

ROSAVELLE DEES, Complainant,

IN CIRCUIT COURT

vs.

BALDWIN COUNTY, ALABAMA,

MANFORD F. DEES, Defendant.

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF SAID COURT:

Humbly complaining, youreratrix brings this bill of complaint against the defendant above named and respectfully shows unto Your Honor as follows:

That your eratrix is over the age of twenty one years, is residing in Baldwin county, and for more than three years immediately preceding the filing of this bill has been a bona fide resident of the state of Alabama;

That the defendant is over the age of twenty-one years, and is a resident of Monree county at the town of Drewry therein, in the state of Alabama;

That at Monreeville, in the county of Monree, Alabama, heretofore on, to-wit: November 17th, 1924, the defendant intermarried with your eratrix and that they ever since have been and now are lawful husband and wife;

That heretofore on, to-wit: January 28th, 1929, at Drewry, in Monree county, Alabama, the defendant wilfully abandoned your eratrix, without any fault or failure on the part of your eratrix, and that said defendant has since said date lived separate and apart from your eratrix and in entire abandonment of her for a period of more than two years prior to the time of filing this bill;

PRAYER FOR PROCESS AND FOR RELIEF:

The premises considered, your eratrix prays that by the usual process of this Honorable Court the above named defendant may be made party respondent to this bill of complaint and required to demur, plead to or answer same within the time and under the penalties provided by law or the same may be forever confessed;

Your eratrix further prays that, upon the final hearing of this cause, the bonds of matrimony heretofore and now subsisting between the defendant and complainant may be wholly dissolved and that she be granted an absolute divorce therefrom, and for such other and further relief

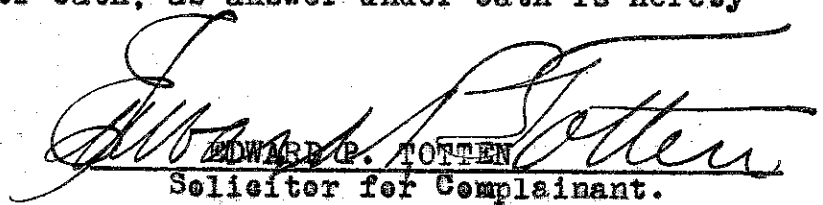
relief as may to the Court seem just and equitable, or as equity and good conscience may require, if youratrix has in anywise prayed or asked amiss of this Honorable Court.

Dated this 15th day of July, 1931.

  
EDWARD P. TOTTON  
Solicitor for Complainant

FOOTNOTE:

The Defendant and Respondent is hereby required to answer each and every allegation contained in the above and foregoing complaint, but not under oath, as answer under oath is hereby expressly waived.

  
EDWARD P. TOTTON  
Solicitor for Complainant.

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STATE OF ALABAMA

COUNTY OF BALDWIN

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IN CIRCUIT COURT

IN EQUITY

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ROSABELLE DEES, Complainant,

vs.

MANFORD F. DEES, Defendant.

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BILL OF COMPLAINT

filed on this 12th day of  
July, 1931.

*W. P. Totten*  
Register.

EDWARD P. TOTTEM  
Solicitor for Complainant

LAW OFFICES OF  
EDWARD P. TOTTEN  
OVER BANK OF FAIRHOPE  
FAIRHOPE, ALABAMA

July 28th, 1931.

Hon. T. W. Richerson,  
Register of Circuit Court, In Equity,  
Bay Minette, Ala.

Dear sir:-

In re. DEES vs. DEES

Herewith I hand you, for filing in  
above entitled cause, an Amended Bill of Complaint.

In this mail, I am forwarding to Messrs.  
Hybart, Heard & Chason, the defendant's counsel, a  
copy of this amended bill, having received from them  
recently a copy of the demurrer filed to our original  
Bill in this cause.

Yours very sincerely,



Edward P. Totten

T/L

ROSAVELLE DEES,

Complainant,

-vs-

MANTFORD F. DEES,

Defendant.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Now comes the Defendant in the aforesaid cause and files this Demurrer, and assigns as grounds therefor:-

FIRST:

That said Bill of Complaint contains no equity.

SECOND:

That said Bill of Complaint shows that this Court has no jurisdiction in this cause of action.

Hylant, Head & Shanon  
Solicitors for Defendant.

We hereby certify that we have this day mailed to Hon. Edward P. Totten, Fairhope, Alabama, a copy of the foregoing Demurrer, postage prepaid.

Hylant, Head & Shanon  
Solicitors for Defendant.

DENURRER.

ROSAVELLE DEES,

Complainant,

-vs-

MANFORD F. DEES,

Defendant.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

Filed July 24, 1931.

*D. W. P. Ricc...*  
Register.

