

2541

EMMA D. ARMSTRONG

COMPLAINANT

VS

L. C. ARMSTRONG

RESPONDENT

IN THE CIRCUIT COURT OF

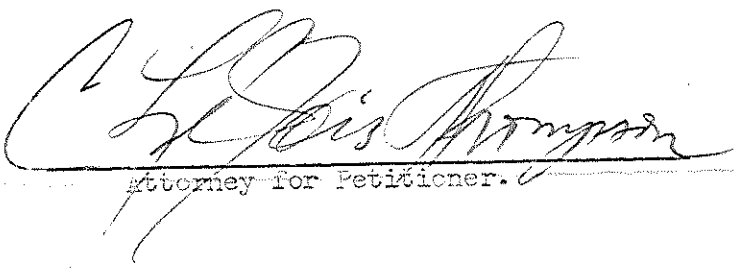
BALDWIN COUNTY, ALABAMA

IN EQUITY.

MOTION TO DISMISS

TO THE HONORABLE TELFAIR J. WASHBURN JR., JUDGE OF SAID COURT:

Comes your Petitioner, Emma D. Armstrong, by her attorney and by agreement between the parties and moves the court to dismiss said petition, without prejudice.


Attorney for Petitioner.

EMMA D. ARMSTRONG

Complainant

Vs

L. C. ARMSTRONG

Respondent

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

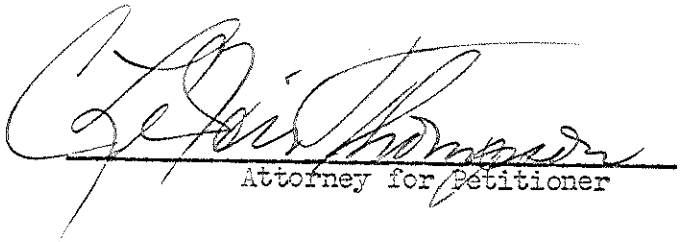
TO THE HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF SAID COURT:

Comes your Petitioner, Emma D. Armstrong, and respectfully represents and shows unto your Honor as follows:

1. That she has filed in this Honorable Court a bill seeking alimony for support and maintenance against the Respondent, L. C. Armstrong.

2. That she is without means of support during the pendency of this suit, and that said Respondent is well able to provide support and maintenance for your Complainant, but that said Respondent has refused and failed so to do.

The premises considered, your Petitioner prays that your Honor will order a reference ore tenus and to ascertain what will be a reasonable amount to be allowed to your Petitioner during the pendency of this suit, to determine a proper attorney fee for your Petitioner's Attorney in this matter, and your Petitioner prays for general relief.


Attorney for Petitioner

EMMA D. ARMSTRONG

Complainant

Vs

L. C. ARMSTRONG

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE REGISTER IN CHANCERY OF SAID COURT:

Upon consideration of the Petition of Emma D. Armstrong filed in this cause, the same being duly read, considered and understood by the Court, it is, therefore, the Judgment of this Court, and it is ordered, adjudged and decreed by the Court that the Register of this Court hold a reference according to law, under the rules of this Court, and ascertain and report to this Court what will be a reasonable amount to be allowed to the Complainant, Emma D. Armstrong, for her support and maintenance during the pendency of this suit, and that the Register of this Court give notice of holding of said reference according to law.

Done this the 2nd day of September, 1950.

Jeffrey A. Masbury, Jr.
Circuit Judge

STATE OF ALABAMA
BALDWIN COUNTY

You are hereby commanded to summon L. C. Armstrong, 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 Emma D. Armstrong, as Complainant, and against L. C. Armstrong, as Respondent. Witness my hand this 2nd day of September, 1950.

Archie L. Duck
Register

EMMA D. ARMSTRONG	¶	
Complainant	¶	IN THE CIRCUIT COURT OF
Vs	¶	BALDWIN COUNTY, ALABAMA
L. C. ARMSTRONG	¶	IN EQUITY
Respondent	¶	

TO HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your Complainant, Emma D. Armstrong, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over the age of twenty-one years and are both bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and the Respondent were married in Bay Minette, Alabama, on January 20th, 1931, and lived together as husband and wife in Baldwin County, Alabama until on to-wit, June 27th, 1950.

3.

Your Complainant avers and charges that the said Respondent did on or about the 27th day of June, 1950, and many times ~~supriorant~~ thereto assault, beat, hit and strike Complainant; that said Respondent has committed actual violence on her person attended with danger to her health or life; Complainant avers and charges that Respondent hasmade numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

4.

Your Complainant further avers and alleges that the said Respondent has, since her said marriage with him, become addicted to habitual drunkenness or the use of opium, morphine, cocaine or other like drug, and that said habit has continued to the filing of this bill.

5.

That on to-wit, May 18th, 1950, your Complainant and Respondent agreed upon a property settlement in which they conveyed upon certain contingencies to-wit; their separation, and real property situate in Baldwin County to their son, Charles Linwood Armstrong, and your Complainant respectfully petitions this Honorable Court to confirm said conveyance or as an alternative, should such conveyance not be confirmed, your Complainant respectfully petitions this Honorable Court that said property be sold and the proceeds thereof be divided equally between the parties to this cause after the payment of obligations of said property.

6.

That your Petitioner be awarded the household goods and such personal property in addition thereto as may be determined by this Honorable Court to be her property.

7.

That as fruits of the marriage between the parties to said cause their is one son, Charles Linwood Armstrong, over the age of eighteen and no other child.

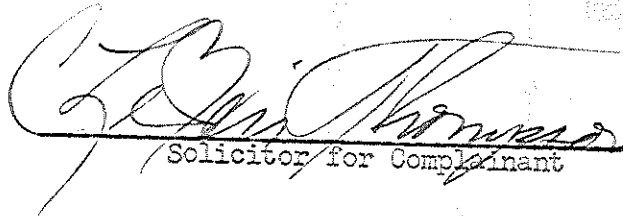
8.

That the said L. C. Armstrong, Respondent in this cause, is a man of considerable sales ability and income therefrom.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said L. C. Armstrong, 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 final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent.

Your Complainant further prays that your Honor will grant to the Complainant alimony pendent lite maintenance for herself in the amount of Seventy-five and no/100 (\$75.00) Dollars per month and inasmuch as your Complainant is without funds it is suggested that Two Hundred (\$200.00) Dollars be allowed as a reasonable solicitor's fee to your Complainant's Solicitor for his services herein and that your Honor will order the Register of this Court to hold a reference and report to this Court what would be a reasonable amount to be allowed your Complainant as alimony for her support and maintenance pending this suit, and what will be a reasonable amount to be allowed your Complainant's Solicitor for his services herein, and that upon a final hearing of this cause, that your Honor will render a decree confirming said conveyance or in the alternative order the sale of said property and decree an equal distribution of the monies therefrom after payment of recorded obligations against said property and since your Complainant is in poor health that your Honor will by proper decree award to Complainant permanent alimony and your Complainant prays for such other, further or general relief to which she may be entitled, and your Complainant ever prays, etc.


Solicitor for Complainant

Received in Sheriff's Office
this 2 Sept 1950
TAYLOR WICKINS, Sheriff

Executed, Sept, 8-1950
By Serving Copy on

L. C. Armstrong

700 2541
ELGA D. ARMSTRONG

Complainant

Vs

L. C. ARMSTRONG

Respondent

SUMMONS AND COMPLAINT

Sheriff
Taylor Wickins

By
Edleigh Steadham

FILED

SEP 2 1950

ALICE J. DUCK, Register

From the law office of
C. LeNoir Thompson
Bay Minette, Alabama