

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA
July 28, 1958

Mrs. Alcie Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

NO. 4328
Inre: Leonard Vs. Leonard
Our File: 4496

Request that this case be withdrawn and marked dismissed on request of Plaintiff's attorney, without prejudice and oblige.

Yours very truly,



EGR/s 1
cc: Mr. Benjamine Leonard
cc: Mrs. Lois Isobell Leonard

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,

Baldwin County.

Circuit Court, Baldwin County

No. 4328

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Benjamin J. Leonard

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

Benjamin J. Leonard, Defendant

by Lois Isobel Leonard, Plaintiff

Witness my hand this 14th day of June 1958.

Alvin J. Darr, Clerk

No. _____ Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed _____ 19__

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

_____ 19__

_____, Sheriff

I have executed this summons

this _____ 19__

by leaving a copy with

_____ Sheriff

_____ Deputy Sheriff

LOIS ISOBELL LEONARD, | IN THE CIRCUIT COURT OF
Complainant, | BALDWIN COUNTY, ALABAMA,
 -VS- |
 BENJAMIN J. LEONARD, | IN EQUITY.
Respondent. |

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

Comes LOIS ISOBELL LEONARD by this her Bill of Complaint presented against BENJAMIN J. LEONARD, and respectfully shows:

FIRST: That the Complainant and Respondent are both over the age of twenty-one years and are both now, and have been for three years next preceding the filing of this Bill of Complaint bona fide residents of Baldwin County, Alabama, both residing outside of the City of Fairhope, Baldwin County, Alabama.

SECOND: Complainant and Respondent were married on, or about, the 6th day of August, 1942, in Fairhope, Baldwin County, Alabama, and lived together as husband and wife, until the 2nd day of July, 1958, when the Complainant had to leave the Respondent because of the grounds hereinafter set forth.

THIRD: That the Respondent has committed actual violence upon the person of his wife, attended with danger to her life or health, by striking her in her face on, or about, the 15th day of June, 1958, at their home in Baldwin County, Alabama.

FOURTH: That the Respondent's conduct has been cruel and abusive in that he has repeatedly struck this Complainant and has cursed this Complainant and has said that he would beat her up, and she has reasonable apprehension of further violence to her person, attended with danger to her life or health.

FIFTH: To this marriage there have been born three children, namely, MYRA ANN LEONARD, age fourteen years, JAMES LLOYD LEONARD, age eleven years, and WILLIAM THOMAS LEONARD, age two years, and that said children are now in the care and custody of this Complainant, and that Complainant is a person of good moral character and prudent in regard to the care of said children; and that it is to the best interest of said children to be under

Con'd - Bill of Complaint,
Inre: Leonard vs. Leonard.


the care, custody and protection of said Complainant.

(6) Complainant has no funds or estate sufficient to properly support said children, and the Respondent is an able-bodied man, capable of earning good wages as a mechanic, owning a residence, situated on approximately five acres of land under lease from the Fairhope Single Tax Corporation, said property being described as follows to-wit;

The East-half ($E\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$), less road on the North, and being in Section 14, Township 6 South, Range 2 East, Baldwin County, Alabama

having two cars, and having an account in the Bank of Fairhope, all of which were accumulated through their joint efforts while they were married, Complainant keeping house and raising the children; and the children are in need of support from the Respondent, their father.

WHEREFORE, THE PREMISES CONSIDERED, Complainant prays that BENJAMIN J. LEONARD be made party Respondent to this cause and that due notice be served upon him requiring him to plead, answer or demur within the time prescribed by law; and Complainant further prays that upon a final hearing of this cause, a Decree of Divorce from the bonds of matrimony be rendered, forever divorcing her from the said BENJAMIN J. LEONARD, and that the Court will grant her the custody, control and education of the three minor children above mentioned, ordering the Respondent to pay a reasonable and proper amount for the support of said children, and will order that the residence, above described, be turned over to this Complainant so that she may use same for the care of said minor children., and that the Court will order that the Respondent pay the expenses of the Complainant in prosecuting this action for divorce, including a reasonable solicitor's fee, and that the Court will grant her such other additional and further relief as may be right and proper.



E. G. RICKARBY
Solicitor for Complainant.

✓ (4328)

Received 14 day of July 19 58
and on 17 day of July 19 58
a copy of the within 3 of 6
in Benjamin J. Leonard
By service on 16 - July 58

LOIS ISOBELL LEONARD,
Complainant,

-VS-

BENJAMIN J. LEONARD,
Respondent

TAYLOR WILKINS, Sheriff
By Tom Lewis D. S.
at Barnwell Ala

BILL OF COMPLAINT

Sheriff claims 100 miles at
Ten Cents per mile Total \$ 10.00
TAYLOR WILKINS, Sheriff
BY Tom Lewis
DEPUTY SHERIFF

FILED

JUL 14 1958

ALICE J. BECK, Register

IN THE EQUITY COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY