

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

Idell Franklin

Complainant

VS.

Dock J. Franklin

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 Idell Franklin is forever divorced from the said Dock J. Franklin

for and on account of cruelty

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Idell Franklin, is to have the custody and control of the minor children, viz: Kenneth Franklin, Billy Franklin, Jack Franklin, Von Seal Franklin and Bobbie Franklin, with the right of the said Dock J. Franklin to visit said children at reasonable times.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Dock J. Franklin is to pay the said Idell Franklin, as alimony and for the support, maintenance and care of said minor children above named, the sum of SEVENTEEN AND 50/100 (\$17.50) DOLLARS every two weeks, the same to be payable on the 1st and 15th day of each month.

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 again 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 the payment of the cost of this suit.

It is further ordered that Dock J. Franklin the Respondent pay the cost herein to be taxed, for which execution may issue.

This 31st day of March, 1945

J. W. Stare
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

Idell Franklin

vs. Complainant

Dock J. Franklin

Respondent

DIVORCE DECREE

Filed this _____ day of _____

_____, 194____

Register

~~Flies~~

Franklin
lives near

Joley, Alabama

H. Chretien

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING:

WE COMMAND YOU, that you summon Dock J. Franklin, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Idell Franklin, against the said Dock J. Franklin, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this 22 day of March, 1945.


Register

IDELL FRANKLIN,
Complainant
vs.
DOCK J. FRANKLIN,
Respondent

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

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your oratrix, Idell Franklin, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about May 9, 1921, oratrix intermarried with said Dock J. Franklin, at Uriah, Alabama, and they lived together as man and wife until several months ago, much of the time residing in Baldwin County, Alabama, and oratrix has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

2. The Respondent has committed actual violence upon the person of the Complainant attended with danger to her life and health or from his conduct there is reasonable apprehension of such violence, for during the night of March 13, 1945, the Respondent violently hit and slapped the Complainant with his fist and hand, thus injuring her about the face and body and put her in constant apprehension of such violence.

3. That there was born to said marriage between your Complainant and the Respondent, six children; Lucile Perry, age 18, (now married) Kenneth Franklin, age 12, Billy Franklin, age 10, Jack Franklin, age 8, Von Seal Franklin, age 5, Bobbie Franklin, age 3; that said children are now, and have been all their lives, with your Complainant, who is a suitable, fit and proper person to have their care, maintenance and control; that the Respondent is an able bodied man, easily capable of maintaining and supporting the Complainant and the minor children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Dock J. Franklin party Respondent to this cause of action, 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;

That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant;

Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the said children, Kenneth Franklin, Billy Franklin, Jack Franklin, Von Seal Franklin and Bobbie Franklin; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Idell Franklin
Complainant

Forest A. Christian
Forest A. Christian, Foley, Alabama
Solicitor for Complainant

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, that this agreement made and entered into by and between Idell Franklin, first party and Dock J. Franklin, second party, witnesseth:

WHEREAS, the parties hereto are husband and wife and have come to the conclusion that it is absolutely impossible for them to any longer live together; whereas, a suit is now pending in the Circuit Court of Baldwin County, Alabama, by the first party as Complainant against the second party as Respondent;

WHEREAS, the parties have reached a full and complete agreement as to support and custody of the children and payment of all costs.

1.

The first party is to have the custody, care and control of the five minor children, Kenneth Franklin, Billy Franklin, Jack Franklin, Von Seal Franklin and Bobbie Franklin, with the right of the second party to visit them at reasonable times.

2.

The second party will pay to the first party, for the maintenance, care and support of the five minor children, Kenneth Franklin, Billy Franklin, Jack Franklin, Von Seal Franklin and Bobbie Franklin, the sum of \$17.50 every two weeks, payable on the 1st and 15th of each and every month thereafter.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 28th day of March, 1948.

Idell Franklin (SEAL)

Dock J. Franklin (SEAL)

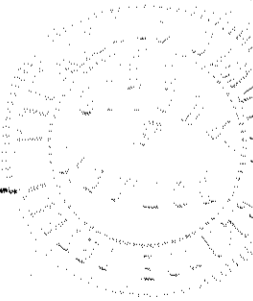
THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, [Signature], a Notary Public in and for said County and in said State, hereby certify that Idell Franklin and Dock J. Franklin, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand this 28th day of March, 1948.

