

(4209)  
LAW OFFICES  
E. G. RICKARBY  
BANK BUILDING  
FAIRHOPE, ALABAMA

January 10, 1958

Mrs. Alice Duck  
Clerk of Circuit Court  
Bay Minette, Alabama

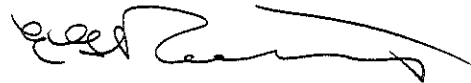
Dear Mrs. Duck:

Inre: Byrd vs. Byrd  
Our File: 4443

With this we are handing you Bill of Divorce in the case  
of Byrd vs. Byrd.

Please process, hand to the sheriff, and oblige.

Yours very truly,



EGR/ts  
1-20-58  
cc: Mrs. Nell Byrd

Please send us some  
equity summons or subpoenas.





NELL A. BYRD,

Complainant,

-VS-

J. D. BYRD,

Respondent.

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

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA, IN EQUITY:

Comes your Complainant, NELL A. BYRD, and brings this  
Bill of Complaint against J. D. BYRD, and respectfully shows:

FIRST: That Complainant is a bona fide resident of Baldwin  
County, Alabama, over the age of twenty-one years and has be a resi-  
dent of Alabama for more than one year next preceding the filing of  
this her Bill of Complaint; and that the Respondent is a bona fide  
resident of Baldwin County, Alabama.

SECOND: Complainant and Defendant were married on, to-wit,  
the 11th day of November, 1950, in Natchez, Mississippi, and lived  
together as husband and wife, and came to Alabama in 1951 and estab-  
lished residence in Mobile County, but moved to Baldwin County, in  
the city of Fairhope, in June, 1957. That the parties were residing  
in Baldwin County, Alabama, when Complainant and Respondent separated  
on the 4th day of January, 1958.


THIRD: That the Respondent, J. D. BYRD, has committed  
actual violence upon the person of his wife, attended with danger to  
her life or health, by striking her in May, 1957, and that on, to-wit,  
the 4th day of January, 1958, at their home in Fairhope, Alabama, the  
Respondent violently laid hands upon your Complainant and threatened  
her life; and from the Respondent's conduct as above mentioned, Com-  
plainant has reasonable grounds to believe that should she continue  
to live with him, he will commit further violence to her person, attend-  
ed with danger to her life or health.

FOURTH: That to this marriage there has been born a daughter,  
DRUCILLA BYRD, who is now six (6) years of age, and is living with  
your Complainant, and Complainant further shows that she is living  
here in Fairhope, Alabama, and is able to provide a home for her  
daughter in good moral surroundings, and that it is to the best in-  
terest of said minor child to continue to live in your Complainant's

care and custody.

FIFTH: Respondent is an able-bodied man, earning approximately FOUR HUNDRED DOLLARS (\$400.00) a month with the Hudson Oil Company; and your Complainant has no estate or other property other than her one-half interest in the equity in a dwelling house, said equity worth approximately ONE THOUSAND DOLLARS (\$1,000.00), and said property is now in the process of being sold, and her meager wages as a waitress in Fairhope.

WHEREFORE your Complainant prays that due notice of this bill be given the Respondent as required by law, and that upon a final hearing of this cause, the Court will (1) ascertain the facts herein alleged and grant to this Complainant the care and custody of said minor child, DRUCILLA BYRD, subject to reasonable visitation by the Respondent; (2) determine what will be a reasonable and proper amount for the Respondent to pay for the care and custody of his minor daughter and order that he pay same; (3) determine a reasonable and proper sum to be allowed to this Complainant for her costs and expenses of maintaining this action, including a reasonable solicitor's fee, and order that the Respondent pay same; (4) Order, Adjudge and Decree that the bonds of matrimony heretofore existing between Complainant and Respondent, be dissolved, and granting her a divorce from bed and board from said Respondent; and (5) Complainant prays for such other further or different relief as to which she may show herself entitled.

  
E. G. RICKARBY,  
Solicitor for Complainant.

Note:

Respondent's address is at the Hudson Oil Company on the Mobile Bay Bridge Causeway in Baldwin County and the postoffice address of this station is, Route 1, Box 14A, Daphne, Alabama.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. \_\_\_\_\_

\_\_\_\_\_ TERM, 19\_\_\_\_

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon J. D. Byrd

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against J. D. Byrd

\_\_\_\_\_, Defendant

by Nell A. Byrd

\_\_\_\_\_, Plaintiff

Witness my hand this 17 day of

Jan 1957

Archie H. H. H., Clerk

No. 42-014 Page \_\_\_\_\_

The State of Alabama  
Baldwin County

CIRCUIT COURT

NELD. A. BYRD,

Plaintiffs

vs.

J. D. BYRD

Defendants

Summons and Complaint

Filed \_\_\_\_\_ 19 \_\_\_\_\_

**FILED**

JAN 17 1958

Clerk

ALICE J. DUCK, Register

E. G. RICKARBY, Solicitor  
for Complainant.

Plaintiff's Attorney

Defendant's Attorney

works at  
Defendant lives at  
Hudson Oil Company, Baybridge  
Causeway.

Received In Office

1-16- 1958

\_\_\_\_\_, Sheriff

I have executed this summons

this 22 Jan 1958

by leaving a copy with

J. D. Byrd

Sheriff claims 60 miles at

Ten Cents per mile Total \$ 6.00

TAYLOR WILKINS, Sheriff

BY Horn  
DEPUTY SHERIFF

Taylor Wilkins Sheriff  
Horn Deputy Sheriff  
Mobile Co. line