

(4387)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EVALYN B. KENNEDY

Complainant

vs.

DOUGLAS M. KENNEDY

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 EVALYN B. KENNEDY is forever divorced from the said DOUGLAS M. KENNEDY for and on account of

Cruelty. It is further ORDERED, DECREED AND ADJUDGED by this

Court that the Complainant may resume her former name of Evalyn B. Porter and that the Stipulated Agreement entered into between the parties and attached to Bill of Complaint is hereby ratified and confirmed.

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 Evalyn B. Kennedy the Complainant pay the cost herein to be taxed, for which executed may issue.

This 2nd day of October 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. 11289 Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

EVALYN B. KENNEDY

Complainant

vs.

DOUGLAS M. KENNEDY

Respondent

DIVORCE DECREE

FILED

OCT 21 1958

ALICE J. DUCK, CLERK
REGISTER

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Hermine Means

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 Evalyn B. Kennedy and Myrtle Slye

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Evalyn B. Kennedy

is the Complainant and Douglas M. Kennedy

is the Respondent on oath, to be by you administered, upon Evalyn B. Kennedy and Myrtle Slye to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1st day of October, 1958

Alice J. ... Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

EVALYN B. KENNEDY

Complainant

VS.

DOUGLAS M. KENNEDY

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
HERMINE MEANS

WITNESSES:
EVALYN B. KENNEDY

MYRTLE SLYE

[Faint, mirrored text from the reverse side of the page, including the name 'HERMINE MEANS' and other illegible words.]

I, Hermine Means 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 witnesses and read over to them and they signed the same in the presence of myself and Ernest M. Bailey at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 1st day of October, 1958.

Hermine Means (R. S.)

No. _____	Page _____
THE STATE OF ALABAMA, BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
EVALYN B. KENNEDY	
COMPLAINANT	
vs.	
DOUGLAS M. KENNEDY	
RESPONDENT	
ORAL DEPOSITION	
Filed _____	19 _____
FILED	
OCT 2 1958	
RECORDER/REGISTER	
ALICE J. DUBOY, REGISTER	
Vol. _____	Page _____
Record _____	
Register _____	

EVALYN B. KENNEDY

vs.

DOUGLAS M. KENNEDY

THE STATE OF ALABAMA

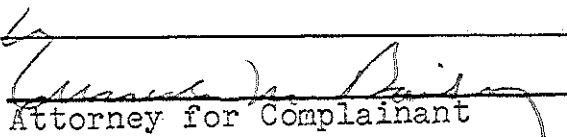
Baldwin County

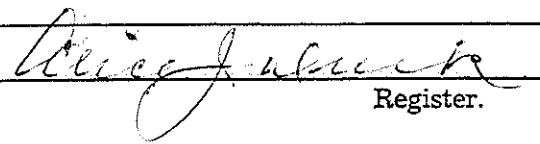
IN EQUITY

Circuit Court of Baldwin County

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

and in behalf of Defendant upon _____ Answer and Waiver


Attorney for Complainant


Register.

EVALYN B. KENNEDY,
Complainant
vs.

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

DOUGLAS M. KENNEDY,
Respondent

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and to each and every paragraph thereof, separately and severally, says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.

2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and the date of separation, but denies all other allegations of this paragraph and demands strict proof of the same.

3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. The Respondent also waives notice of taking of testimony and notice of submission of this cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

Douglas M. Kennedy
DOUGLAS M. KENNEDY

EXECUTED IN THE PRESENCE OF:

Mrs. Robert W. Wray

EVALYN B. KENNEDY,

Complainant

vs.

DOUGLAS M. KENNEDY,

Respondent

ANSWER AND WAIVER

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

OCT 2 1958

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA)
)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Douglas M. Kennedy 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 Evalyn B. Kennedy, as Complainant, against Douglas M. Kennedy, as Respondent.

Witness my hand this the 1st day of October, 1958.

REGISTER

EVALYN B. KENNEDY,	¶	IN THE CIRCUIT COURT OF
Complainant		BALDWIN COUNTY, ALABAMA
vs.	¶	IN EQUITY
DOUGLAS M. KENNEDY,	¶	
Respondent		

Comes your Complainant, Evalyn B. Kennedy, and files this her Bill of Complaint for divorce against Douglas M. Kennedy and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the ages of twenty-one years and are bona fide residents of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That the Complainant and the Respondent were married on, heretofore, to-wit, on the 4th day of November, 1954, Fairhope, Alabama, living together as husband and wife until on, to-wit, April 1, 1958, when on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on April 1, 1958 and at times prior thereto, the Complainant states that the Respondent, from his manner and conduct toward her, gave reasonable apprehension of committing violence upon her person, and

that from his manner and conduct toward her, she is reasonably certain that if she continues to live with the Respondent as his wife, he will commit such actual violence upon her person, attended with danger to her life and health.

THIRD:

That no children have been born of this marriage between the Complainant and the Respondent and that the parties have previously reached an agreement as to the disposition of their property between themselves.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, the Complainant prays that the above named Douglas M. Kennedy be made a party defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and 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 the final hearing of this cause, Your Honor will grant unto the Complainant an absolute divorce from the Respondent and will decree that the parties may be allowed to remarry if they see fit, and that Your Honor will decree that Complainant be allowed to resume her former name of Evalyn Berglin Porter. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Evalyn B. Kennedy
Complainant

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned authority, personally appeared Evalyn B. Kennedy, who after being duly sworn, deposes and states that the allegations contained in the foregoing Bill of Complaint are true and correct.

Evalyn B. Kennedy
EVALYN B. KENNEDY

Sworn and subscribed to before me this 15th day of October, 1958.

James M. Smith
NOTARY PUBLIC

EVALYN B. KENNEDY,
Complainant
vs.
DOUGLAS H. KENNEDY,
Respondent

SUMMONS AND BILL OF COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

EVALYN B. KENNEDY,
COMPLAINANT

VS.

DOUGLAS M. KENNEDY,
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

STIPULATED AGREEMENT

It is hereby stipulated and agreed between the parties hereto as a property settlement in lieu of alimony as follows:

ONE:

The Respondent will convey to the Complainant certain properties lying in the Fairhope Single Tax Corporation Golf Course Subdivision.

TWO:

The Complainant will convey to the Respondent one lot located in the Fairhope Single Tax Corporation Golf Course Subdivision, together with all her right, title and interest in and to property owned by the Respondent and located in the Village of Montrose, Baldwin County, Alabama.

The parties have previously made a disposition of personal property between themselves and such personal property now in the possession of the Complainant shall become the property of the Complainant and the Respondent does hereby grant, bargain, sell and convey all his right, title and interest in and to the same unto Complainant. All personal property now in the possession of the Respondent shall become his property and the Complainant does hereby grant, bargain, sell and convey all her right, title and interest in and to the same unto the Respondent.

It is further agreed between the parties that this agreement may be used as a part of the proceedings for divorce by either party and may be confirmed and ratified by any Court having jurisdiction thereof.

IN WITNESS WHEREOF, the parties to this agreement have hereunto set their hands and seals on this the 1st day of October, 1958.

Evalyn B. Kennedy (SEAL)
EVALYN B. KENNEDY

WITNESS FOR COMPLAINANT:

James M. Bailey

Douglas M. Kennedy (SEAL)
DOUGLAS M. KENNEDY

WITNESS FOR RESPONDENT:

Mr Robert W. Wolff