My Commission Expires Sept. 10, 1947
My Commission Expires:

[Signature]
Notary Public



THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

KNOW ALL MEN BY THESE PRESENTS, that this agreement made and entered into by and between Idell Franklin, first party and Dock J. Franklin, second party, witnesseth:

WHEREAS, the parties hereto are husband and wife and have come to the conclusion that it is absolutely impossible for them to any longer live together; whereas, a suit is now pending in the Circuit Court of Baldwin County, Alabama, by the first party as Complainant against the second party as Respondent:

WHEREAS, the parties have reached a full and complete agreement as to support and custody of the children and payment of all costs.

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2.

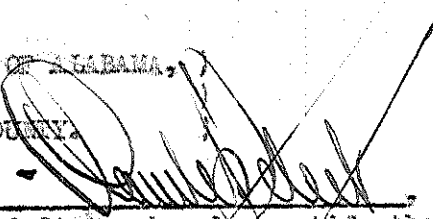
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IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on this the 28th day of March, 1945.

Idell Franklin (SEAL)

Dock J. Franklin (SEAL)

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, , a Notary Public in and for said County and in said State, hereby certify that Idell Franklin and Dock J. Franklin, whose names are signed to the foregoing agreement, and who are known to me, acknowledged before me on this day that, being informed of the contents of the agreement, they executed the same voluntarily on the day the same bears date.

Given under my hand this 28th day of March, 1945.

My Commission Expires Sept. 10, 1947

My Commission Expires:


Notary Public

IDELL FRANKLIN,
Complainant

vs.

DOCK J. FRANKLIN,
Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER

Now comes Dock J. Franklin, the Respondent named in the above entitled cause, and for answer to the Bill of Complaint filed against him herein says:

1. He admits that the Complainant is over twenty-one years of age and a bona fide resident citizen of Baldwin County, Alabama, and that he is over twenty-one years of age and a resident of Baldwin County, Alabama.

2. The Respondent denies each and all of the other allegations of the Bill of Complaint and demands strict proof of same.

3. Respondent waives all formalities and requirements of law in connection with the taking of testimony in this cause, submission of the cause for final decree and any and all other notice or notices of every kind and nature which are or may be required in this cause.

Dock J. Franklin
Respondent

THE STATE OF ALABAMA)
BALDWIN COUNTY.

I, [Signature], a Notary Public in and for said County and in said State, hereby certify that Dock J. Franklin, whose name is signed to the foregoing instrument, 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 this 23th day of March, 1945.

My Commission Expires Sept. 10, 1947
My commission expires:

[Signature]
Notary Public

THE STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA -- GREETING:

WE COMMAND YOU, that you summon Dock J. Franklin, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising chancery jurisdiction within thirty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by Idell Franklin, against the said Dock J. Franklin, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty of the law. And we further command that you return this writ with your execution thereof.

WITNESS, R. S. Duck, Register of said Court, this 22 day of March, 1945.



Register

IDELL FRANKLIN,
Complainant

vs.

DOCK J. FRANKLIN,
Respondent

)
) IN THE CIRCUIT COURT OF

)
) BALDWIN COUNTY, ALABAMA

)
) IN EQUITY:
)

TO THE HONORABLE P. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your oratrix, Idell Franklin, a resident citizen of Baldwin County, Alabama, over the age of twenty-one years, respectfully shows unto your Honor that on or about May 9, 1921, oratrix intermarried with said Dock J. Franklin, at Uriah, Alabama, and they lived together as man and wife until several months ago, much of the time residing in Baldwin County, Alabama, and oratrix has been a bona fide resident citizen of Alabama for one year next preceding the filing of this bill.

2. The Respondent has committed actual violence upon the person of the Complainant attended with danger to her life and health or from his conduct there is reasonable apprehension of such violence, for during the night of March 13, 1945, the Respondent violently hit and slapped the Complainant with his fist and hand, thus injuring her about the face and body and put her in constant apprehension of such violence.

