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Law Offices of
Horne, Webb & Tucker
Attorneys at Law
Atmore, Ala.

FRANK G. HORNE
DOUGLAS S. WEBB
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TELEPHONE 49

May 26, 1959

Mrs. Alice J. Duck
Register in Chancery
Bay Minette, Alabama

Dear Mrs. Duck:

We are sending with this letter an original and copy of the Bill of Complaint, and Summons in the matter of Thelma Heathcock vs. Thomas Heathcock.

Tell the Sheriff that Mr. Heathcock lives right in front of Hal Jackson's place off Highway 31 at Perdido, Alabama.

Very truly yours

HORNE, WEBB & TUCKER

BY:


FRANK G. HORNE

FGH/iw
Encl.

THELMA HEATHCOCK,	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA.
VS.	X	
THOMAS HEATHCOCK	X	IN EQUITY.
RESPONDENT.	X	NUMBER _____

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

Now comes the Complainant, Thelma Heathcock, humbly complaining of the Respondent, Thomas Heathcock, in a matter that will hereinafter appear, and represents and shows unto your Honor as follows:

1. That both the Complainant and Respondent are bona fide resident citizens of Baldwin County, Alabama, and that the Complainant is 24 years of age and the Respondent is 24 years of age.

2. That the Complainant and Respondent were married to each other at Lucedale, George County, Mississippi on to-wit, the 23rd day of December, 1955.

3. That the parties are the parents of a child, Jeffrey Thomas Heathcock, a boy, now about nineteen months old, and that this child is in the custody of the Complainant and has been in her custody all of his life, and that she loves him with the lasting love of a mother and is a suitable person to be entrusted with his care and custody, while the Respondent, owing to the fact that he has a vicious and uncontrollable temper and lives a wild and disolute life, is not a fit person to be entrusted with the control and custody of said child.

4. That the Respondent has been guilty of actual violence upon the person of the Complainant attended with danger to her life or health or from his conduct, there is reasonable apprehension of such danger. That on many occassions during the married life of the parties, the Respondent has assaulted, beat and mistreated the Com-

plainant, and has abused and cursed her, and that on to-wit, the 24th day of May, 1959, the Respondent assaulted the Complainant with a knife and would have probably killed her if she had not escaped from him, and that she is afraid to try to live with him further as his wife, and avers that to do so, would probably bring about her early demise.

5. The Complainant alleges that she has lived with the Respondent in a home built and owned by his father and that from her labor she has contributed a hot water heater of the value of \$100.00, bath room fixtures of the value of \$150.00, and a double sink of the value of \$144.00, for which the Respondent in equity in and good conscience should recompense her as she has left the articles in the home occupied by him, she having purchased and paid for the same from her own financial resources.

The Complainant avers that she is the owner of a bed room suit, a living room suit, three linoleum rugs, ironing board and a wardrobe and an automobile, to-wit, a 1955 Pontiac which the Respondent has in his possession at the home in Baldwin County, Alabama.

The Complainant also avers that she has all of her clothing which she needs in order to keep herself dressed to some degree of comfort in the home mentioned above and that the Respondent has refused to give any of the articles to her.

6. The Complainant avers that the Respondent is an able bodied man and is well able to provide for and maintain the minor child of the Complainant, and that in equity and good conscience he should be required to pay for the support and maintenance of said child, a reasonable sum from his earnings and salaries, he being an employee of the Alabama Dry Dock and Shipbuilding Company, and earning a salary of approximately \$75.00 per week.

The Complainant avers that she has retained the firm of HORNE, WEBB & TUCKER, of Atmore, Alabama, to represent her in her suit for divorce and that in equity and good conscience the Respond-

ent should be required to pay her Solicitors a reasonable fee in this cause.

PRAYER FOR PROCESS.

The premises considered, the Complainant prays that the said Thomas Heathcock be made the party Respondent to this Bill of Complaint and that summons be issued and together with a copy of the Bill in this cause be served upon him, and that he be required to plead, answer or demur to the within bill, within the time and under the penalties prescribed by law and the rules of this Honorable court.

PRAYER FOR RELIEF.

The premises considered, the Complainant prays that on a final hearing of this cause your Honor will make and enter a decree granting to her a full and absolute divorce from the said Respondent, Thomas Heathcock, for and on account of cruelty and in and by virtue of said decree will grant to her the right to again contract marriage.

The Complainant prays that in and by virtue of said decree the Respondent will be required to pay to her whatever sum your Honor may determine to be the value of the articles furnished by her for the home in which the Respondent lives. She also prays that the Respondent be required to deliver to her the furniture belonging to her in the home of the parties and also the automobile of the Complainant. The Complainant also prays that your Honor will award to her the full and absolute custody of the child, Jeffrey Thomas Heathcock, and that the Respondent will be required to pay to her for the maintenance and support of the said child whatever amount your Honor will determine to be meet and proper, and that he will require the Respondent to make payments at such times and in such amounts as your honor may deem to be to the best interest of the said child.

The Complainant prays that your Honor will require the

Respondent to pay to her for the use and benefit of her solicitors a reasonable solicitors fee.

The Complainant prays all other, further and additional relief to which she may be entitled, the premises considered, and she will ever pray, etc., etc.

Thelma Heathcock

HORNE, WEBB & TUCKER,

BY: [Signature]
Solicitors for the Complainant

STATE OF ALABAMA
ESCAMBIA COUNTY

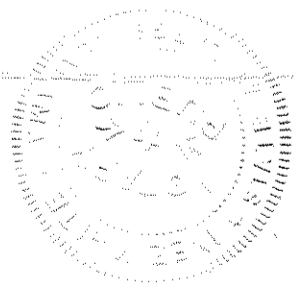
I, Greg White, a Notary Public in and for said state and county do hereby certify that on this the 26 day of May, 1959, came before me the within named Thelma Heathcock, who is known to me and who being by me first duly sworn doth depose and say: that the matters set out in the foregoing bill of complaint are true and correct to her best knowledge, information and belief.

Thelma Heathcock

Sworn to and subscribed before me this 26 day of May, 1959.

Notary Public, State of Alabama at large
My commission expires August 15, 1961
Bonded by Employers Liability Assurance Corporation

Greg White



SUMMONS

BALDWIN

THE STATE OF ALABAMA, ~~ESCAMBIA~~ COUNTY

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama---Greeting:

You are hereby command to summon Thomas Heathcock

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by Thelma Heathcock

against Thomas Heathcock

Herein fail not. Due return make of this writ as the law directs.

Witness this 27 day of May, 19 59.

Alvin J. Duck, Register.
Code 1923-6528-6529

Ed May 30, 1959

