

3498

STATE OF ALABAMA )  
BALDWIN COUNTY )

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James B. Holly 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 Evelyn G. Holly, as Complainant, against James B. Holly, as Respondent.

Witness my hand this 30 day of March, 1955.

*Beice J. Duke*  
Register.

EVELYN G. HOLLY,  
Complainant,  
vs.  
JAMES B. HOLLY,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes your Complainant, Evelyn G. Holly, and files this her Bill of Complaint for divorce against James B. Holly, and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are both over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, residing at Bay Minette, and that they have been such resident citizens for more than the last five (5) years.

SECOND:

That your Complainant and the Respondent were married on heretofore, to-wit, July 13, 1942, and lived together as man and wife until, on account of the matters hereinafter complained of, your Complainant was compelled to leave the Respondent and live separate and apart from him; that on, to-wit, March 12, 1955, the Respondent

struck your Complainant in the face with his fist and caused her to have a black eye and caused her nose to bleed; that on March 25, 1955, the Respondent kicked your Complainant two or three times, one time being on her left leg, thereby causing a large bruise and damage to her leg and on account of such cruelty your Complainant was compelled to leave the Respondent and live separate and apart from him; that she has not lived with him as his wife since March 25, 1955.

THIRD:

That there were born to your Complainant and the Respondent four children, all girls, namely, Glenda Holly, eleven years of age, Vance Holly, nine years of age, Gwendolyn Holly, four years of age and Nona Holly, one year of age; that your Complainant is a fit and proper person to have the care, custody and control of said minor children, and the Respondent is not a fit and proper person to have the care, custody and control of such minor children.

FOURTH:

That your Complainant does not own any property except she owns an interest in a contract to purchase property where your Complainant and the Respondent have heretofore operated a store and diner on U. S. Highway #31, near Douglasville; that your Complainant has no money or other property with which to support herself and the minor children hereinabove named and because of the physical condition of her baby she is unable to work and earn any money; that she has been working in both the store and diner and the property that has been accumulated by your Complainant and the Respondent is partially due to her efforts; that the Respondent is an able-bodied man and they have heretofore earned out of the store and diner approximately Six Hundred Dollars (\$600.00) a month. That your Complainant does not have a sufficient amount of money out of which to pay her solicitors' for prosecuting this suit and she has employed Chason & Stone, Attorneys at Law, Bay Minette, Alabama, as her solicitors to prosecute such suit.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named James B. Holly be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him

COPIES  
017 JAN 84

to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full custody and control of her minor children hereinabove named; that your Honor will ascertain and fix a reasonable amount of alimony to be paid to your Complainant by the Respondent, or, in lieu of such alimony, that your Honor will order and decree that the Respondent shall convey to your Complainant his interest in the store and diner which they have been operating together with the land upon which the same stands and together with all stocks of goods and fixtures located in each of said buildings; that your Honor will also ascertain and fix a reasonable amount of support for the minor children to be paid by such Respondent to your Complainant; that your Honor will also ascertain and fix a reasonable solicitors' fee to be paid Chason & Stone as solicitors for your Complainant, such fee when so fixed by said Court to be paid by the Respondent; that your Honor will also decree that the parties be allowed to remarry if they see fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

FILED

Mar. 30, 1955

ALICE J. BUCK, Register

Evelyn G. Holly  
Complainant

BOOK 017 PAGE 85