

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. 4697

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon LUCIUS HENRY McKIBBON

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-----

~~HELEN MERLY McKIBBON~~ LUCIUS HENRY McKIBBON -----, Defendant-----

by HELEN USREY McKIBBON -----

-----, Plaintiff-----

Witness my hand this 2nd day of September 1959

W. J. Duck, Clerk

HELEN USREY McKIBBON,
Complainant
VS.
LUCIUS HENRY McKIBBON,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

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

Comes your Complainant, Helen Usrey McKibbon, and represents
and shows unto Your Honor as follows:

1.

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

2.

2.

That your Complainant and the Respondent were lawfully married
in Anniston, Alabama on, to-wit, the 9th day of November, 1935,
and lived together as husband and wife until the 30th day of Aug-
ust, 1959, when, on account of the matters hereinafter complained
of, your Complainant was forced to live separate and apart from
said Respondent because of Respondent's continued threats to her
life and health.

3.

Complainant further avers that said Respondent has become ad-
dicted to habitual drunkenness since their marriage.

4.

Complainant further states that Respondent has committed actual
violence upon her person, attended with danger to her life and
health, by striking her on and about the face and body on, to-wit,
the 30th day of August, 1959; and Complainant believes from the
Respondent's conduct and attitude towards her, that if she continues
to live with him as his wife, he will commit such violence upon
her person as to harm or injure her permanently.

5.

That there was born of this marriage between Complainant and
Respondent the following named children, viz: William Ralph, twelve
years of age; Jane Kent, ten years of age, and Henry Floyd, five

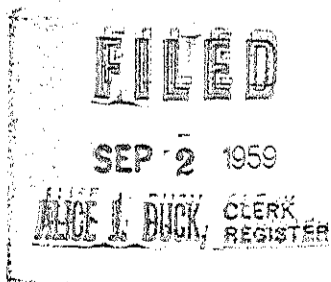
years of age. That Complainant is a fit and proper person to have the full care, custody and control of the above named minor children. Complainant avers that she is unable to support and educate the said children and that Respondent is a man possessed of property and is able to pay to Complainant sufficient sums with which to support and educate the said minor children. Complainant further states that she is without funds to pay the reasonable costs for her Solicitor, Ernest M. Bailey, for his services in this matter.

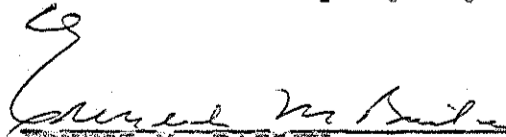
6.

Complainant states that she and the Respondent are jointly possessed of certain personal property, consisting of household furnishings.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, the Complainant prays that this Court will make the said Lucius Henry McKibben a party Respondent to this Bill of Complaint and order him to plead, answer or demur within the time required by law. Complainant further prays that this Court will order a reference to determine a proper amount for the Respondent to pay as support and maintenance for the said minor children, and for her costs and expenses in prosecuting this action, including her Solicitor's fee, and that the Respondent be ordered to pay this amount. Complainant further ask that she be awarded the full care, custody and control of the said minor children and that she be awarded the household furnishings jointly owned by Complainant and Respondent for the use and benefit of the children. Complainant further prays that on a hearing of this cause, the Court will enter a decree forever divorcing her from said Respondent and allow the said parties to remarry if they see fit. Complainant further prays for such different and further relief as to Equity may seem meet.




ERNEST M. BAILEY
SOLICITOR FOR COMPLAINANT

STATE OF ALABAMA)
BALDWIN COUNTY)

Before me, the undersigned notary public, personally appeared Helen Usrey McKibbon, who, being by me first duly sworn, deposes and says that the facts contained in the foregoing Bill of Complaint are true and correct.

S/ Helen Usrey McKibbon
AFFIANT

Sworn and subscribed to before me this the 2nd day of September, 1959.

S/ Helen Baibe
NOTARY PUBLIC

WOMEN YOUNG MEN

COMMISSION

AS

WOMEN YOUNG MEN

COMMISSION

BILL OF COMPLAINT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN REPLY

to the petition of the

above named parties for

the relief herein

set forth, and the answer

of the said parties to the

petition, and the

interpleader proceedings

therein, and the

order of the court

in the above

entitled cause.

Witness my hand and

the seal of my office

this 2nd day of

years of age. That Complainant is a fit and proper person to have the full care, custody and control of the above named minor children. Complainant avers that she is unable to support and educate the said children and that Respondent is a man possessed of property and is able to pay to Complainant sufficient sums with which to support and educate the said minor children. Complainant further states that she is without funds to pay the reasonable costs for her Solicitor, Ernest M. Bailey, for his services in this matter.

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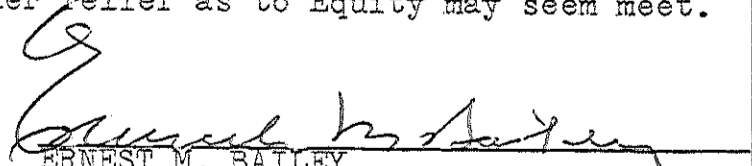
PRAYER FOR PROCESS AND RELIEF:

The premises considered, the Complainant prays that this Court will make the said Lucius Henry McKibbon a party Respondent to this Bill of Complaint and order him to plead, answer or demur within the time required by law. Complainant further prays that this Court will order a reference to determine a proper amount for the Respondent to pay as support and maintenance for the said minor children, and for her costs and expenses in prosecuting this action, including her Solicitor's fee, and that the Respondent be ordered to pay this amount. Complainant further ask that she be awarded the full care, custody and control of the said minor children and that she be awarded the household furnishings jointly owned by Complainant and Respondent for the use and benefit of the children. Complainant further prays that on a hearing of this cause, the Court will enter a decree forever divorcing her from said Respondent and allow the said parties to remarry if they see fit. Complainant further prays for such different and further relief as to Equity may seem meet.

FILED

SEP 2 1950

ALICE J. DUCK, CLERK
REGISTER


ERNEST M. BAILEY
SOLICITOR FOR COMPLAINANT

STATE OF ALABAMA)

BALDWIN COUNTY)

Before me, the undersigned notary public, personally appeared Helen Usrey McKibbon, who, being by me first duly sworn, deposes and says that the facts contained in the foregoing Bill of Complaint are true and correct.

Helen Usrey McKibbon
AFFIANT

Sworn and subscribed to before me this the 2nd day of September, 1959.

Helen Bailey
NOTARY PUBLIC

4697
HELEN USREY McKIBBON,
Complainant

vs.

LUCIUS HENRY McKIBBON,
Respondent

BILL OF COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Respondent can be served at:
103 Mershon Street, Fairhope, Ala.
OR
Woodhaven Dairy, Robertsedale, Ala.

Received 2 day of Sept 1953
I on _____ day of _____ 19____
served a copy of the within ROC
Lucius Henry McKibbon
service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

Recalled By
Ernest Bailey
Atty

SUMMONS AND COMPLAINT

Moore Prtg. Co.

The State of Alabama, }

Baldwin County.

Circuit Court, Baldwin County

No. 4697

TERM, 19

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You Are Hereby Comanded to Summon LUCIUS HENRY MCKIBBON

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~~LUCIUS HENRY MCKIBBON~~ LUCIUS HENRY MCKIBBON, Defendant

by HELEN USREY MCKIBBON

Plaintiff

Witness my hand this 2nd day of September 19 59

W. J. Duck, Clerk