

4553

STATE OF ALABAMA  
BALDWIN COUNTY

§  
§

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon FRANK L. McKENZIE 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 MARY K. McKENZIE, as Complainant, against Frank L. McKenzie, as Respondent.

Witness My Hand this the 21 day of ~~February~~ APRIL, 1959.

*Executed*  
*April 21, 1959*

*Allice J. Luck*  
RESISTER

MARY K. McKENZIE,  
Complainant  
vs.

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§

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

FRANK L. McKENZIE,  
Respondent

Comes your Complainant, Mary K. McKenzie, and files this her Bill of Complaint for divorce against Frank L. McKenzie, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the age of twenty-one years and that the Respondent is a resident of Baldwin County, Alabama, residing in Silverhill, Baldwin County, Alabama and that your Complainant now resides in Pensacola, Florida but was a resident of Baldwin County, Alabama at the time of separation and at the time the matters herein alleged took place.

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, July 15, 1945 in Mobile, Alabama, and lived together as husband and wife until on, to-wit, February 12, 1959, when, on account of the matters hereinafter complained of, your Complainant

was compelled to live separate and apart from the Respondent, that on, to-wit, February 12, 1959, the Respondent did beat, curse, threaten and hit and hurt the Complainant in this: He struck her on or about the head and body; that on prior occasions during this marriage, the Respondent had struck and beaten the Complainant, attended with danger to her life and health.

THIRD:

That there was born of this marriage between Complainant and Respondent the following named children: James Franklin McKenzie, aged 10 years and David Wayne McKenzie, age three years. That your Complainant is a fit and proper person to have the care, custody and control of the said minor children. That your Complainant has no money with which to properly support and educate the said minor children and that the Respondent is able to pay to your Complainant sufficient amounts to properly support and educate said children. That the Respondent has taken possession of the minor child, David Wayne McKenzie, aged three years, and that the custody of the said child should be immediately placed in your Complainant.

FOURTH:

That the Complainant and Respondent are jointly possessed of certain real and personal property in Baldwin County, Alabama, to-wit:

That certain parcel of property lying in Silverhill, Alabama and occupied by the Complainant and Respondent as a homestead, a description of which property your Complainant is prepared to provide this Honorable Court, together with household furnishings located therein. And a savings account in Baldwin County S & L Assn. in Respondent's name.

FIFTH:

That your Complainant has employed Ernest M. Bailey as her Solicitor of Record to prosecute this cause of action and she is unable to pay him a reasonable Solicitor's fee for his services in this matter.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Frank L. McKenzie be made a party defendant to this cause by the usual writ or process of this Honorable Court and the Statutes in such cases made and provided; that upon a final hearing of this cause, Your Honor will award the Complainant an absolute divorce from said Respondent and that Your Honor will award the Complainant custody and control of her minor children herein named; and that

Your Honor will issue a decree immediately on filing this her Bill of Complaint ordering the Respondent to restore the care and control and custody of the minor child, David Wayne McKenzie, to the Complainant. That if this Honorable Court deems necessary, it will order a reference to determine such support that the Respondent shall pay to Complainant as and for support of the said minor children. That Your Honor will order and decree that the property set forth above, belonging to Complainant and Respondent, be sold and that the proceeds of sale be divided equally between the Complainant and the Respondent. That Your Honor will order and decree that the Respondent be required to pay Ernest M. Bailey a reasonable Solicitor's fee for his services in prosecuting this cause; that Your Honor will also decree that the parties be allowed to remarry if they see fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief as she will in duty bound ever pray.

Mary K. McKenzie  
COMPLAINANT

STATE OF ALABAMA        )  
BALDWIN COUNTY        )

Before me, the undersigned authority, personally appeared Mary K. McKenzie, who, being duly sworn, deposes and states that the foregoing allegations are true and correct.

Mary K. McKenzie  
MARY K. MCKENZIE

Sworn and subscribed to before me this the 27<sup>th</sup> day of February, 1959.

Ernest M. Bailey  
NOTARY PUBLIC

4553

MARY K. McKENZIE,  
Complainant

vs.

FRANK L. McKENZIE,  
Respondent

Received 21 day of April 1959  
and on 21 day of April 1959  
served a copy of the within Be C  
in Miss J. McHugh  
By service on \_\_\_\_\_

TAYLOR WILKINS, Sheriff  
By Ted Teiss D. S.

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Sheriff claims 20 miles at  
Ten Cents per mile Total \$ 2.00  
TAYLOR WILKINS, Sheriff  
BY [Signature]  
DEPUTY SHERIFF

RESPONDENT LIVES IN  
~~SILVERHILL~~, ALABAMA

Farhope #7 White Pine

FILED

APR 21 1959

ALICE J. DUCK, Register

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Mobile Ave