

4555

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JUNE MCKINLEY

Complainant

vs.

BYRON MCKINLEY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ and answer ~~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 JUNE MCKINLEY is forever divorced from the said BYRON MCKINLEY for and on account of cruelty. It is further ORDERED, ADJUDGED and DECREED that June McKinley be given the care, custody and control of the child, Lori McKinley, subject to rights of reasonable visitation by Byron McKinley and have the child visit him at reasonable times and periods. It is further ORDERED, ADJUDGED and DECREED that Byron McKinley pay June McKinley the sum of \$10.00 per week for support and maintenance of said minor child.

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 Byron McKinley the Respondent pay the cost herein to be taxed, for which executed may issue.

This 21st day of April 1959

[Signature]

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

JUNE MCKINLEY

Complainant

vs.

BYRON MCKINLEY

Respondent

DIVORCE DECREE

FILED

APR 21 1930

ALICE J. DUBOY, CLERK

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Nancy Creener

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

June McKinley and Ray Anderson

a witness in behalf of June McKinley in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

June McKinley, Complainant
and Byron McKinley

Respondent

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

Witness 21st day of April

, 1959

Alie J. Luck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

STATE OF ALABAMA
BALDWIN COUNTY

§
§

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

JUNE MCKINLEY, COMPLAINANT

VS.

BYRON MCKINLEY, RESPONDENT

I, Nancy Greener as Commissioner have called and caused to come before me June McKinley and Ray Anderson witnesses named in the requirement for Oral Examination on the 21st day of April, 1959, at the office of Wilters and Brantley in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth, the whole truth, and nothing but the truth, the said June McKinley and Byron McKinley doth depose and say as follows:

STATE OF ALABAMA

BALDWIN COUNTY

My name is June McKinley and I am 19 years of age, and Byron McKinley is 20 years of age. We are both residents of Baldwin County Alabama. We were married October 1, 1956 at Lucedale, Mississippi. We lived together as husband and wife until April 6, at which time we separated. On that date and on various occasions thereafter the respondent cursed, threatened, and abused me and threatened to do actual violence to me, which would necessarily endanger my life and health. The conduct of the respondent was such that to me every reasonable apprehension to believe that I actually believe that If I continued to live with him that he would do actual violence to my person which would necessarily endanger my life and health. We had one child born to us, Lorie McKinley, a girl aged 2 years. I am a fit and proper person to have the care, control and custody of our child.


June McKinley

STATE OF ALABAMA

BALDWIN COUNTY

My name is Ray Anderson and I am the father of June McKinley. I have known Byron and June during their married life and I know that within the past year that they have had considerable disagreements. Under these conditions it is my belief that it would be to their best interest and that of the child that they separate. June is a fit and proper person to have the custody of their child.


Ray Anderson

I, Nancy Creamer, as 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 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 21st day of April, 1959:

Nancy Creamer (L.S.)

JUNE MCKINLEY

vs.

BRYON MCKINLEY

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 testimony of June McKinley and Ray Anderson

and in behalf of Defendant upon Answer and Waiver

WILTERS & BRANTLEY

Ray J. Wilters

Alice J. Duck

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

Note of Testimony

Filed in Open Court this.....

day of....., 19.....

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon BYRON MCKINLEY 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 JUNE MCKINLEY as Complainant, and against BYRON MCKINLEY, as Respondent.

WITNESS my hand this the 21 day of April, 1959.

W. J. Slack
Register

JUNE MCKINLEY	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	IN EQUITY
BYRON MCKINLEY	Ø	#4555
RESPONDENT	Ø	

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

Your Complainant, June McKinley, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant, June McKinley is 19 years of age and the Respondent, Byron McKinley is 20 years of age and both are bona fide resident citizens of Baldwin County, Alabama.

2.

That your Complainant and the Respondent were married at Lucedale, Mississippi, on October 1, 1956 and lived together as husband and wife until on to-wit: April 6, 1959.

