

41517

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CHARLES D. McKAY

Complainant

vs.

KATIE LEE McKAY

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer, Waiver and Agreement 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 Charles D. McKay is forever divorced from the said Katie Lee McKay for and on account of Voluntarily abandonment. IT IS FURTHER ORDERED AND DECREED that

The Respondent be and hereby is awarded the custody and control of the minor child, the issue of the marriage between the Complainant and the Respondent, subject to the right of the Complainant to see and visit with said minor child at all reasonable times, and the Complainant is hereby ordered to pay to the Respondent the sum of \$25.00 on the 3rd and 18th of each month as support and maintenance for said minor child.

The Respondent having released the Complainant from all claims as to alimony, no order is made as to same.

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 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 CHARLES D. McKay the Complainant, pay the cost herein to be taxed, for which executed may issue.

This 1 day of September 1960.

Robert Moore Judge Circuit Court, In Equity

I, ALICE J. DUCK, 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 September 1960.

Register of Circuit Court, In Equity.

FILED ALICE J. DUCK, CLERK REGISTER

71

No. ----- Page -----

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

CHARLES D. MCKAY

Complainant

vs.

KATIE LEE MCKAY

Respondent

DIVORCE DECREE

Feb. 21. 68

Circuit Court:

I would like to have a photostatic copy of the divorce decree of Katy Sue Lloyd McKay and Charles Dayton McKay dated about Aug. 28<sup>th</sup> 1960. Enclosed is a money order for \$7.50. to pay for this copy.

Thank you

Mr. Charles N. McKay

2264 Vivian Dr.

Mobile, Ala. 36609

Done  
2-22-68

CHARLES D. McKay

No. Vs.

KATIE LEE MCKAY

Complainant

Defendant

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

ANSWER AND WAIVER

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

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

I further agree that Mrs. Peggy Preston, may take the testimony in this cause without the issuance of a commission.

[Signature of Katie L. McKay] Defendant

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

[Signature of Charles D. McKay] Complainant

NOTE: The space below is intended for "Agreements Between the Parties".

Defendant releases the Complainant from all claims of alimony and support, both temporary and permanent.

Complainant agrees that the Defendant should be granted the custody and control of their minor child, subject to his right to see and visit with said child and Complainant agrees to pay to the Defendant the sum of \$25.00 on the 3rd and 18th of each month, as support and maintenance for said minor child.

[Signature of Katie L. McKay] DEFENDANT.

[Signature of Charles D. McKay] COMPLAINANT.

ATTEST:

- 1.) [Signature of Mildred Bryant]
2.) [Signature of Mary Lee Bryant]

STATE OF
COUNTY OF

I, a NOTARY PUBLIC in and for said State and County, do hereby certify that, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, executed the same voluntarily on the day same bears date.

Witness my hand and seal this day of, 19

FILED

NOTARY PUBLIC

Filed STATE OF
COUNTY OF

ALICE L. DUCK, CLERK, REGISTER

RECORDED

No. 4757

CHARLES D. MCKAY

Vs.

KATIE LEE MCKAY

ANSWER AND WAIVER

FILED

OCT 30 1959

Filed, ALICE J. DUCK, CLERK REGISTER, 19

CHARLES D. MCKAY

Vertical text on the right side, possibly a stamp or recording information, including the number 4757.

CHARLES D. McKAY,  
Complainant,

-vs-

KATIE LEE McKAY,  
Respondent.

I IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY:

I

I

NO. \_\_\_\_\_

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

Comes the Complainant and shows unto Your Honors and  
unto this Honorable Court as follows:

ONE

That he is the husband of the Respondent and they were  
married to each other on September 21, 1952 in Luceale,  
Mississippi. Both the Complainant and the Respondent are each  
over the age of twenty-one years and both the Complainant and  
the Respondent are bona-fide resident citizens 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 their marriage, Rose Marie McKay, age five years.  
Said child lives and resides with the Respondent.

TWO

The Respondent has committed 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 Katie Lee McKay, party-respondent  
hereto, and will cause her 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 him an absolute divorce from the bonds of matrimony with the Respondent, and Complainant further prays for such other, further or different relief as in equity he may be due, and as in duty bound he will ever pray, etc.

*William Traipon*  
\_\_\_\_\_  
SOLICITOR FOR COMPLAINANT.

FILED

OCT 30 1959

ALICE J. DUCK, CLERK  
REGISTER

# CERTIFICATE

I, Peggy Preston, the Commissioner appointed by the Court and named in the attached commission, or named by agreement of the parties, in that certain cause now pending in the Honorable Circuit Court of <sup>Baldwin</sup> ~~Mobile~~ County, Alabama, Sitting in Equity, No. \_\_\_\_\_, wherein

CHARLES D. MCKAY is Complainant, and KATIE LEE MCKAY

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as such commissioner, caused CHARLES D. MCKAY, and WILLIAM HARRISON

who <sup>are</sup> were made known to me, to come before me at 2:00 o'clock P M., on August 31st, 19 60, at 56 S. Conception St. 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, and cross-examined by \_\_\_\_\_

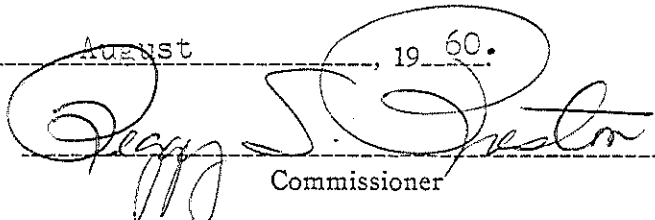
Solicitor for Guardian Ad Litem & \_\_\_\_\_, and they testified in Attorney Ad Litem for

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~~

~~wanted 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 31st day of August, 19 60.  
  
