

4724

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons BERNICE VICTORIA RIENDEAU to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by ADOLPH RIENDEAU, as Complainant and against BERNICE VICTORIA RIENDEAU, as Respondent.

WITNESS my hand this the 8 day of October, 1959.

Alice J. Duck
Register

ADOLPH RIENDEAU	§	
COMPLAINANT	§	IN THE CIRCUIT COURT OF
VS	§	BALDWIN COUNTY, ALABAMA
BERNICE VICTORIA RIENDEAU	§	IN EQUITY
RESPONDENT	§	NO. <u>4724</u>

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE TWENTY-EIGHTH JUDICIAL CIRCUIT OF ALABAMA, IN EQUITY SITTING:

Comes now the Complainant in the above styled cause and shows unto Your Honor as follows:

1.

That your Complainant is over the age of twenty-one years, a resident citizen of Robertsdale, Baldwin County, Alabama and that he has so resided for the two years next preceding the time of the filing of this complaint.

2.

That the Respondent is over the age of twenty-one years and resides at Cantonment, Escambia County, Florida.

3.

That your Complainant and the Respondent were at one time husband and wife. That they were divorced from one another by a decree rendered by this Honorable Court on the 21st day of September, 1959. That the Respondent obtained a divorce from the Complainant for and on account of cruelty. That this divorce was uncontested. Your Complainant shows unto Your Honor further that there were many matters growing out of the aforesaid marital relationship which have not been settled, all of which will be hereinafter set out.

4.

That there was born to the union of the Complainant and the Respondent, one child, Glenda Sue Riendeau, now eleven years old. Complainant says that

Glenda Sue stayed with the Complainant's parents, Mr. and Mrs. Aldege Riendeau, during the past seven years. That the Complainant is in every respect a suitable and proper person to have the care, custody and control of his minor child, Glenda Sue. That he maintains a good christian environment. Complainant alleges further that the Respondent is not a fit and proper person to have the care, custody and control of Glenda Sue and that she has an ungovernable temper which causes the child to be continually emotionally upset.

5.

That soon after the marriage of your Complainant and the Respondent to one another, the Complainant's father, Aldege Riendeau, and his mother, Lillian Riendeau, gave your Complainant and the Respondent the following described property:

Begin at the Southwest corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of Section 4, Township 6 South, Range 5 East, thence run East 30 feet, to the point or place of beginning, thence run North 650 feet to a point, thence run East 200 feet to a point, thence run South 650 feet to a point, thence run West 200 feet to the point or place of beginning; said property lying and being situated in the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest quarter ($SW\frac{1}{4}$) of Section 4, Township 6 South, Range 5 East, Baldwin County, Alabama.

That this land now stands on the records of Baldwin County, Alabama in the name of Adloph Riendeau and Bernice Riendeau, your Complainant and the Respondent.

6.

That during the married life of the Complainant and the Respondent, both worked and purchased jointly the following described personal property:

- 1 electric range
- 1 gas heater (circulator)
- 1 refrigerator (Westinghouse)
- 1 automatic Washing Machine
- 2 rocking chairs
- 1 television set
- 1 sofa (convertible to bed)
- 1 clock
- dishes and cooking ware
- 1 mixer
- 1 deep frier
- 1 toaster
- 1 iron
- 1 dinette set
- 1 bedroom suite
- household linens
- groceries
- 1 tractor
- 1 truck
- 1 automobile
- 2 chain saws

That part of this property was purchased in the name of the Complainant and part of it in the name of the Respondent. That the following property is yet unpaid for:

Dinette set
bedroom suite
tractor
automobile
truck
two chain saws.

Your Complainant alleges that he is willing to give the Respondent all of this personal property that is not paid for if she will pay the balance due thereon.

7.

Your Complainant further avers that the Respondent moved all of the personal property heretofore listed except the working equipment, one bedroom suite and a fan, out of the state. That this was done against the wishes of your Complainant and before the settlement of any sort relating thereto was made.

8.

Complainant avers further that he and the Respondent each own an undivided one-half interest in the land heretofore described subject to a mortgage in the amount of, to-wit: ONE THOUSAND DOLLARS (\$1,000.00) to the Central Baldwin Bank of Robertsdale, Alabama. That this land has one house on it and the same cannot be partitioned or equitably divided without a sale thereof.

9.

Complainant avers further that he and the Respondent own jointly the household furniture heretofore described free of any liens or encumbrances except the dinette set and the bedroom suite mentioned therein and the amount owing on these two items is unknown to the Complainant. That your Complainant owns a one-half interest in this said personal property,

Wherefore the premises considered your Complainant makes the said Bernice Victoria Riendeau party Respondent in this his bill of complaint and in order that he may have the relief hereinafter prayed for, he prays that this court will order the State's Writ of Subpoena issue directed to said Respondent, Commanding her to appear and plead, answer or demur to this bill of complaint within the time required by law and the rules of this Honorable Court.

Wherefore the premises considered your Complainant prays that on a final hearing of this cause, Your Honor will enter an order giving your Complainant the care, custody and control of his minor child, Glenda Sue Riendeau. And further decree that the Complainant and Respondent each own an undivided one-half interest in the personal property heretofore listed and that each own an undivided one-half interest in the real property heretofore described. And that a part of this order will cause the Register to sell the property, both personal and real, heretofore described and cause the proceeds therefrom to be divided between the Complainant and the Respondent as is provided for by law. Your Complainant prays for such other further, or different relief as he may in equity be entitled to receive, premises considered.

WILTERS, BRANTLEY AND NESBIT

BY:

Albert M. Brantley
Solicitors for Complainant

Respondent may be served at:

Star Route
Cantonment, Florida

FILED

OCT 8 1959

ALICE J. DUCK, Register

THE STATE OF ALABAMA

BALDWIN COUNTY

CIRCUIT COURT

IN EQUITY

NO. 4724

ADOLPH RIENDEAU

COMPLAINANT

VS

BERNICE VICTORIA RIENDEAU

RESPONDENT

BILL OF COMPLAINT

FILED

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WILTERS, BRANTLEY AND NESBIT
ATTORNEYS FOR COMPLAINANT