

4879

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARTHA LOUISE MCKINLEY, Complainant

vs.

LOMACK MCKINLEY, 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 Martha Louise McKinley is forever divorced from the said Lomack McKinley for and on account of Cruelty.

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 Martha Louise McKinley the Complainant pay the cost herein to be taxed, for which executed may issue.

This 27 day of March 1960

Habet M. Hill

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. 4874 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

**FILED**

MAR 24 1961

ALICE J. DUCK, CLERK  
REGISTER

MARTHA LOUISE MCKINLEY

vs.

LOWACK MCKINLEY

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, \_\_\_\_\_  
testimony of Martha Louise McKinley and Daisy Shiver

and in behalf of Defendant upon \_\_\_\_\_ answer and waiver

*C. L. ...*

*Daisy Shiver*  
Register.

*m*

No. 4879

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

MARTHA LOUISE MCKINLEY

vs.

LOMACK MCKINLEY

**NOTE OF TESTIMONY**

Filed in Open Court this **FILED**

day of MAY 23, 1946

**WILLIE J. DICK** CLERK  
REGISTER Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon LOMACK 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 MARTHA LOUISE MCKINLEY, as Complainant and against LOMACK MCKINLEY, as Respondent.

WITNESS my hand this the 23 day of March, 1960.

*Alice J. Mack*  
\_\_\_\_\_  
Register.

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MARTHA LOUISE MCKINLEY	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY.
LOMACK MCKINLEY	X	CASE NO. _____
RESPONDENT	X	

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

Your Complainant, Martha Louise McKinley, 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 presently residing in Florida.

-2-

That your Complainant and the Respondent married in Pascagoula, Mississippi, on December 21, 1953, and lived together as husband and wife until on or about August 27, 1959.

-3-

That on or about August 27, 1959, 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 are no children as fruits of this marriage and no property to be divided.

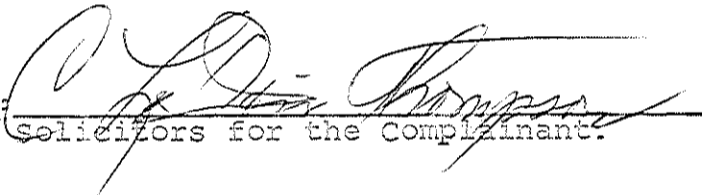
WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Lomack McKinley, party Respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant 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. 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

*Filed*  
*3-23-60*

By:

  
Solicitors for the Complainant.

4879

MARTHA LOUISE MCKINLEY

COMPLAINANT

VS

LOMACK MCKINLEY

RESPONDENT

\* \* \* \* \*

BILL OF COMPLAINT

\* \* \* \* \*

FILED  
MAR 23 1960  
ALICE J. DUCK, CLERK  
REGISTER

MARTHA LOUISE MCKINLEY	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY.
LOMACK MCKINLEY	X	CASE NO. _____
RESPONDENT	X	

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.

Lomack McKinley

STATE OF ALABAMA  
BALDWIN COUNTY

I, C. Lenoir Thompson, a Notary Public in and for said County, in said State, hereby certify that Lomack 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 conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 18 day of March, 1960.

*Filed*  
*3-23-60*

C. Lenoir Thompson  
Notary Public, Baldwin County, Alabama



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

Martha Louise McKinley

and

Daisy Shiver

a witness in behalf of Martha Louise McKinley  
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our

Martha Louise McKinley

, Complainant

and

Lomack McKinley

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 26 day of

March

, 1920

Alvin J. Smith  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARTHA LOUISE MCKINLEY COMPLAINANT

vs.

LOMACK MCKINLEY RESPONDENT

I, Helen McDowell

as Register and Commissioner

have called and caused to come before me Martha Louise McKinley and Daisy Shiver

witnesses named in the requirement for Oral Examination, on the 18 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 Martha Louise McKinley and

Daisy Shiver doth depose and say as follows:

My name is Martha Louise McKinley. I am over the age of 21 and was born and raised in Alabama. The Respondent, Lomack McKinley is also over the age of 21, but is presently residing in Florida. We were married on December 21, 1953 at Pascagoula, Mississippi, and lived together as husband and wife until on or about August 27, 1959. On this occasion and prior thereto the Respondent who is much older than I am had become quarrelsome and disagreeable and on one occasion when I suffered an attack of epilepsy, he accused me of putting on, jerked me out of the car and abused me placing me in fear of my life and health so that I have become afraid to live with him and will never live with him again as his wife. There are no children as fruits of this marriage and no property to be divided. I respectfully ask for a divorce.

Martha Louise McKinley

My name is Daisy Shiver. I know both parties to this cause. The Complainant is over the age of 21 and the respondent is more than thirty years older than the complainant. They were married in Pascagoula, Mississippi, on or about December 21, 1953 and lived together until on or about August 27, 1959 on which occasion and prior thereto the Respondent had been quarrelsome and abusive of the complainant and having failed to recognize the complainant was subject to epilepsy had mistreated her on those occasions so that at the time complained of the complainant because of such abuse, became in fear of her life and health and has not lived with the respondent as his wife since that occasion. I do not believe they will ever live together again as husband and wife. There are no children as fruits of their marriage and no property to be divided.

Daisy Shiver

(4879)

ORAL EXAMINATION

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 18 day of March, 1960.

Helen McDowell (L. S.)

No. 4879 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MARIEA LOUISE MCKINLEY  
COMPLAINANT

vs.

LOWACK MCKINLEY

RESPONDENT

ORAL DEPOSITION

Filed \_\_\_\_\_ 19\_\_\_\_  
Register.

**FILED**  
MAR 23 1960  
RECORDED IN 61  
MAY 1 1960  
CLERK  
REGISTER  
Record

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