

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon James D. Stewart to appear and plead, answer or demur, within thirty days from the service of this writ, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Agnes Viola Stewart, as Complainant, against James D. Stewart, as Respondent.

Witness my hand this the 31 day of August, 1959.

Allice J. Duck
REGISTRAR

AGNES VIOLA STEWART,
Complainant
versus
JAMES D. STEWART,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes your Complainant, Agnes Viola Stewart, and files this her Bill of Complaint for divorce against James D. Stewart, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

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

SECOND:

That your Complainant and Respondent were married on, heretofore, to-wit, July, 1936 in Bay Minette, Alabama, and lived together as husband and wife until on, to-wit, August 19, 1959, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from Respondent; that on August 19, 1959, the Respondent did beat, curse, threaten and hit and hurt the Complainant in this: He struck her on or about the head and body; that on prior occasions thereto, the Respondent has struck

and beaten the Complainant, attended with danger to her life and health.

THIRD:

That there was born of this marriage between Complainant and Respondent the following named minor children: Curtis, aged 20 years, Carmel, aged 18 years, Douglas, aged 16 years, James D., aged 13 years and Virginia Louise, age eight years. That the Complainant is a fit and proper person to have the care, custody and control of the said minor children; that your Complainant has no money with which to properly support and educate said minor children and the Respondent is able to pay your Complainant sufficient amounts to properly support and educate the said minor children.

FOURTH:

That the Complainant and Respondent are jointly possessed of two parcels of real estate in Baldwin County, Alabama, to-wit:

- a. Lot 29^{and 28} of Fairhope Acres, as per plat of the same filed for record in the Probate Court of Baldwin County, Alabama on November 17, 1953 in Map Book 4, page 84.
- b. From SW cor. Fractional Sec. 19 T6S R2E of Dinsmoor Survey of Baldwin County run N 31 Chains, then N 27° E Six Chains, then N 8° East 18.44 Chains, then S 70° East 20 feet to the Pt of Beg; then 70° East 4.40 Chains; then N 19° East 3.9 Chains; then N77° West 15.5 chains to Mobile Bay; then S 20° West 30 feet; then S 77° East 10 chains; then S 10° West 2.85 chains to the pt of beginning containing 2.2 Acres more or less and being the same property purchased from Vera W. Denton, Executrix, by agreement recorded in Deed Book 255 page 305-7 Baldwin County Probate records.

That your Complainant has paid the payments on parcel b, above, and that she needs the same as and for a homesite for the minor children of this marriage.

FIFTH:

That the Complainant is the owner of certain personal property as follows: Rubber plastic tile and wall tile, two kitchen cabinets, electric heater, pictures and electric clocks (2), and German clock. That the Complainant purchased this property from her own funds and it is now located in the dwelling on parcel a, above.

SIXTH:

That your Complainant has employed Ernest M. Bailey as her Solicitor of Record to prosecute this cause of action and she is unable to pay him a reasonable Solicitor's fee for his services in this matter.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above James D. Stewart be made a party defendant to this cause by the usual writ or process of this Honorable Court and the Statutes in such cases made and provided; that upon a final hearing of this cause Your Honor will award the Complainant full custody and control of the said minor children herein named; that if this Honorable Court deems necessary, it will order a reference to determine such support that the Respondent shall pay to the Complainant as and for support of the said minor children; that Your Honor will order and decree that the property set forth in Paragraph Fourth, b, above, be conveyed to your Complainant as and for a homesite; that the personal property set forth in Paragraph Fifth, above, be conveyed to your Complainant as and for her own personal property, together with all household furnishings and personal property located therein. That Your Honor will order and decree that the Respondent be required to pay Ernest M. Bailey a reasonable Solicitor's fee for his services in prosecuting this cause; that Your Honor will also grant unto the Complainant an absolute divorce from the Respondent and will decree that the parties be allowed to remarry if they see fit. Should the Complainant be mistaken in the relief prayed for, that there will be granted to her such other, further and different relief as she will in duty bound ever pray.

Agnes Viola Stewart
COMPLAINANT

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned, personally appeared Agnes Viola Stewart who, being by me first duly sworn, deposes and says: That the facts stated in the foregoing instrument are true and correct.

Agnes Viola Stewart
AGNES VIOLA STEWART

Sworn and subscribed before me this the 25th day of August, 1959.

Ernest M. Bailey
NOTARY PUBLIC

FILED
AUG 31 1959
ALICE J. DUCK, Register.

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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Witness my hand this the 21 day of August, 1959.

Oliver J. Suob
REGISTER

AGNES VIOLA STEWART,
Complainant
versus

JAMES D. STEWART,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
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Agnes Viola Stewart

 COMPLAINANT

STATE OF ALABAMA)
 BALDWIN COUNTY)

Before me, the undersigned, personally appeared Agnes Viola Stewart who, being by me first duly sworn, deposes and says: That the facts stated in the foregoing instrument are true and correct.

Agnes Viola Stewart

 AGNES VIOLA STEWART

Sworn and subscribed before me this the 25th day of August, 1959.

Ernest M. Bailey

 NOTARY PUBLIC

FILED
 AUG 31 1959
 ALICE J. DUCK, Register

Deceased as
of Sept. 1, 1959

Works 4691 City of
I hope

Received 31 day of Aug 1959

and on _____ day of _____ 19____

served a copy of the within Bill Compt

in James D. Stewart

by service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

AGNES VIOLA STEWART
Complainant

vs

James D. Stewart
Respondent

BILL OF COMPLAINT

FILED
AUG 31 1959
ALICE J. DUCK, Register