

FRANCES SURY,

Complainant,

vs.

FRANK SURY.

Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE-

STATE OF ALABAMA

BALDWIN COUNTY.

ORIGINAL BILL OF COMPLAINT FOR DIVORCE AND OTHER RELIEF.

TO THE HONORABLE THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA-EQUITY SIDE-AND THE HON. FRANCIS W. HARE, JUDGE THEREOF, SITTING IN EQUITY:

Comes your Complainant, Frances Sury, and exhibits this, her Bill of Complaint for absolute divorce and other relief against Frank Sury, the Respondent, and for grounds thereof, shows:

FIRST.

That both your Complainant and Respondent are bona fide residents of Baldwin County, Alabama, having been such residents for more than three years next immediately preceding filing of this Bill of Complaint, and that both are over the age of twenty-one years.

SECOND.

That your Complainant and the Respondent were married many years ago and have lived together as husband and wife until a short time ago when, on account of the matters hereinafter complained of, your Complainant was compelled to leave the home of the Respondent and to seek a home, shelter and safety elsewhere.

THIRD.

That the Respondent has treated your Complainant in a most cruel and inhuman manner; that from time to time and on many occasions he has beat her, slapped her, struck her with his hand, fist and other weapons and has committed actual violence on her person attended with danger to life or health; that his conduct was such that your Complainant had every reason to apprehend a continuance of such treatment and the commission of actual violence on her person attended with danger to life or health.

FOURTH

That of said marriage there have been born to your Complainant and Respondent eight children, who are living and who are

of tender ages; that your Complainant, who is a fit and proper person, has the custody, care and control of such children and to the best of her ability is maintaining and supporting them for the Respondent, who is a man of ungovernable temper, addicted to the use of liquors and most cruel, is an unfit and improper person to rear or to have the custody, care and control of said children, whom he has always treated in a most cruel manner.

FIFTH.

That your Complainant is a woman whose health is at times such as to prevent her from doing manuel labor, the only means of livelihood which she has, and your Complainant is possessed of no property or other income while the Respondent, who is an able bodied healthy man, owns real estate and personal property of considerable value and is an experienced and successful farmer and amply able to care for and support your Complainant and said children in a manner suitable to their state and condition in life.

PRAYER FOR PROCESS AND RELIEF.

The premises considered, your Complainant prays that the said Frank Sury be made a party Defendant to this cause by the usual processes of this court, requiring him to appear and plead, answer or demur within the time and under the pains and penalties prescribed by law and the rules of this Honorable Court.

That there be ordered held by and before the Register of this court a reference to ascertain reasonable amounts to be paid to your Complainant as her counsel fees for the prosecution of this cause and as alimony, both pendente lite and permanent; that upon such reference being so had there be decreed in favor of your Complainant a reasonable amount to be paid to her by the Respondent as such counsel fees and as alimony pendente lite.

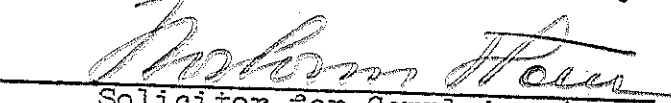
That upon the final hearing of this cause that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your Complainant and the Respondent be forever dissolved and that your Complainant be again permitted to contract the marriage relation, should she so desire; that the care, custody

and control of the children of your Complainant and the said Respondent be awarded your Complainant; that there be decreed in favor of your Complainant a suitable amount to be paid to her by the Respondent for the support and maintenance of your Complainant and the said children in a manner suitable to their condition and state in life; and that she be granted such other, further or different relief to which she is entitled in equity and good conscience. And as in duty bound she will ever pray, etc.


Solicitor for Complainant.

FOOT NOTE:-

The Respondent, Frank Sury, is required to answer each and every paragraph of the foregoing Bill of Complaint from "First" to "Fifth", both inclusive, but answer under oath is hereby expressly waived.


Solicitor for Complainant.

FRANCES SURY,
Complainant,

vs

FRANK SURY,
Respondent.

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

Comes the Respondent in the above styled cause and
answering Complainant's bill of complaint says:

FIRST:

He admits that he and Complainant are both over the
age of twenty-one years and reside in Baldwin County, Alabama, where
they have resided continuously for more than three years next pre-
ceding this date.

SECOND:

He admits that Respondent and Complainant are husband
and wife.

THIRD:

He denies that he has ever at any time treated the
Complainant in a cruel and inhuman manner, and denies that he has
ever at any time beat her, slapped her, struck her with his hand,
fist or other weapon, and denies that he has ever at any time
committed actual violence on her person, attended with danger to
her life or health, and he denies that from his conduct Complainant
has any reason to apprehend any violence on her person, attended
with danger to her life or health.

FOURTH:

He admits that he and Complainant have eight children
whose names and ages are: Frank, twenty years of age, Joe, seventeen
years of age, Mary, twelve years of age, Powell, ten years of age,
Helen, eight years of age, Ruby, six years of age, Johnnie, four
years of age, Annie, eleven months of age, all of said children are

now with this Respondent, where they are properly housed, clothed, fed and properly treated; the said Complainant is now at Respondent's home where said Complainant and Respondent are living together as man and wife.

Respondent further denies that he is of ungovernable temper, and further denies that he is addicted to the use of liquor, and further denies that he is cruel, and further denies that he is unfit and improper to rear and have the custody, care and control of said children, and further denies that he has ever treated them in a cruel manner.

FIFTH:

Further answering said bill of complaint Respondent says that he has no property other than a forty acre farm with a small house thereon occupied as a home, which said property is mortgaged to the Federal Land Bank of New Orleans for fifty percent of its value, namely, seven hundred dollars; that he also owes to the Bank of Elberta three hundred dollars; that his farm equipment is of the very meager kind; that he owes more than one hundred dollars for fertilizer; that he owes other debts aggregating one hundred dollars; that he has no other property, except his said farm and his farm equipment, the aggregate of which is not worth more than seventeen hundred dollars.

SIXTH:

Respondent denies every allegation of the original bill of complaint not herein affirmatively admitted.

Having fully answered Respondent prays that he may go hence with his reasonable cost.


ATTORNEYS FOR RESPONDENT.

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon

Frank Sury, (Near Elberta)

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Frances Sury

against said Frank Sury

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 7th day of

July 1930

T. W. Richerson
Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Frances Sury

vs.
Frank Sury

Norborne Stone
Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193 _____

Sheriff.

Executed this 15 day of

July 193 0

by leaving a copy of the within Summons with

Frank Sury

Defendant.

C. Davis

Sheriff.

By M. H. Wilkins

Deputy Sheriff.

The State of Alabama, }
Baldwin County

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

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Frances Sury

against said Frank Sury

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 7th day of

July 1930

T. W. Richerson Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Copy.

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

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Frances Sury

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Frank Sury

Norborne Stone

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

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BALDWIN COUNTY.

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Sheriff.

Executed this 15th _____ day of

July 1930

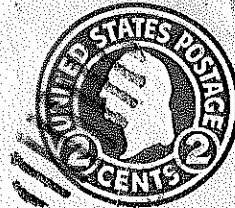
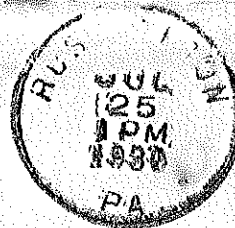
by leaving a copy of the within Summons with

Frank Sury
Defendant.

C. Shreve
Sheriff.

By C. W. Anderson
Deputy Sheriff.

Phillips
ton Pa
Returned
July 28/93
J. W. Rickerson
Piquette



J. W. Rickerson
The Circuit Court
Bay Minette, Ala.
Baldwin County