Commissioner



TESTIMONY OF CHARLES D. MCKAY, WITNESS ON HIS OWN BEHALF:

My name is Charles D. McKay and I am the Complainant in this cause. I am the husband of the Respondent and we were married to each other on September 21, 1952 in Lucedale, Mississippi. Both myself and the Respondent are each over the age of twenty-one years and both myself and the Respondent are bona-fide resident citizens 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, Rose Marie McKay, age five years. Said child lives and resides with the Respondent. I think that I am a fit and proper person to have the right of visitation with said child at all reasonable times. The Respondent has voluntarily abandoned my bed and board since May of 1959. We were living in Theodore, Alabama at the time she abandoned my bed and board. She told me that she did not care anything about me anymore and that she did not intend to ever live with me again in any respect as husband and wife. She packed up all her clothes and personal belongings and took the child and went to her mothers and fathers home in Theodore to live, where she has been living ever since, which has been for more than one year next preceding the filing of the bill of complaint herein. She told me repeatedly before she left that she had rather live with her family than she had to be a wife to me, and that she did not love me anymore.

Charles D. McKay

TESTIMONY OF WILLIAM HARRISON, WITNESS ON BEHALF OF THE COMPLAINANT.

My name is William Harrison and I have known the Complainant in this cause for fifteen years or twenty years. Both the Complainant and the Respondent are each over the age of twenty-one years and both the Complainant and the Respondent are bona-fide resident citizens of Mobile County, 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 their marriage, Rose Marie McKay, age five years. Said child lives and resides with the Respondent and she is a fit and proper person to be granted her custody and control. The Complainant is a man of good and moral character and enjoys a good reputation in the community in which he lives and works. I know his general reputation in the community in which he lives for telling the truth and that is good also. I believe that the Complainant would tell the truth and would not tell a lie.

William Harrison

CHARLES D. MCKAY

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

vs.

KATIE LEE MCKAY

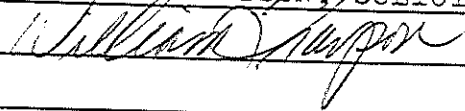
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,  
~~Answer, Waiver and Agreement, and Testimony of Charles D. McKay~~  
and of William Harrison, witness on behalf of the complainant in  
this cause.

WILLIAM GRAYSON, SOLICITOR FOR COMP



and in behalf of Defendant upon

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Register.

*M*

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.

CHARLES D. MCKAY

Complainant

IN THE CIRCUIT COURT OF

BALDWIN

MOBILE COUNTY, ALABAMA

No. \_\_\_\_\_

Vs.

KATIE LEE MCKAY

Defendant

IN EQUITY

ANSWER AND WAIVER,

AGREEMENT to Amended bill of complaint.

Comes the defendant in the above entitled cause and for answer to the <sup>amended</sup> Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said <sup>amended</sup> Bill of Complaint and demands strict proof thereof.

I understand <sup>and agree</sup> that the testimony in this cause will be taken <sup>by deposition</sup> in open court ~~by examination~~ and waive notice of the time of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

ATTEST: 1. \_\_\_\_\_  
2. \_\_\_\_\_

Katie Lee McKay  
Defendant

NOTE: The space below is intended for "Agreements Between the Parties"

The parties hereto by reference ratify and adopt the terms and conditions contained in the Answer & Waiver signed by the said parties hereto and which was filed to the original complaint herein. Complainant agrees to pay to the Defendant the sum of 25.00 on the 3rd and 18th of each month as support for the children.

Charles D. McKay  
COMPLAINANT.

Katie Lee McKay  
Defendant.

STATE OF Alabama  
COUNTY OF Mobile

Daggs S. Hester, a NOTARY PUBLIC in and for said State and County, do hereby certify that Katie Lee McKay whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, she executed the same voluntarily on the day same bears date.

Witness my hand and seal this 31st day of August 1950

Daggs S. Hester  
NOTARY PUBLIC

FILED \_\_\_\_\_  
\_\_\_\_\_, Register

STATE OF Alabama  
COUNTY OF Mobile



CHARLES D. MCKAY ,  
Complainant,

-vs-

KATIE LEE MCKAY,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALBAMA  
IN EQUITY:

NO. \_\_\_\_\_

AMENDMENT TO BILL OF COMPLAINT

Comes the Complainant in the above styled cause and amends his original bill filed heretofore herein by adding an additional paragraph thereto which is to be numbered "THREE" and which is set forth below:

" THREE "

The Respondent has voluntarily abandoned the bed and board of the Complainant for more than one year next preceding the filing of the bill of complaint herein.

*William Saper*  
SOLICITOR FOR COMPLAINANT.

FILED

AUG 31 1900

ALICE L. DUCK, CLERK  
REGISTER

1224

CHARLES D. MCKAY ,  
Complainant,

-vs-

KATIE LEE MCKAY,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALBAMA

IN EQUITY:

NO. \_\_\_\_\_

AMENDMENT TO BILL OF COMPLAINT

Comes the Complainant in the above styled cause and amends his original bill filed heretofore herein by adding an additional paragraph thereto which is to be numbered "THREE" and which is set forth below:

" THREE "

The Respondent has voluntarily abandoned the bed and board of the Complainant for more than one year next preceding the filing of the bill of complaint herein.

*William S. Morgan*  
SOLICITOR FOR COMPLAINANT

FILED  
AUG 31 1960  
ALICE J. DUCK, CLERK  
REGISTER