

4367

STATE OF ALABAMA)
*
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Bertrand A. Duck, to appear within thirty days from the service of this writ in the Circuit Court, to be held for said County at the place of holding the same, then and there to answer the complaint of Yvette T. Duck.

WITNESS my hand on this the 26 day of August, 1958.

Executed
Sept. 8, 1958

Alice J. Duck

Register.

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

Your Complainant, Yvette T. Duck, respectfully shows unto
the Court and your Honor as follows:

1. That she is over the age of twenty-one years and a bona
fide resident citizen of Baldwin County, Alabama, and has been such
for a period of more than one year next preceding the filing of this
complaint; that the said Bertrand A. Duck is over the age of twenty-
one years and is also a bona fide resident citizen of Baldwin County,
Alabama, and has been such for many years.

2. That your Complainant and the said Respondent, Bertrand
A. Duck, intermarried at Fall River, Massachusetts, on December 12,
1952, and ever since have been and are now, husband and wife,

3. Complainant alleges that on to-wit, August 6, 1958, the
Respondent committed an assault upon her body accompanied with
threats to do further violence to her; that the acts of violence
were attended with danger to her life and health and from his con-
duct there is reasonable apprehension that if she continues with the
said Respondent he will commit further violence upon her person
attended with danger to her life and health.

4. There was born to the Complainant and the Respondent
during this marriage, two children, Debra Christine Duck, a daughter,
four years of age and Carol Ann Duck, a daughter, two years of age,
both of whom are now in the care, custody and control of J. E. Duck
and wife, who are the parents of the Respondent, and who are fit and
proper persons to have the temporary care, custody and control of
the said minor children, pending the outcome of this action. Com-
plainant further alleges that she is a fit and proper person to have
the permanent care, custody and control of the said minor children
and that the Respondent is not a fit and proper person to have the
care, custody and control of the said minor children.

5. Complainant alleges that it has been necessary for her to
employ an attorney to represent her in this suit, which has been
brought by her and that she is without funds to pay her said
attorney for services rendered and to be rendered by him in this
cause.

6. Complainant alleges that the Respondent is an able bodied man and earns approximately \$300.00 each month.

PRAYER FOR PROCESS:

Complainant prays that the said Bertrand A. Duck be made a party Respondent to this Bill of Complaint and that the usual process of this Honorable Court issue to the said Respondent, Bertrand A. Duck, requiring him to appear and plead, answer or demur to this Bill of Complaint within the time prescribed by law and under the rules and practice of this Honorable Court.

PRAYER FOR RELIEF:

Your Complainant respectfully prays for the following separate and several relief:


1. That on a final hearing hereof that the Court will make and enter a proper order or decree giving and granting your Complainant the permanent custody and control of the said minor children.

2. That the Court will make and enter a proper order or decree divorcing your Complainant and the Respondent, and will fix a reasonable monthly amount to be paid to your Complainant as alimony and a reasonable monthly amount to be paid to your Complainant for maintenance and support of the said minor children.

3. That the court will ascertain and fix a reasonable amount to be paid by the Respondent to the Complainant's Solicitor of record for services rendered and to be rendered in this cause.

4. Complainant further prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

Respectfully submitted,


Complainant.

JAMES R. OWEN,
Solicitor for Complainant.

Filed Aug. 26, 1955
Alice J. Duck, register