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STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon PHILIP A. BRADY to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by CAROL BRADY against PHILIP A. BRADY, and further to do and perform what said Judge shall order and direct in that behalf, And this the said Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court, immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this the 21st day of July, 1942.

R. S. Duck
Register.

CAROL BRADY, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

PHILIP A. BRADY, RESPONDENT

IN EQUITY.

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

Now comes your Complainant, CAROL BRADY, and humbly complaining against the Respondent, PHILIP A. BRADY, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both over twenty-one years of age and residents of Baldwin County, Alabama;

2.

That the Complainant and the Respondent were married in Mobile, Mobile County, Alabama, on April 24, 1936; that they lived together as husband and wife in Baldwin County, Alabama, until on, to-wit: July 11, 1942;

3.

That the Respondent, after marriage, became an habitual user of strong drink; that this condition has grown worse from time to time until it became unbearable; that the Respondent, while he and the Complainant were living together as husband and wife on various occasions, threatened and abused the Complainant and on one or more occasions struck her, and on another occasion attempted to smother her; that 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 as his wife, he would carry out his threats and do further violence to her person which would necessarily endanger

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her life and health;

4.

That there was born to the marriage between the Complainant and the Respondent, two children, boys, aged five and three, respectfully: Philip Agnew Brady, Jr. and Henry Miller Brady; that the Respondent, for the facts above alleged, is not a fit, suitable, or proper person to have the care, custody, support and rearing of said children; that your Complainant has now the custody of said children and has had all of their lives; that she is ready, able and capable of rearing the children in a manner that they should be.

PRAYER FOR PROCESS

Wherefore, the premises considered, your Complainant prays that your Honor will by proper process, make the said Philip A. Brady 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.

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 a decree be made and entered awarding to her the care, custody and control of the children, Philip A. Brady, Jr., and Henry Miller Brady; that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

By: 

Solicitors for Complainant.

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CAROL BRADY, COMPLAINANT,

VS.

PHILIP A. BRADY, RESPONDENT.

RECORDED

Executed July 21 1942
by serving copy of within Summons and
Complaint on

Philip A. Brady

W.R. Stewart Sheriff

By Jan & Jeter Deputy Sheriff

SUMMONS AND COMPLAINT

Filed July 31 1942
R. J. [unclear]

EBBEE & HALL
Lawyers

[Handwritten signature]