(4837)

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

No. 4837

Circuit Court, Baldwin County

_____ TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon EDITH E. HARWELL

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

EDITH E. HARWELL, Defendant

by CONVERSE HARWELL

_____, Plaintiff

Witness my hand this 4th day of February 1960

Alice J. Clark, Clerk

No. 4837 Page

The State of Alabama
Baldwin County

CIRCUIT COURT

CONVERSE HARWELL

Plaintiffs

vs.

EDITH E. HARWELL

Defendants

Summons and Complaint

Filed February 4, 1960

Alice J. Duck 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

CONVERSE HARWELL,	)	IN THE CIRCUIT COURT OF BALDWIN
Complainant	)	COUNTY, ALABAMA,
VS	)	SITTING IN EQUITY.
EDITH E. HARWELL,	)	
Respondent	)	CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT:

Comes now the complainant, Converse Harwell, in the above styled cause and brings this bill of complaint against the respondent, Edith E. Harwell, his wife, and shows unto your Honor as follows;

1. That both he and the respondent are over the age of twenty-one years; and that both he and the respondent are bona fide resident citizens of Baldwin County, Alabama, and have been such for more then one year next preceeding the filing of this bill of complaint.

2. That the complainant and respondent were married, said marriage having been celebrated on October 17, 1923.

3. That complainant and respondent have no living children.

4. Complainant avers that the respondent has committed actual violence on his person, attended with danger to his life or health, and further, that from his conduct, there is reasonable apprehension of such violence, should he continue to live with the respondnet.

5. That during the period of their marriage complainant and respondent acquired interests in three separate parcels of real estate, described as follows: A homestead located at 403 Oak Street, City of Fairhope, County of Baldwin, State of Alabama; a house and lot located at 104 Nershon Street, City of Fairhope, County of Baldwin, State of Alabama; and a house and lot located at 8 South Summit Street, City of Fairhope, County of Baldwin, State of Alabama. Complainant also avers that during the period of their marriage complainant and respondent acquired and accumulated numerous items of personal property, including household furniture, appliances, etc., and an automobile. Complainant avers that the aforesaid property, personal and real, cannot be equitably divided.

WHEREFORE, complainant prays that the said Edith E. Harwell be made a party respondent to this bill of complaint, that appropriate process be issued and served upon her requiring her to plead, answer or demur to this bill of complaint within the time required by law, that upon a hearing hereof your Honor will enter an order granting complainant an absolute divorce from respondent, that your Honor will order a sale and division of the property of complainant and respondent or that your Honor will award to complainant and respondent such property, personal and real, as may seem to your Honor just and appropriate; and complainant prays for such other, further and different relief that he may be entitled to receive, the premises considered.

Converse Harwell

Converse Harwell

STATE OF ALABAMA

COUNTY OF MOBILE

Before me the undersigned authority personally appeared Converse Harwell who was made known to me and who was by me duly sworn on oath and who stated that he has read the foregoing petition, that the same was by him voluntarily given, and that the facts contained therein are true and correct.

Converse Harwell

Converse Harwell

SWORN and subscribed to before me this 1st day of February, 1960.

M. S. Higgins

Notary Public, State of Ala. At Large

Serve the respondent at 403 Oak Street, Fairhope, Alabama

B. A. Stokes, III

Solicitor for complainant

CONVERSE HARWELL,	)	IN THE CIRCUIT COURT OF BALDWIN
Complainant	)	COUNTY, ALABAMA,
VS	)	SITTING IN EQUITY.
EDITH E. HARWELL,	)	
Respondent	)	CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT:

Comes now the complainant, Converse Harwell, in the above styled cause and brings this bill of complaint against the respondent, Edith E. Harwell, his wife, and shows unto your Honor as follows:

1. That both he and the respondent are over the age of twenty-one years; and that both he and the respondent are bona fide resident citizens of Baldwin County, Alabama, and have been such for more then one year next preceeding the filing of this bill of complaint.

2. That the complainant and respondent are married, said marriage having been celebrated on October 17, 1923.

3. That complainant and respondent have no living children.

4. Complainant avers that the respondent has committed actual violence on his person, attended with danger to his life or health, and further, that from his conduct, there is reasonable apprehension of such violence, should he continue to live with the respondnet.

