

(4871)

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Helen McDowell

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

GALE MARIE KILLCREAS

AND

PEARL MOORER

a witness in behalf of GALE MARIE KILLCREAS in a cause pending in our  
Circuit Court in Baldwin County, of said State, wherein

GALE MARIE KILLCREAS

, Complainant

and

JESSE S. KILLCREAS

Respondent

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

Witness 7 day of

March

, 1950.

*Dee J. [Signature]*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 4871

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

GALE MARIE KILLCREAS

VS. Complainant

JESSE S. KILLCREAS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

HELEN MCDOWELL

WITNESSES:

GALE MARIE KILLCREAS  
PEARL MOORER

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JESSE S. KILLCREAS, 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 GALE MARIE KILLCREAS As Complainant and against JESSE S. KILLCREAS, as Respondent.

WITNESS my hand this the 8 day of Mar, 1960.

*Benjamin J. ...*  
Register

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GALE MARIE KILLCREAS	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
VS	*	IN EQUITY.
JESSE S. KILLCREAS	*	CASE NO. _____
RESPONDENT	*	

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

Your Complainant, Gale Marie Killcreas, respectfully represents unto your Honor and this Honorable Court as follows:

-1-

That your Complainant is over the age of 21 and is a resident of Baldwin County, Alabama, and has been more than two years next preceding; the Respondent is over the age of 21 and is a resident of Alabama and has been more than two years next preceding.

-2-

That your Complainant and the Respondent married in Leaksville, Mississippi, on March 7, 1958, and lived together as husband and wife in Alabama until January 1, 1960.

-3-

That on to-wit January 1, 1960, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

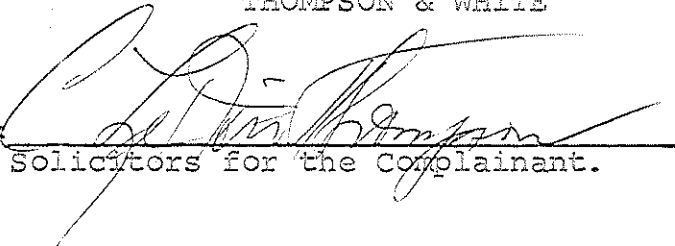
There was born as fruits of this marriage between the Complainant and the Respondent one child, Gale Darlene, age about fourteen months, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Jesse S. Killcreas, 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 further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; That a decree be made awarding to the Complainant the care, custody and control of the minor child, Gale Darlene Killcreas, age about fourteen months, and your Complainant prays for such other, further different or general relief as she may be in equity and good conscience entitled to receive.

THOMPSON & WHITE

BY

  
Solicitors for the Complainant.

FILED

MAR 8 1960

ALICE L. DICK, CLERK  
REGISTER

GALE MARIE KILLCREAS  
COMPLAINANT  
VS  
JESSE S. KILLCREAS  
RESPONDENT

X  
X  
X  
X  
X

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
CASE NO. \_\_\_\_\_

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, 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-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Jesse S Killcreas

STATE OF ALABAMA  
BALDWIN COUNTY

I, Letitia Thompson

a Notary Public, in and for said County, in said State hereby certify that Jesse S. Killcreas, 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 conveyance, he executed the same voluntarily on the day the same bears date.

Letitia Thompson  
Notary Public, Baldwin County, Alabama

FILED

MAR 8 1960

ALICE L. DICK, CLERK, REGISTER

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GALE MARIE KILLCREAS

\_\_\_\_\_

vs.

JESSE S. KILLCREAS

\_\_\_\_\_

\_\_\_\_\_

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, \_\_\_\_\_

~~Oral testimony of Gale Marie Killcreas and Mrs. Pearl Moorers.~~

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and in behalf of Defendant upon answer and waiver

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*C. L. Davis Thompson*

*Beice French*

Register.

177

No. 21871

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

GALE MARIE KILLCREAS

vs.

