

1185

STATE OF ALABAMA  
BALDWIN COUNTY.

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

WE COMMAND YOU, that you summon AUGUST NAGELE 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 the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by ANNA NAGELE against the said AUGUST NAGELE, 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 thereon, to our said Court immediately upon the execution thereof.

WITNESS R. S. DUCK, Register of the said Circuit Court, this the 28<sup>th</sup> day of July, 1944.

R. S. Duck  
Register.

ANNA NAGELE,  
COMPLAINANT  
  
VS  
  
AUGUST NAGELE  
RESPONDENT

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

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

Now comes your Complainant, ANNA NAGELE, and humbly complaining against the Respondent, AUGUST NAGELE, 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 bona fide residents of Elberta, in Baldwin County, Alabama;

2.

That they were married in Bay Minnetten Baldwin County, Alabama, on, to-wit, the 14th day of June, 1925; and lived together as husband and wife until in August, 1944.

3.

That at various times, during the time they lived together as husband and wife, the Respondent cursed, threatened and abused the Complainant which necessarily endangered her life and health; that the conduct of the Respondent was such as to give her every reasonable apprehension to believe, and she does 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.

4.

That the Respondent is an able bodied man, a plumber by profession, and easily capable of and is actually earning at least \$50.00 per week; that the Complainant, since she married the Respondent, has been called upon by the Respondent to furnish him a place of abode and meals; that the respondent has failed and/or refused to supply the complainant with the necessities of life or a home in which to live; that the complainant has no income sufficient to support herself, and to employ counsel to prosecute this cause.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process, make the said AUGUST NAGELE 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 a proper decree be made and entered ordering a reference to determine the amount of attorney's fee to be paid by the Respondent for the benefit of the Complaint, and also a reasonable alimony pendente lite for the maintenance and support of the complainant;

Complainant further prays that upon a final hearing of this cause an order and decree be made granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that a further decree be made and entered awarding a reasonable amount as permanent alimony to be paid by the Respondent to the Complainant;

Complainant prays for 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 *[Signature]*  
Solicitors for the Complainant.

ANNA NAGELE,  
COMPLAINANT,  
VS.  
AUGUST NAGELE,  
Respondent.

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

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause, says:-

FIRST:

Respondent admits the allegations of the paragraph no. 1 of the bill of complaint.

SECOND:

The Respondents admits the allegations of paragraph no. 2 of the bill of complaint.

THIRD:

The Respondent most emphatically denies the allegations of paragraph no. 3 of the Bill of complaint and demands strict proof thereof. That in further answer to paragraph 3 of the bill of complaint the Respondent says that at no time has he cursed, threatened or abused the Complainant; that his conduct was not such as to give her reasonable apprehension to believe that if she continued to live with him that he would commit actual violence on her person which would necessarily endanger her life or health. The Respondent further says that he and the Complainant had lived together peaceably as man and wife for many years up until the time that she became infatuated with the religion known as Jehovah's Witnesses and that she brought into their home a young woman and a young man who were Jehovah's Witnesses, and that the trio was so obsessed and so zealous as to this form of religion, that they attempted in every way possible to cause him to join in with them in this form of worship, which was contrary to his religious inclination and teachings, and that on account of his refusal to go along with her in her religion that Complainant began to nag him and neglect her household duties, refused to properly prepare his meals, and at the same time these Jehovah's Witnesses that the

Complainant had brought into his home was living on him and eating up his substance without paying him any board, and that conditions became so intolerable that he was forced to leave the home so that he might have a little peace of mind, which he very much disliked to do, but that he believes the Constitution guarantees him the right to worship as he sees fit if he desires to do so, and that the complainant and her cooperators had no right to endeavor to intimidate him or nag him to adopt their religion.

FOURTH:

In answer to the 4th paragraph of the bill of complaint the Respondent denies that he is capable of and is actually earning \$50 per week but alleges that in truth and fact he is only earning about \$24 a week which is his sole and only income. The Respondent further says that the complainant has not been furnishing him with a place of abode and meals but on the other hand that he has been raising a garden which furnished a large part of the vegetables for the house; that he has been tending to the cows and chickens and that he has been employed at all times that it was possible for him to be. Respondent further says that he has not failed or refused to supply the complainant with the necessities of life or a home in which to live, but that they had been living in a home belonging to the complainant and that he has given her practically everything that he earned after paying his few necessary expenses. The Respondent further denies that the Complainant has no income sufficient to support herself and to employ counsel to prosecute this cause, but the truth of the matter is that the Complainant is the owner of the home in which they are now living together with some adjoining lots situated near the middle of the Town of Elberta, Alabama; that the Complainant has offered this home for sale and in the advertising of such home that she has asked \$10,000 for such home; that in addition to this property that the Complainant is the owner of a farm near Elberta, Alabama, consisting of at least 40 acres of land, which farm is reasonably worth at least \$6,000; that in addition to this property the Complainant has a bank account

the amount of which is unknown to your Respondent; that the Complainant did have considerable money in Postal Savings, however, your Respondent does not know whether she still owns such Postal Savings, or the amount of the same; in addition to the above property the Complainant now has several hundred jars of fruits and vegetables which your Respondent has raised and which they together canned and put away, and she has considerable household furniture and other like articles. The Respondent says that he does not own any property whatsoever and that he is about 60 years of age and is beginning to slow up physically.

Wherefore, your Respondent having answered this Bill of Complaint prays that he be dismissed with his reasonable costs expended.

  
Solicitors for Respondent.

1186

1186

Executed Sept 7th 19 88  
by serving copy of within SUMMONS AND  
Complaint on

August Nagle

W.A. Stewart  
Sheriff

Deputy Sheriff

ANNA NAGLE  
COMPLAINANT

VS

AUGUST NAGLE,  
RESPONDENT

SUMMONS AND COMPLAINT.

*Exhibit, see*

*Received 28 1944*  
*Robert M. [Signature]*

**TO HAVE AND TO HOLD** the premises aforesaid, with the appurtenances thereunto belonging, to the said Grantee, his heirs and assigns, so that neither the said Grantor, nor his heirs, nor any other persons claiming title through or under him, shall or will hereafter claim or demand any right or title to the premises, or any part thereof; but they and every one of them shall by these presents be excluded and forever barred.

And ~~the said~~

of said

do hereby remise, release and forever quit-claim unto the said Grantee, and his heirs and assigns, all ~~right and title of Dower in the above described premises.~~

In Witness Whereof, A hereunto set my hand, the second day of January, in the year of our Lord one thousand nine hundred and twenty nine.

Signed and acknowledged in presence of

J. F. Brance  
J. R. Hansen

A. V. Lindstrom

ALABAMA  
THE STATE OF ~~OHIO~~,  
County, ss. }

Before me, a \_\_\_\_\_ in and for said county, personally appeared the above named \_\_\_\_\_

who acknowledged that \_\_\_\_\_ did sign the foregoing instrument, and that the same is free act and deed.

In Testimony Whereof, I have hereunto set my hand and official seal at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 19\_\_\_\_.

Quit-Claim Deed

FROM

Alex V Lindstrom

TO

PR Fredrick

Received for Record

19

at \_\_\_\_\_ o'clock \_\_\_\_\_ m.

Recorded \_\_\_\_\_ 19

in \_\_\_\_\_ County Records,

Volume \_\_\_\_\_, Page \_\_\_\_\_

RECORDER.

2061-2-3 Plk 38

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