5. That during the period of their marriage complainant and respondent acquired interests in three separate parcels of real estate, described as follows: A homestead located at 403 Oak Street, City of Fairhope, County of Baldwin, State of Alabama; a house and lot located at 104 Mershon Street, City of Fairhope, County of Baldwin, State of Alabama; and a house and lot located at 8 South Summit Street, City of Fairhope, County of Baldwin, State of Alabama. Complainant also avers that during the period of their marriage complainant and respondent acquired and accumulated numerous items of personal property, including household furniture, appliances, etc., and an automobile. Complainant avers that the aforesaid property, personal and real, cannot be equitably divided.

WHEREFORE, complainant prays that the said Edith E. Harwell be made a party respondent to this bill of complaint, that appropriate process be issued and served upon her requiring her to plead, answer or demur to this bill of complaint within the time required by law, that upon a hearing hereof your Honor will enter an order granting complainant an absolute divorce from respondent, that your Honor will order a sale and division of the property of complainant and respondent or that your Honor will award to complainant and respondent such property, personal and real, as may seem to your Honor just and appropriate; and complainant prays for such other, further and different relief that he may be entitled to receive, the premises considered.

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STATE OF ALABAMA

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Converse Harwell

Converse Harwell

SWORN and subscribed to before me this 1st day of February, 1960.

Notary Public, State of Ala. At Large

Serve the respondent at 403 Oak Street, Fairhope, Alabama

Solicitor for complainant

BEN F. STOKES, III
ATTORNEY AT LAW
P. O. Box 1182
MOBILE, ALABAMA

HEmlock 3-1673

424 Greystone Bldg.
104 St. Joseph Street

February 22, 1960

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

4857

RE: Converse Harwell VS Edith Harwell,

Dear Mrs. Duck:

Would you please dismiss the above divorce suit on motion of the plaintiff. If you require a formal motion, please advise and I will file the same at once.

Thanking you so much I remain,

Sincerely yours,

B. F. Stokes, III

BS:M
CC John Duck, Atty.

CONVERSE HARWELL,	)	IN THE CIRCUIT COURT OF BALDWIN
Complainant	)	COUNTY, ALABAMA,
VS	)	SITTING IN EQUITY.
EDITH E. HARWELL,	)	
Respondent	)	CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF SAID COURT:

Comes now the complainant, Converse Harwell, in the above styled cause and brings this bill of complaint against the respondent, Edith E. Harwell, his wife, and shows unto your Honor as follows:

1. That both he and the respondent are over the age of twenty-one years; and that both he and the respondent are bona fide resident citizens of Baldwin County, Alabama, and have been such for more then one year next precaeding the filing of this bill of complaint.

2. That the complainant and respondent are married, said marriage having been celebrated on October 17, 1923.

3. That complainant and respondent have no living children.

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WHEREFORE, complainant prays that the said Edith E. Harwell be made a party respondent to this bill of complaint, that appropriate process be issued and served upon her requiring her to plead, answer or demur to this bill of complaint within the time required by law, that upon a hearing hereof your Honor will enter an order granting complainant an absolute divorce from respondent, that your Honor will order a sale and division of the property of complainant and respondent or that your Honor will award to complainant and respondent such property, personal and real, as may seem to your Honor just and appropriate; and complainant prays for such other, further and different relief that he may be entitled to receive, the premises considered.

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Converse Harwell

Converse Harwell

SWORN and subscribed to before me this 1st day of February, 1960.

M. S. Kiernan

Notary Public, State of Ala. At Large

Serve the respondent at 403 Oak Street, Fairhope, Alabama.

B F Stokes III

Solicitor for complainant
B F Stokes III
Po Box 1182
Mobile, Alabama

FILED
FEB 4 1960
ALICE J. DUCK, CLERK REGISTER

4834

Converse Harwell
vs.
Edith E. Harwell

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

No. 4837

Circuit Court, Baldwin County

_____ TERM, 19____

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EDITH E. HARWELL, Defendant

by CONVERSE HARWELL

_____, Plaintiff

Witness my hand this 4th day of February 1960

Alice J. Duck, Clerk

201

No. 4837 Page

The State of Alabama
Baldwin County

CIRCUIT COURT

CONVERSE HARWELL
Plaintiffs

vs.

EDITH E. HARWELL
402 Oak
Defendants

Summons and Complaint

Filed February 4, 1960

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

2/4 1960

, Sheriff

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