

447

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY SITTING:

Comes Loretta Atkins, and humbly complaining against Chester W. Atkins, respectfully shows unto your honor, as follows:-

FIRST: That complainant, Loretta Atkins is over the age of twenty-one years and a resident of Baldwin County, Alabama; that Chester W. Atkins is over the age of twenty-one years; that complainant has made diligent search and inquiry to ascertain the present place of residence and post-office address of Chester W. Atkins and has been unable to do so; that his present place of residence is unknown to complainant but she is informed and believes that he is a non-resident of the State of Alabama; that his last known place of residence was Bloomington, Indiana, where he was employed by the Illinois Central Railroad Company; that she has written to him a number of times to the above address and her letters have been returned uncalled for; that she has made inquiry of persons at Bloomington, Indiana and is advised that he has left this place and that his present address is unknown. Complainant further alleges that she has inquired of the brothers and sisters of Chester W. Atkins and his present place of residence and post-office address is unknown to them.

SECOND: That your complainant and said Chester W. Atkins are husband and wife, having inter-married April 21st, 1921, in Baldwin County, Alabama; that they lived together at Loxley, Alabama, Baldwin County, from the time of their marriage until June 9th, 1922, when the said Chester W. Atkins, voluntarily abandoned your complainant without fault on her part; that he has remained away from her from that day to this and that your complainant and the said Chester W. Atkins have not lived together as husband and wife since the aforesaid abandonment.

THIRD: That there was born to complainant and the said Chester W. Atkins one child, now two years old and named _____; that the said Chester W. Atkins abandoned complainant and the aforesaid child without making any provision for their support and he has not contributed or offered to contribute anything to their support since abandonment; that the said Chester W. Atkins is of intemperant habits and will not remain at employment at any length of time and does not earn sufficient to care for himself and the aforesaid child; that he is not a suitable person to have the custody and care of said child.

WHEREFORE, complainant prays that this honorable Court will take jurisdiction to the cause made by this her bill of complaint and that the said Chester W. Atkins be made a party defendant hereto and by appropriate process of law be required to plead, answer or demur to this bill of complaint within the time and under the penalties prescribed by law and the practice of this Honorable Court.

And Complainant further prays that upon the final hearing of this cause your Honor will make and enter a decree forever dissolving the bonds of matrimony existing between complainant and said Chester W. Atkins; that she be given the custody of the aforesaid child, an issue of said marriage. And complainant prays for such other or different relief as in equity she shall be entitled to receive.

Richard Beebe & Hall

SOLICITORS FOR COMPLAINANT

NOTE:

Defendant Chester W. Atkins is required to answer every allegation of the foregoing bill of complaint, paragraphs one to three inclusive, but not under oath. Oath is hereby expressly waived.

Richard Beebe & Hall

SOLICITORS FOR COMPLAINANT

STATE OF ALABAMA

BAWDWIN COUNTY

I, W. C. Beale a Notary

Public in and for said State and County, this day personally appeared Loretta Atkins, who is known to me and who being by me duly sworn, deposes and says, that she has made diligent inquiry of the brothers and sisters of Chester W. Atkins for the present place of residence and address of the said Chester W. Atkins and that they advise her that his residence and postoffice address is unknown to them; that the last known place of residence of the said Chester W. Atkins was Bloomington, Indiana where he was employed by the Illinois Central Railroad Company; that she has written numerous letters to him at said address and that they have been returned uncalled for; that she has made diligent inquiry of persons in Bloomington, Indiana for the address and place of residence of the said Chester W. Atkins and has been advised upon such inquiry that he has left Bloomington, Indiana and that his present place of residence and postoffice address is unknown; that she has made diligent inquiry from all persons known to her who would probably know the place of residence and postoffice address of the said Chester W. Atkins and has been unable to ascertain his present residence and postoffice address, but that she is informed and believes that he is a non-resident of the State of Alabama, and upon such information and belief, says that the said Chester W. Atkins is a non-resident of the State of Alabama and his present place of residence and postoffice address is unknown to her.

Loretta Atkins

Sworn to and subscribed to before me, this
the 17th day of June 1924.

W. C. Beale

NOTARY PUBLIC, BALDWIN COUNTY,
ALABAMA.