3. That there was born to said marriage between your Complainant and the Respondent, six children; Lucile Perry, age 16, (now married) Kenneth Franklin, age 12, Billy Franklin, age 10, Jack Franklin, age 8, Von Seal Franklin, age 5, Bobbie Franklin, age 3; that said children are now, and have been all their lives, with your Complainant, who is a suitable, fit and proper person to have their care, maintenance and control; that the Respondent is an able bodied man, easily capable of maintaining and supporting the Complainant and the minor children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said Dock J. Franklin party Respondent to this cause of action, 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;

That your Honor will order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, pendente lite and permanent, and also a suitable attorney's fee to be paid by the Respondent to the Complainant;

Complainant further prays that upon a final hearing hereof your Honor will grant unto her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the said children, Kenneth Franklin, Billy Franklin, Jack Franklin, Von Seal Franklin and Bobbie Franklin; that your Honor will give and grant unto her such other, further, different or general relief as she may be entitled to receive, and as in duty bound she will ever pray.

Idell Franklin.
Complainant

Forest A. Christian, Foley, Ala.
Forest A. Christian, Foley, Alabama
Solicitor for Complainant

1004

DOCK 1, FRANKLIN,

FRANKLIN,

AS

DOCK 1, FRANKLIN,

FRANKLIN,

FILED
1950

1304

Franklin
v.
Franklin

S. H. Putnam

~~Received March 29/1945
R. J. Rich
Putnam~~

[Faint handwritten signature]

[Faint handwritten signature]

1304

RECORDED

Franklin
D
Doubleday

Answer

July March 29 1945
R. B. [Signature]
Boston

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Idell Franklin

Complainant

VS.

Dock J. Franklin

Respondent

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, _____
answer and waiver, agreement for support of minor children, oral testimony
of complainant and Lucile Perry.

and in behalf of Defendant upon _____

R. Reed Register.

James H. Perry Solicitor
for Complainant.

No. 1204

The State of Alabama,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

Idell Franklin

VS.

Dock J. Franklin

NOTE OF TESTIMONY

Filed in Open Court this 29
day of March 1945
D. J. Franklin
Register.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Idell Franklin Complainant

VS.

Dock J. Franklin Respondent

I, Alica A. Christian

as ~~Register and~~ Commissioner

have called and caused to come before me Idell Franklin and Lucile Perry

witnesses named in the Requirement for Oral Examination, on the 19 day of March
1945, at the office of Forest A. Christian
in Foley, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Idell Franklin and Lucile Perry
doth depose and say as follows:

My name is Lucile Perry. I am 18 years of age. I am the daughter of the parties to this case. I live with my mother because my husband is a soldier. I stay there and tend to my 4 younger brothers and sister while my mother works at Barin Field. My father came in drunk about 12 o'clock at night last Tuesday (March 13, 1945) and he started cussing and woke up the household and started to jump on my mother and slapped her. We got him in bed, next morning he got up. Edna Joiner, my mother's sister-in-law had him arrested because on Tuesday night, earlier in the evening, he tried to get in her house. Edna Joiner's husband is in the service. Edna Joiner and I helped get him out today (March 19, 1945) and he paid a fine of \$51.75. He pleaded guilty. He made at least \$50 per week when he works at Mobile shipyards.

Lucile Perry
Lucile Perry

My name is Idell Franklin. I am 40 years of age. I am the Complainant in the case of Idell Franklin vs. Dock J. Franklin. I work at Barin Field while my daughter, Lucile, cares for our 5 small children. I have not lived with my husband as wife for the last several months because he was out many nights each week and sometimes didn't come home at all during the night. Last Tuesday night (March 13, 1945) he came home about midnight and cursed and woke up everybody in the house. He was drunk. Then he hit me and slapped me and made me afraid to be in the house. I would have been scared to be home the next evening if I had not known that he was in jail. My daughter finally got him to go to bed after awhile. He has been giving me \$20 per week to help me support the children. I don't know how much he made in Mobile because he never let me know.

witnesses to both signatures
Alica A. Christian

Idell Franklin
Idell Franklin

ORAL EXAMINATION.

I, Alica A. Christian, ~~Register~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Forest A. Christian at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 19 day of March, 194 5.

Alica A. Christian (L.S.)

NO. 1304 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Idell Franklin

vs. Complainant

Dook J. Franklin

Respondent.

Oral Deposition

Filed March 29, 194 5

[Signature], Register.

Recorded in

Record

Vol. _____

Page _____

Register.