

1356

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. 1356

CIRCUIT COURT BALDWIN COUNTY

June TERM, 1945

TO ANY SHERIFF OF THE STATE OF ALABAMA :

You are hereby commanded to summon Charlie Kyle

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

Charlie Kyle Respondent
Defendant

by Ida Belle Kyle

Complainant

Witness my hand this 19th day of June, 1945

[Handwritten Signature]

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT

Plaintiffs

vs.

Defendants

SUMMONS AND COMPLAINT

Filed _____ 194 _____

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

194 _____

Sheriff

I have executed this summons

this _____ 194 _____

by leaving a copy with

Sheriff

Deputy Sheriff

TO THE

HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT
OF BALDWIN COUNTY, ALABAMA: IN EQUITY

Comes IDA BELIE KYLE, and by this her Bill of Complaint, presented against CHARLIE KYLE, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that both are now and have been for more than five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married at Monroeville, Alabama, on March 4, 1941, but have not lived together as husband and wife for the past two weeks or more.

THIRD: That Defendant has been openly and flagrantly guilty of adultery with one Georgia Mae Jackson, the wife of a nearby neighbor, whose husband has endeavored to break up this intimacy, but whom Defendant goes with openly and brings by Complainant's home in his car, telling her that she can do what she wishes to in the matter but that he does not propose to stop his relations with this woman. The exact time and place of adulterous relations with said woman Complainant can not state.

FOURTH: That in addition to having threatened and beaten Complainant on a number of times previously, on June 8th, Defendant severely stabbed Complainant in the leg with a chisel, causing a serious wound that for about a week incapacitated her and which wound is still under treatment by Dr. C. G. Godard. When this happened, Complainant caused Defendant's arrest and on or about Saturday, June 16th, Defendant pleaded guilty to the charge of assault with weapon and paid a fine of \$51.10 to the County Court of this County.

FIFTH: That during their married life the parties hereto have purchased a car and household furniture by their joint efforts, and he is now steadily employed at Brookley Field.

THE PREMISES CONSIDERED, Complainant prays that CHARLIE KYLE be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that an order of reference be made forthwith directing the Register of this Court to ascertain a suitable amount to be allowed Complainant as alimony pendente lite during the pendency of this cause.

Complainant further prays that if and when a decree of divorce be rendered she be granted the sole right to all the household equipment and household furniture of the home in which the parties now live but the title to which is now in the name of Complainant's children by a former marriage.

Complainant further prays that an order be made requiring Defendant to pay her the sum of \$100.00 as counsel fees for the prosecution of this cause, she, because of her physical condition being unable to support herself.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said CHARLIE KYLE, granting her the right to marry again should she so desire, and to have such other, further or different relief as to equity may seem meet.

Elliott S. Ristler

Solicitor for Complainant

REGISTERED FOR RECORD

[Handwritten signature]

1915

WHEREAS the above named parties have entered into a certain contract...

AND WHEREAS the said contract is in full force and effect...

No. 1356 EQUITY.

IDA BELLE KYLE,
Complainant.
vs
CHARLIE KYLE,
Defendant.

B I L L

Filed
6-19-43
R.S. Duck
Register
Daphne [unclear]

Executed 2nd day of June 1915
by serving copy of within Summons and
Complaint on
Charlie Kyle
C. E. Garrett
By Fred Walters