3.

That on, to-wit; April 6, 1959, and on various occasions prior thereto, the Respondent had violent arguments with your Complainant and cursed, threatened and abused your Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would do actual harm to her person, which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent one child, Lori McKinley, girl age 2; that your Complainant is a suitable, fit and proper person to have their care, custody and control.

5.

That the Complainant and the Respondent have entered into a separation agreement and a copy is attached hereto and marked Exhibit "A" and made a part of this complaint as if herein fully set out.

WHEREFORE, the premises considered, the Complainant prays that Your Honor will by proper process make the said Byron McKinley party Respondent to this Bill of Complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant prays that upon a final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that your Complainant be awarded the permanent care, custody and control of their minor child; your Complainant further prays that the attached separation agreement be made a part of the decree; your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

APR 21 1959

ALICE L. DUCK, CLERK
REGISTER

Wilters & Brantley

BY: Walter J. Wilters
Solicitors for the Complainant

STATE OF ALABAMA

BALDWIN COUNTY

This agreement made and entered into on this the 20th day of April, 1959, by and between June McKinley and Byron McKinley.

WHEREAS, the parties hereto have been husband and wife for a period of two and a half years as a result of such union have one child, Lorie McKinley, age two years; and

WHEREAS, said parties have definitely concluded that under conditions now existing it is impractical for them to live together as man and wife.

NOW, THEREFORE, in consideration thereof, and of the mutual agreements hereinafter made, they have mutually agreed to a complete separation under the express terms and conditions;

1. The said parties would entirely and completely separate as man and wife, live separate and apart, and neither party hereafter shall in any way harass, threaten, intimidate or otherwise act in any way so as to embarrass or humiliate the other party.

2. That June McKinley shall have the custody, control and care of their minor child, and that Byron McKinley shall have the right to visit and have the said child to visit him at reasonable times and for reasonable periods.

3. That Byron McKinley shall pay to June McKinley the sum of \$10.00 weekly for support and maintenance of the said minor child.

4. That Byron McKinley does hereby grant, bargain, sell and convey unto June McKinley their 1950 Plymouth car in consideration of \$1.00 and other good and valuable consideration. This is a blue four-door car.

5. That Byron McKinley will keep in force and effect the present life insurance policy on the said minor child. This is a Southern Life Policy.

6. That June McKinley does hereby grant, bargain, sell and convey unto Byron McKinley all other properties owned jointly by them whether real or personal for \$1.00 and other good and valuable consideration.

This agreement has been made and executed by the parties hereto on the date and day hereinfirst above set forth, in good faith, with full understanding of all its provisions and with the mutual promise on the part of each to comply therewith faithfully and completely.

June McKinley
Byron McKinley

WITNESSES:

Ray Anderson
Robert M. Brantley

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APR 21 1959

ALICE L. DUCK, CLERK
REGISTER

4555

June HICKUNLEY,
COMPLAINANT,

VS.

BYRON HICKUNLEY,
RESPONDENT.

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

FILED

APR 21 1959

ALICE J. DUCK, Register

JUNE MCKINLEY

COMPLAINANT

VS

BYRON MCKINLEY

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Now come the Respondent, in his own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause as to ages, residences and marriage, but denies all other allegations therein contained and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examined Complainant's witnesses; and agreed that this cause be submitted for final decree without further notice.

Byron M. McKinley

STATE OF ALABAMA
BALDWIN COUNTY

I, *Sam J. Winters, Jr.*, a Notary Public, in and for said County, in said State, hereby certify that Byron McKinley, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 21 day of April, 1959.

FILED

APR 21 1959

ALICE J. DUCHY REGISTER

Sam J. Winters, Jr.
Notary Public, Baldwin County, Alabama

211

4555

ANSWER & WAIVER

JUNE MCKINLEY,

COMPLAINANT

VS.

BYRON MCKINLEY,

RESPONDENT

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APR 21 1959

ALICE J. DUCK, Register