

960

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, that you summon LEONARD M. RIGSBY to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a Bill of Complaint lately exhibited by BEVERLY STYRON RIGSBY against the said LEONARD M. RIGSBY and further to do and perform what the said Judge shall order and direct in that behalf, and this the Defendant 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 10th day of July, 1943.

R. S. Duck
Register.

BEVERLY STYRON RIGSBY
COMPLAINANT
VS
LEONARD M. RIGSBY
DEFENDANT

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:

Now comes your Complainant, BEVERLY STYRON RIGSBY and humbly complaining the Defendant, LEONARD M. RIGSBY, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the said LEONARD M. RIGSBY are each over the age of twenty-one years and are residents of Baldwin County, Alabama living near Foley, Alabama.

2.

That your Complainant and the said Defendant are husband and wife having intermarried on December 22, 1942 in Mobile, Alabama, that at the time of their marriage and continuously since then they have resided in Baldwin County

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1.

That your Complainant and the said LEONARD M. RIGSBY are each over the age of twenty-one years and are residents of Baldwin County, Alabama living near Foley, Alabama.

2.

That your Complainant and the said Defendant are husband and wife having intermarried on December 22, 1942 in Mobile, Alabama, that at the time of their marriage and continuously since then they have resided in Baldwin County

that subsequent to the time of their marriage and since then the Defendant has become a habitual drunkard to such an extent that two or three times a week he comes home in that condition and at such times is cruel and abusive and curses and abuses this Complainant, using all manner of vile and indecent language and threatens to beat her; that because of such habitual drunkardness and such cruelty and indecency she was, on the 8th day of July, 1943, compelled to leave him and fears to return to him for fear that he may execute such threats when he should be in a drunken condition; that there are no children born or to be born to this marriage.

3.

Your Complainant is without means of support. The Defendant is an able bodied man working in Mobile and making a substantial living and is able to properly support this Complainant and to pay her alimony permanent and pending this suit and as well as to pay her reasonable attorney's fees incurred in the premises.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process make the said LEONARD M. RIGSBY party Defendant 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 attorney's fee and alimony pendente lite and permanent alimony to be paid by the Defendant to and for the Complainant.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Defendant; that a further decree be made and entered awarding her such reasonable permanent alimony as to your Honor shall seem just and proper. Complainant prays for such other, different or 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.

that subsequent to the time of their marriage and since then the Defendant has become a habitual drunkard to such an extent that two or three times a week he comes home in that condition and at such times is cruel and abusive and curses and abuses this Complainant, using all manner of vile and indecent language and threatens to beat her; that because of such habitual drunkardness and such cruelty and indecency she was, on the 8th day of July, 1943, compelled to leave him and fears to return to him for fear that he may execute such threats when he should be in a drunken condition; that there are no children born or to be born to this marriage.

5.

The Complainant is without means of support. The Defendant is an able bodied man working in Mobile and making a substantial living and is able to properly support this Complainant and to pay her alimony permanent and pending this suit and as well as to pay her reasonable attorney's fees incurred in the premises.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process make the said LEONARD M. RIGSBY party Defendant 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.

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BEEBE & HALL

BY W. C. Beebe
Solicitors for Complainant.

RECORDED
298

after diligent search and in-
quiry Leonard M. Rigsby, the
defendant not found in
my County. This 13th day of
August 1943.

W. R. Stuart, Sheriff
Waynes County, Ga.

968

RECORDED

Received in Sheriff's Office
this 10 day of July 1943
W. R. STUART, Sheriff

SUMMONS & COMPLAINT

BEVERLY STYRON RIGSBY
COMPLAINANT

VS.

LEONARD M. RIGSBY
DEFENDANT

BEEBE & HALL

Solicitors for Complainant

Filed July 10 1943
R. R. Rigsby

Foley Ala. 7/27/43

Hon W.C. Stuart

Dear Sheriff -

Enclosed find writ
not executed I have
made two trips to
Bossecour to serve it
but I have not been
able to do so - He has
moved to Mobile County -

I can not find his address
Mrs ^{Dr} Stinson says they have
reunited and they told her
that the case had been
withdrawn - however she
does not know for sure -
if not withdrawn drop me
a line & I will keep digging
very truly yours