. KYLE SCOTT

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and Testimony of Mae Evans Scott and Mrs. Julian N. Lyon

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

MAE EVANS SCOTT

VS.

W. KYLE SCOTT

Note of Testimony

Filed in Open Court this _____

FILED

day of _____, 19

JUL 11 195

ALICE J. BUCK, CLERK
REGISTER Register.

MAE EVANS SCOTT,
Complainant,
-vs-
W. KYLE SCOTT,
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 heretofore filed in said cause; waives notice of the tiling 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 answer to the Bill of Complaint heretofore filed in this cause, Respondent says:

1. He admits the allegations contained in Paragraph 1 of the 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.

4. He admits the allegations contained in Paragraph 4 of said Bill of Complaint.

W. Kyle Scott

Sworn to and subscribed before me, a Notary Public, on this the 8th day of July, 1958.

Frances G. Mallow
Notary Public, Baldwin County, Alabama

4320

Rec'd

700 Minutes

Filed 10-10-56
Alice J. French
Rey

MAE EVANS SCOTT,)	
)	
Complainant,)	IN THE CIRCUIT COURT OF
)	BALDWIN COUNTY, ALABAMA
-vs-)	
)	IN EQUITY
W. KYLE SCOTT,)	
)	CASE NO. 4320
Respondent.)	

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes the Complainant in the above styled cause and shows unto this Honorable Court that on the 28th day of June, 1958, she filed a Bill of Complaint for divorce against the Respondent, which said Bill of Complaint was served on the 30th day of June, 1958, and which contained as Paragraph 4 thereof the following: "Complainant further shows unto the Court that her name was Mae Evans Young. There were no children of her marriage with the Respondent."

Complainant further shows that in her Prayer for Relief she "further prays that she be granted the right of use of her name before marriage, namely, Mae Evans Young." Complainant further shows that the allegations of the Complaint were established by evidence.

Complainant further shows unto the Court that the Respondent filed an Answer and Waiver to her Bill of Complaint, admitting, however, the allegations of Paragraph 4 of the Bill of Complaint, and that on the 21st day of July, 1958, a Decree of Divorce was rendered to her, which said Decree, through error of omission, omitted the granting to the Complainant of the right of use of her name before marriage, namely, Mae Evans Young.

Complainant therefore prays that the Decree of Divorce of July 21, 1958, in the above styled cause, be amended by adding thereto the order granting the use of the name, Mae Evans Young.


Attorney for Complainant

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

July 10, 1958

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is testimony of Mae Evans Scott and
Mrs. Julian N. Lyon, Deposition to take deposition,
Note of Testimony, Answer and Waiver, and Final Decree
in the divorce action of Scott -vs- Scott.

I will guarantee payment of Costs to a maximum of
\$30.00.

Yours very truly,



C. G. Chason

CGC:fm

encls. as noted.

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

June 27, 1958

Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint in the divorce
action of Scott -vs- Scott.

Yours very truly,



C. G. Chason

CGC:fm

encls. 2

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: FRANCES G. MALLORY

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

Mae Evans Scott and Mrs. Julian N. Lyon

a witness in behalf of Mae Evans Scott in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Mae Evans Scott

, Complainant

and

W. Kyle Scott

Respondent

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

Witness 11th day of July

, 1958

Archie J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

AME EVANS SCOTT

Complainant

VS.

W. KYLE SCOTT

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

(Faint, mostly illegible text, likely bleed-through from the reverse side of the page)

ORAL DEPOSITION

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

MAE EVANS SCOTT

COMPLAINANT

vs.

W. KYLE SCOTT

RESPONDENT

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me Mae Evans Scott and Mrs. Julian N. Lyon

witnesses named in the requirement for Oral Examination, on the 17th day of July
1958, at the office of C. G. Chason

in Foley, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Mae Evans Scott and
Mrs. Julian N. Lyon

doth depose and say as follows:

Testimony of Mae Evans Scott:

My name is Mae Evans Scott. I am over the age of twenty-one years and a bona fide resident citizen of Foley, Baldwin County, Alabama, having been such a resident citizen for more than one year. W. Kyle Scott is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama. We were married on May 2, 1957, and lived together as husband and wife until approximately two weeks ago, at which time, because of his conduct toward me, I was forced to live separate and apart from him. He committed actual violence on my person by striking me with his fist and doing me bodily injury attended with danger to my life and health, and tried to otherwise attack me, and was prevented from doing so only by my escapeing from the house. In addition, he has cursed and abused me, and threatened to do me other and further bodily harm, attended with danger to my life or health, and from his conduct toward me I feel sure that should I continue to live with him, he would do me serious injury. There are no children of this marriage. My surname before marriage was Young, which I wish the right to again use.

Signed: Mae Evans Scott

Testimony of Mrs. Julian N. Lyon:

My name is Mrs. Julian N. ^{Lyon} Lyon. I am over the age of twenty-one years and a resident citizen of Baldwin County, Alabama. I am personally acquainted with Mae Evans Scott and W. Kyle Scott. They are both over the age of twenty-one years and are both residents of Baldwin County, Alabama. They were married in May of 1957, and lived together as husband and wife until approximately 2 weeks ago. I have known of Scott striking his wife, and do her bodily harm, and have also known of his threatening her with other and further violence, so much so that I believe that it is reasonable for her to fear for her life and safety if they continut to live together. There are nox children of this marriage.

Signed: Mrs. Julian N. Lyon

ORAL EXAMINATION

I, Frances G. Mallory 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 es and read over to them and they signed the same in the presence of myself and C. G. Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 11th day of July, 19 58 .

Frances G. Mallory (S.)

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THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
MAE EVANS SCOTT COMPLAINANT	
vs.	
W. KYLE SCOTT RESPONDENT	
ORAL DEPOSITION	
Filed	19
FILED	
JUL 11 1958	
ANNE J. BROWN, CLERK REGISTER	
RECORDED IN	
Record	Register.
Vol.	Page
Register.	

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. _____

_____ TERM, 19__

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon W. Kyle Scott

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

W. Kyle Scott _____, Defendant

by Mae Evans Scott _____

_____, Plaintiff

Witness my hand this 28th day of June 19 58

Lucy J. [Signature], Clerk

BOOK 023 PAGE 14

No. _____ Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19____

_____, Sheriff

I have executed this summons

this _____ 19____

by leaving a copy with

Sheriff

Deputy Sheriff

MAE EVANS SCOTT,
Complainant,
-vs-
W. KYLE SCOTT,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BOOK 693
PAGE 75

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, Sitting in Equity:-

Comes your Complainant, Mae Evans Scott, and files this her Bill of Complaint for divorce against W. Kyle Scott, and respectfully represents and shows unto your Honor:-

1. That the Complainant is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, having been such a bona fide resident citizen for more than one year. That W. Kyle Scott is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That the Complainant and Respondent were lawfully married on, to-wit, May 2, 1957.

3. The Complainant further avers that the Respondent has committed actual violence on her person by striking her with his fists, attended with danger to her life and health, and from his conduct she is reasonably apprehensive of other and further violence, so much so that she can no longer live with the Respondent; 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. Complainant further shows unto the Court that her name was Mae Evans Young . There were no children of her marriage with the Respondent.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that W. Kyle Scott be made a party defendant of this cause by the usual process of this Honorable Court, requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and

provided; that upon a final hearing of this case that she be granted a divorce from the Said Respondent. Complainant further prays that she be granted the right of use of her name before marriage, namely, Mae Evans Young. Should your Complainant be mistaken in the relief prayed for, that she be granted such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.

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Solicitor for Complainant