

MYLAN R. ENGEL
ATTORNEY AT LAW
VAN ANTWERP BUILDING
MOBILE, ALABAMA
HEMLOCK 8-3566

November 19, 1956

Mrs. Alice J. Duck, Register
Circuit Court of Baldwin County
Bay Minette, Alabama

In Re: Cecil W. de Graaf vs. Henrietta de Graaf, case No. 3914

Dear Mrs. Duck:

Attached hereto please find an original and one carbon of a plea in abatement to be filed in the above styled cause on behalf of the respondent. Please file this and let me know when this plea will be set down for hearing.

With kindest personal regards, I remain

Yours very truly,


Mylan R. Engel

MRE/jg.
Encl.

STATE OF ALABAMA
BALDWIN COUNTY

BOOK 022 PAGE 428

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons HENERITTA deGRAAF 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 CECIL W. deGRAAF, as Complainant, and against HENERITTA deGRAAF as Respondent.

WITNESS my hand this this the 6th day of November, 1956.

Alice J. Deeb
Register

CECIL W. de GRAAF	{	IN THE CIRCUIT COURT OF
COMPLAINANT	{	BALDWIN COUNTY, ALABAMA,
VS	{	IN EQUITY
HENERITTA de GRAAF	{	
RESPONDENT	{	

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

Your Complainant, Cecil W. de Graaf, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

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

2.

That your Complainant and the Respondent married at Pascagoula, Mississippi, on April 16, 1945, and lived together as husband and wife in Baldwin County, Alabama, until June 15, 1955.

3.

That on, to-wit, June 15, 1955, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

L.

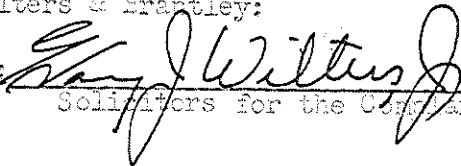
That there was born to the marriage between your Complainant and the Respondent three children, Judy deGraaf, age 9, Cecil W. de Graaf, Jr., age 8, and Linda de Graaf, age 7; who are now with the respondent and have been all of their lives.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Heneritta de Graaf, party Respondent to this cause of action, requiring her to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant prays that upon a hearing hereof, Your Honor will enter an order and decree granting to him an absolute decree of divorce forever barring the bonds of matrimony existing between him and the Respondent; Your complainant prays for such other, further, different or general relief as he may be in equity and good conscience entitled to receive.

Wilters & Brantley:

BY:


Solicitors for the Complainant

Received in Sheriff's Office
this 6 day of Nov, 1956
TAYLOR WILKINS, Sheriff

Col 3914 392

CECIL W. de GRAAF

COMPLAINANT

VS

✓ HENRIETTA de GRAAF *12/9/56*

RESPONDENT

1761 Thrush Dr.

(12)

The Sheriff claims 12
miles at 10¢ per mile for
a total of \$ 1.20
Ray Bridges, Sheriff
Mobile County, Alabama

BILL OF COMPLAINT

EXECUTED
This 16 day of Nov, 1956
by serving a copy of the within on
Henrietta de Graaf
RAY D. BRIDGES, Sheriff
By *L. Diggins* D.S.

FILED
NOV 6 1956
ALICE W. DUCK, Register

CECIL W. de GRAAF,	*	IN THE CIRCUIT COURT OF
Complainant,	*	BALDWIN COUNTY, ALABAMA.
vs.	*	IN EQUITY.
HENRIETTA de GRAAF,	*	CASE NO. 3914
Respondent,	*	
	*	

PLEA IN ABATEMENT

Comes the Respondent, Henrietta de Graaf, and not submitting herself to the jurisdiction of this Court, but appearing specially for the sole and special purpose of filing this plea to the jurisdiction of the Court, and in abatement of the complaint filed herein on, to-wit, the 6th day of November, 1956, and says:

1. That at the time of the filing of the bill of complaint in this cause, neither the Complainant nor the Respondent was a resident of the County of Baldwin, State of Alabama, nor has either party been a resident of Baldwin County since the filing of said bill of complaint.

2. That at the time of the filing of the bill of complaint herein the Complainant and the Respondent were residents of the County of MOBILE, State of Alabama, and have been such residents since the filing of this bill of complaint.

3. That said alleged separation did not occur in Baldwin County, Alabama, nor has there in fact been any separation prior to the filing of the bill of complaint in this cause, the parties hereto having lived together as man and wife in the County of MOBILE, State of Alabama, since the 10th day of August, 1956, and up until and even subsequent to the filing of this bill of complaint herein.

4. That at the time of the filing of the bill of complaint in this cause, the Respondent was, and ever since has been, and now is, a resident of the County of MOBILE, state of Alabama, and said County was then, and is now, her place of domicile, and the venue of this cause is not in Baldwin County, Alabama.

WHEREFORE, Respondent prays that the complaint herein be abated and the complaint dismissed.

Henrietta De Graaf

 Henrietta de Graaf, Respondent.

STATE OF ALABAMA)

COUNTY OF MOBILE)

Before me, the undersigned authority in and for said County and State, personally appeared Henrietta de Graaf, who being by me duly sworn upon oath deposed and says that she is the Respondent in the above entitled cause, and that the facts stated in the foregoing plea in abatement are true and correct.

Henrietta De Graaf

Henrietta de Graaf.

Subscribed and sworn to before me
this the 19th day of November, 1956.

Walter Lee

Notary Public, Alabama, State at Large.

Mylan R. Engel

Mylan R. Engel
915 Van Antwerp Bldg.
MOBILE, Alabama
Solicitor for Respondent