

2946

STATE OF ALABAMA
BALDWIN COUNTY

You are hereby commanded to summon HERBERT WASHINGTON FUQUA, to appear and plead, answer or demur, within thirty days from the service hereof to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity, by MARY MELL RIDER FUQUA, as Complainant, and against HERBERT WASHINGTON FUQUA, as Respondent.

WITNESS my hand this 7th day of January, 1953.

David L. Rucker
Register

MARY MELL RIDER FUQUA	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	IN EQUITY.
HERBERT WASHINGTON FUQUA	Ø	
RESPONDENT	Ø	

TO THE HONORABLE JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your Complainant, Mary Mell Rider Fuqua, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama and over twenty-one years of age.

2.

That your Complainant and the Respondent married in Bay Minette, Alabama, on June 7, 1938, and lived together as husband and wife in Baldwin County, Alabama until on to-wit, *March 17, 1953* January 3, 1953, when for the reason hereinafter set out your Complainant was forced to cease living with the Respondent.

3.

March 17 That on to-wit, January 3, 1953, and on various other occasions, the Respondent cursed, threatened and abused your Complainant and threatened to do violence to her person which would necessarily endanger her life and health; that the conditions of the Respondent was such as to give your Complainant every reasonable apprehension to believe, and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person that would necessarily endanger her life and health.

4.

That there was born between the marriage of your Complainant and the

Respondent nine children, PEGGY FERRELL FUQUA, age 14; THOMAS FUQUA, age 11; GENE ARTHUR FUQUA, age 10; HERBERT FUQUA, age 9; LLOYD FUQUA, age 6; PATRICIA FUQUA, age 3; MARYLENE FUQUA, age 2; BETTY JEAN FUQUA, age 2; and DIANA FUQUA, age 3 months; that said children are with your Complainant who is a suitable, fit and proper person to have their care, custody and control.

5.

Your Complainant avers that said Respondent is a man of considerable income; to-wit: receiving from his employer a salary of \$250.00 per month.

PRAYER

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said HERBERT WASHINGTON FUQUA party Respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and Respondent.

That your Complainant be awarded the custody, care and control of the minor children, Peggy Ferrell Fuqua, age 14; Thomas Fuqua, age 11; Gene Arthur Fuqua, age 10; Herbert Fuqua, age 9; Lloyd Fuqua, age 6; Patricia Fuqua, age 3; Marylene Fuqua, age 2; Betty Jean Fuqua, age 2; and Diana Fuqua, age 3 months; that your Honor will grant to the Complainant permanent maintenance for said children in the amount of One Hundred Fifty (\$150.00) Dollars per month, and inasmuch as your Complainant is without funds it is suggested that One Hundred (\$100.00) Dollars be allowed as a reasonable Solicitor's fee to your Complainant's Solicitor for his services herein and that your Honor will order the Register of this Court to hold a reference and report to this Court what would be a reasonable amount to be allowed your Complainant as alimony for her support and maintenance pending this suit, and what will be a reasonable amount to be allowed to be allowed your Complainant's Solicitor for his services, and that upon a final hearing of this cause, that your Honor will render a decree granting to your Complainant permanent alimony for her support and maintenance, and your Complainant prays for such other, further or general relief to which she may be entitled, and your Complainant prays, etc.


Solicitor for Complainant.

MS 2946

MARY MELL RIDER FUQUA

COMPLAINANT

VS

HERBERT WASHINGTON FUQUA

RESPONDENT

Bill of Complaint

From the Law Offices of
C. LeNoir Thompson
Attorney At Law
Bay Minette, Alabama

FILED

1-7-53

ALICE L. DUCK, Register

MARY MELL RIDER FUQUA
COMPLAINANT
VS
HEREERT WASHINGTON FUQUA
RESPONDENT

§ IN THE CIRCUIT COURT OF
§ BALDWIN COUNTY, ALABAMA
§ IN EQUITY.

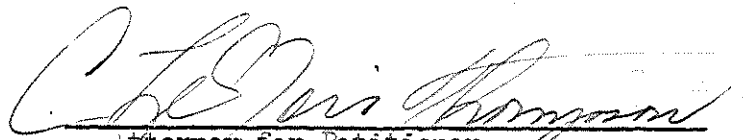
TO THE HONORABLE JUDGE OF SAID COURT:

Comes your Petitioner, MARY MELL RIDER FUQUA, and respectfully represents and shows unto your Honor as follows:

1. That she has filed in this Honorable Court a bill seeking alimony for support and maintenance against the Respondent, HEREERT WASHINGTON FUQUA.

2. That she is without means of support during the pendency of this suit, and that said Respondent is well able to provide support and maintenance for your Complainant, but that said Respondent has refused and failed so to do.

The premises considered, your petitioner prays that your Honor will order the Register of this Court what will be a reasonable amount to be allowed to your petitioner during the pendency of this suit and your petitioner prays for general relief.


Attorney for Petitioner.

2946

MARY MELL RIDER FUQUA

COMPLAINANT

VS

HERBERT WASHINGTON FUQUA

RESPONDENT

From the Law Offices of
C. LeNoir Thompson
Attorney At Law
Bay Minette, Alabama

FILED

1-7-53

AJICE L. DICK, Register

MARY MELL RIDER FUQUA

COMPLAINANT

VS

HERBERT WASHINGTON FUQUA

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

TO THE REGISTER IN CHANCERY OF SAID COURT:

Upon consideration of the Petition of MARY MELL RIDER FUQUA filed in this cause, the same being duly read, considered and understood by the Court, it is, therefore, the Judgment of this Court, and it is ordered, adjudged and decreed by the Court that the Register of this Court hold a reference according to law, under the rules of this Court, and ascertain and report to this Court what will be a reasonable amount to be allowed to the Complainant, MARYMELL RIDER FUQUA, for her support and maintenance during the pendency of this suit, and that the Register of this Court give notice of holding of said reference according to law.

Done this the 7th day of January, 1953.

Jeffrey A. Marshall, Jr.
Circuit Judge.

Received in Sheriff's Office
this 7 day of *Jan*, 1953
TAYLOR WILKINS, Sheriff

2946

Executed Jan. 10, 1953
By Sending copy on
Herbert Washington Fuqua

MARY MELL RIDER FUQUA
COMPLAINANT
VS
HERBERT WASHINGTON FUQUA
RESPONDENT

Soyley

March 17, 1953

Sheriff
Taylor Wilkins
By
Edleigh Steadman

From the Law Offices of
C. LeNoir Thompson
Attorney At Law
Bay Minette, Alabama

FILED

1-7-53

ALICE J. DUCK, Register

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