LAW OFFICES

HYBART, HEARD

& CHASON

BAY MINETTE, ALABAMA

ROSAVELLE DEES, Complainant,

vs.

MANFORD F. DEES, Defendant.

IN CIRCUIT COURT

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO THE HONORABLE F. W. HARE,  
JUDGE OF SAID COURT:

AMENDED BILL OF COMPLAINT

Humbly complaining, your oratrix brings and begs leave of court to file this amended bill of complaint against the defendant above named and respectfully shows unto your Honor as follows:

That your oratrix is over the age of twenty one years and a resident of Baldwin county and that for more than five years last past she has been, and still is, a bona fide resident of the state of Alabama;

That the defendant is over the age of twenty one years and is a resident of Monroe county, near the town of Drewry therein, in the state of Alabama;

That at Monroeville, in the county of Monroe, Alabama, heretofore on, to-wit: November 17th, 1924, the defendant inter-married with your oratrix and that they ever since have been and now are lawful husband and wife;

That heretofore on, to-wit: January 28th, 1929, and while the relation of husband and wife was subsisting between the defendant and your oratrix, the defendant, in said Monroe county, Alabama, had sexual intercourse with a female person named Bertha Simmons and committed adultery with the said woman, and that the said offense against the marital rights of your oratrix by the defendant has never been condoned or forgiven by complainant and that, since said date, your oratrix has never lived or cohabited with the said defendant;

That the said defendant, Manford F. Dees, is a strong, able-bodied man, with the skill and capacity to earn and produce the means for a comfortable and adequate livelihood; that said defendant is possessed of valuable real estate in Monroe county, Alabama, to the extent of 180 acres, which is unencumbered and reasonably worth the sum of Twelve Thousand Dollars (\$12000.00), and is also possessed of

a large amount of personal property and a dairy business, in said Monroe county, from all of which property the defendant derives an income of from \$200.00 to \$250.00 per month, or a net annual income in excess of Twenty Five Hundred Dollars (\$2500.00);

That your oratrix is entirely without property of any kind or description and is wholly dependent upon her own efforts and labor for her support and that she is not physically strong but in delicate health and incapable of earning, by her work, a proper and reasonable living for herself at all times.

PRAYER FOR PROCESS AND FOR RELIEF:

The premises considered, your oratrix prays that by the usual process of this Honorable Court the defendant named may be made party respondent to this Amended Bill of Complaint and be required to demur, plead to or answer the same within the time and under the penalties provided by law or that the same be forever confessed;

that a reference be ordered to be had by and before the Register of this Honorable Court to ascertain a reasonable amount to be paid by the defendant to your oratrix as alimony, pendente lite and permanent, and for counsel fees for complainant in this cause; that your Honor will decree unto complainant a reasonable amount to be paid to her by the defendant as such alimony pendente lite and counsel fees;

that, upon a final hearing of this cause, your Honor will grant unto your oratrix an absolute divorce from the bonds of matrimony heretofore and now subsisting between defendant and complainant, and will decree unto complainant a reasonable amount to be paid to her by the defendant as permanent alimony; and that your Honor will render and decree unto your oratrix such other, further and different relief to which in equity and good conscience she may be entitled, if she has in anywise prayed or asked amiss of this Honorable Court.

Dated this 28th day of July, 1931.

FOOTNOTE:

The defendant, Manford F. Dees, is hereby required to answer each and every allegation contained in the foregoing amended bill of complaint, but not under oath, as answer under oath is hereby expressly waived.

EDWARD E. TOTTEN  
Solicitor for Complainant.



STATE OF ALABAMA  
COUNTY OF BALDWIN

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IN CIRCUIT COURT  
IN EQUITY

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ROSAVELLE DEES, Complainant,

vs.

MILFORD F. DEES, Defendant.

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AMENDED BILL OF COMPLAINT  
Filed on this 30th day of  
July, 1931.

J. H. McCreary  
Register

EDWARD P. TOTTER,  
Solicitor for Complainant

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 Manford F. Dees,  
(Drewry, Monroe County, Ala.)

of Monroe 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 Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
Rosavelle Dees

against said Manford F. Dees

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 17th day of

July 1931

T. W. Richerson Register.

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

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Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
In Equity.

No. \_\_\_\_\_

SUMMONS

Rosavella Dees

vs.

Manford F. Dees

(Drewry, Monroe Co., Ala.)

Edward P. Totten

Solicitor for Complainant.

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 193 \_\_\_\_\_

Sheriff.

Executed this \_\_\_\_\_ day of \_\_\_\_\_

193 \_\_\_\_\_

*July 17th*  
by leaving a copy of the within Summons with  
*Manford F. Dees*

Defendant.

Sheriff.

By \_\_\_\_\_ Deputy Sheriff.