

4669

EUNICE VOILES
Complainant
VS
FRED VOILES
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NUMBER: _____

.....

This cause having been ordered on August 3, 1959 to be heard on this the 7th day of August 1959 to hear such matters prayed by Petitioner's verified complaint praying for an immediate hearing to determine separate pendente lite and Solicitor's fee and

The Complainant, Eunice Voiles and Harry J. Wilters an attorney practicing in this court, both appearing as witnesses in behalf of the Complainant and this testimony being given in open court; and the same being considered by the court it is

ORDERED, ADJUDGED and DECREED that the Respondent pay to Complainant the sum of \$ 25⁰⁰ each week pending a final hearing on this cause for the support and maintainance of herself and the minor children of the parties, the first payment to be made on Monday, August 10th, 1959 and it is further ORDERED, ADJUDGED and DECREED that the said Respondent pay to Wilson Hayes, Solicitor for Complainant an attorney fee of \$ 106⁰⁰

Done this the 7th day of August, 1959.

FILED
AUG 7 1959

H. M. Hall
H. M. Hall, Circuit Judge

AMES & BUCK, Register

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

Comes now Your Complainant, Eunice Voiles, and represents and shows unto
Your Honor as follows:

I

That your Complainant is over the age of 21 years and is a bona fide
resident of Baldwin County, Alabama, and that Respondent is over 21 years of
age and is a bona fide resident of Baldwin County, Alabama.

II

Complainant and Respondent were married in Birmingham, Alabama January
1, 1934 and lived together until July 26, 1959; that on that day Complainant
and Respondent separated and have not lived together since that time; that
there are four children born of this marriage, Ronald Lee Voiles, 18 years of
age, Daniel Wayne Voiles, 15 years of age, Everet Eugene Voiles, 12 years of
age and Sharron Ann Voiles, age 10 years of age, and that Complainant is a
fit and proper person to have custody of said children.

III

That on the 26th day of July 1959 and many times thereto and during the
said marriage Respondent beat Complainant about the head and body with his
hands, grasped her hair and head in his hands and brutally shook and manhandled
her with great force and violence to the injury of her health; that on the
26th day of July 1959 aforesaid Respondent, with-out provocation or any just
cause beat her with his hands, choked her and struck her violently and brutally
on the head with a heavy vase or other piece of pottery or glass ware wounding
her so that she required aid from her children lest she die from loss of blood,
attended with danger to her life or health, or that from his conduct there is
reasonable apprehension of violence, attended with danger to her life or
health.

That Respondent is a self employed person having his own business. Complainant further says that she does not know the exact amount of his income but that she has good reason to believe that he earns about \$90.00 per week and that she is advancing in years and unable because of her age, health and training to seek any gainful employment, that she has no means of support for herself or her children; that she and the said children are presently living upon the charity of relatives, having absolutely no funds of her own; that she has no funds to pay a Solicitor to prosecute this, her cause, and that the said Respondent, is able to do so. Complainant further says that it had been necessary to employ a Solicitor to prosecute the said cause, and that she has employed Wilson Hayes, a Solicitor practicing in this Honorable Court, to prosecute the said cause.

Now therefore the premises considered Complainant prays that your Honor will cause process to issue to the said Fred Voiles, Respondent, requiring him to plea, answer or demur to this petition with-in the time and in the manner provided by law and the rules of this Honorable Court.

Petitioner further prays that upon a final hearing of this cause this Honor will make and enter a decree ordering and allowing the separating of Complainant and Respondent, giving her custody of the said children, Ronald Lee Voiles, Daniel Wayne Voiles, Everet Eugene Voiles and Sharron Ann Voiles and providing for the payment by Respondent to Complainant monies for the separate maintance and support of herself and for the support and maintance of the said children, and compelling the payment thereof.

Complainant further prays that your Honor will immediately order a hearing to determine a sufficient amount of money for temporary maintainance of herself and the said children and to determine a proper Solicitor's fee to be paid to her Solicitor for representing her in this cause, and upon such a hearing, make and enter a decree requiring the said Fred Voiles to pay the same.

And Complainant further prays for such other, different or general relief to which she may be in equity and good conscience entitled.

Eunice Voiles

Wilson Hayes

FILED

AUG 1 1959

ALICE J. DUCK, Register

STATE OF ALABAMA

BALDWIN COUNTY

Before me Ruth K. Howell, a Notary Public in and for said County and State personally appeared Eunice Voiles, who being known to me, and by me duly sworn, deposes and says on oath; that she is the complainant in the above styled cause, and has personal knowledge of the facts stated in the foregoing petition and that the said statements of fact therein contained are true.

Eunice Voiles

Sworn to and subscribed before me on this the 1st day of August, 1959.

FILED

AUG 1 1959

ALICE J. DUCK, Register

Ruth K. Howell
Notary Public, Baldwin County, Alabama

EUNICE VOILES
Complainant
VS
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Respondent-

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NUMBER: _____

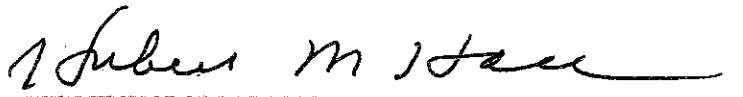
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This day came Eunice Voiles and files herein her verified complaint for separation from Fred Voiles and praying for an immediate hearing to determine separate maintainance pendente lite and Solicitor's fee in regard to the nature of things set out in the verified complaint; and upon consideration of the said petition it is:

ORDERED, ADJUDGED and DECREED by the court that a hearing be held on the 7 day of August, 1959 to hear such matters and to determine such maintainance pendente Lite and Solicitor's fee.

Let a copy of said complaint and of this order be served forthwith, personally upon the said Fred Voiles by the Sheriff of Baldwin County, Alabama.

Done the 3 day of August, 1959.



H. M. Hall, Circuit Judge

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4669

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon FRED VOILES

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.....

FRED VOILES....., Defendant.....

by EUNICE VOILES....., Plaintiff.....

Witness my hand this 1st day of August 19 59.

Walter J. Duck....., Clerk

The State of Alabama
Baldwin County

CIRCUIT COURT

EUNICE VOILES

Plaintiffs

vs.

FRED VOILES

Defendants

Summons and Complaint

Filed August 1, 19 59

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Wayne

Received In Office

19 _____

_____, Sheriff

I have executed this summons

this 5 August 19 59

by leaving a copy with

Fred Voiles

Sheriff claims 4 miles at

Ten Cents per mile Total \$ 5.40
TAYLOR WILKINS, Sheriff

BY

[Signature]
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Ellen Steadman Deputy Sheriff

Wayne
all