JESSE S. KILLCREAS

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of

MAR 8 1960

, 194

ALICE J. DUCK, CLERK  
REGISTER

Register.

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GALE MARIE KILLCREAS

\_\_\_\_\_

vs.

JESSE S KILLCREAS

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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, \_\_\_\_\_

Oral testimony of Gale Marie Killcreas and Mrs. Pearl Moorer.

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and in behalf of Defendant upon answer and waiver

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*C. L. Davis Thompson*

*W. J. French*

Register.



177

No. 17871

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

GALE MARIE KILLCREAS

vs.

JESSE S. KILLCREAS

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of

MAR 8 1940

, 194

ALICE J. DICK, CLERK, REGISTER

Register.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

GALE MARIE KILLCREAS COMPLAINANT

vs.

JESSE S. KILLCREAS RESPONDENT

I, Helen McDowell

as Register and Commissioner

have called and caused to come before me Gale Marie Killcreas and Mrs. Pearl Moorer

witness es named in the requirement for Oral Examination, on the 7 day of Mar  
1960, at the office of Thompson & White

in Bay Minette, Alabama, and having first sworn said witness es to speak the  
truth, the whole truth, and nothing but the truth, the said Gale Marie Killcreas and

Mrs. Pearl Moorer doth depose and say as follows:

My name is Gale Marie Killcreas. I am over the age of 18 and have been a resident of Alabama all my life. The Respondent Jesse S. Killcreas is over the age of 21 and is a resident of Baldwin County, Alabama. We were married on March 7, 1958, at Leaksville, Mississippi and lived together as husband and wife until on or about January 1, 1960, at which time I was forced to leave him because his treatment and abuse placed me in fear of my life or health and I knew better than to continue to live with him. There was born of our marriage one child, Gale Darlene now about fourteen months old. I have had the care, custody and control of this infant since birth and respectfully ask the Court to give me the permanant care, custody and control of my infant child. I have an agreement with the Respondent as to the support of the child and have no objection to his having the right to visit with her at reasonable times and places. We have no property to be divided. I do not believe we will ever live together again as husband and wife and respectfully ask for a divorce.

*Gale Marie Killcreas*

My name is Mrs. Pearl Moorer. I know both parties to this cause. The complainant is over the age of 18 and the Respondent is over the age of 21 and both of them are bona fide residents of the State of Alabama. They were married on or about March 7, 1958, at Leaksville, Mississippi and lived together as husband and wife until the complainant was forced to leave the Respondent because his threats and abuse placed her in fear of her life or health. This occurred on or about January 1, 1960. They have one child as fruits of this marriage and the complainant has had the care, custody and control of this child, Gale Darlene, now about fourteen months of age, since her birth. I respectfully recommend the complainant as a fit, proper, suitable person to have the care, custody and control of this child, Gale Darlene. They have no property to be divided. I do not believe they will ever live together again as husband and wife.

*Mrs. Pearl Moorer*

I, Helen McDowell 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. LeNoir Thompson 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 7 day of March, 1960.

Helen McDowell (L. S.)

No. 4871 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

GALE MARTIE KILGCREAS  
COMPLAINANT

vs.

JESSE S. KILGCREAS

RESPONDENT

ORAL DEPOSITION

Filed \_\_\_\_\_, 19\_\_\_\_

FILED

MAR 9 1960

Register.

REGISTERED IN

ALICE J. DICK, REGISTER

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GALE MARIE KILLCREAS, Complainant

vs.

JESSE S. KILLCREAS, 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 Gale Marie Killcreas is forever divorced from the said Jesse S. Killcreas for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Complainant, Gale Marie Killcreas, be awarded the care, custody and control of the infant child, GALE Darlene Killcreas, age about 14 months; and that the Respondent, Jesse S. Killcreas, shall have the right to visit the said infant child at the proper time and place.

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 Gale Marie Killcreas the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of March 1960

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.

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No. 4671 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED  
MAR 2 1911  
ALICE J. DUCK, CLERK  
REGISTER