ABY WAID,
Complainant.

-vs
CHARLIE WAID,
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE,
STATE OF ALABAMA.
BALDWIN COUNTY.

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, STATE OF ALABAMA, EQUITY SIDE, AND THE HONORABLE JOHN D. LEIGH, JUDGE THEREOF SITTING IN EQUITY.

Comes your Complainant, Aby Waid, and exhibits this her Bill of Complaint against the defendant, Charlie Waid, for divorce from bed and board and for grounds thereof shows unto your honor and un to this Court as follows:-

#### -FIRST-

That both your complainant and the defendant are bona fidar residents of Baldwin County, Alabama, where they have resided continously for many years; both residing at Summerdale, Alabama; they are both over the age of twenty one (21) years, being about forty five (45) years old each.

#### -SECOND-

That complainant and defendant were married on heretofore towit:- December 24th., 1900 in Blount County, Alabama, and they have lived to-gether as man and wife up to a short time ago when your complainant was compelled to live apart from the defendant on account of matters hereinafter shown to this Court.

#### -THIRD-

That your complainant, since said marriage, expecially during the last year or so has been subject to cruel and inhuman treatment at the hands of the defendant; that the defendent has threatened to strike and to kill your complainant; that his conduct has been such that your complainant had reason to fear that defendant would comit violence on her person attended with danger to life and health. That for the past year or so the defendant has failed to provide for your complainant and their children who are wholly dependent upon him. That said defendant, instead of observing his marked vows, has left the home of your complainant and has lived and commited adultery with other women whose names to your complainant are unknown and cannot be ascertained after deligent inquiry on her part. That the defendant is a healthy and able-bodied man, experienced in the sawmill business and is possessed of real and personal property of the value of about two thousand dollars (\$2000.00) and can well earn a sufficient amount to properly care for your complainant and their dependent children. That he fails and refuses to furnish them with the necessities of life nor a decent place to livein.

That of the children born to your complainant and the defendant by said marriage, there are two, namely, Eul, a boy age thirteen years and Merrill, age fourteen years, who live with your complainant and who are dependant children. -bage two-

## FOURTH.

That your complainant is in poor health and has been for many years; on account of her sickly condition she is unable to earn a living; that she has no property of her own and cannot properly care for and maintain herself and the two dependent children suitable to their station and condition in life and that the defendant refuses to give to them proper support and care; that on account of your complainant being without funds and unable to earn the mame, she is without the necessities of life and cannot properly care for said children during the pendency of this litigation and is unable to pay her solicitor for the prosecution of the same.

### PRAYER FOR PROCESS

THE PREMISES CONSIDERED. Complainant prays that your Honor will issue or cause to be issued such orders, decrees and subpectas directed to the said Charlie Waid necessary to make him party defendant in this cause, requiring him to appear and plead, answer or demur within the time allowed by law; that a reference be ordered and held by the Register to ascertain the property owned by and the earning capacity of the defendant and to fix an amount to be paid to complainant as reasonable attorneys fees for prosecution of this suit and as alianony pendente lite for the support and maintainance of said complainant and two dependent children above named.

# PRAYER FOR RELIEF.

Your complainant prays that upon the final hearing of this cause that your Honor will grant unto the complainant a divorce mensa et thora from the said Charlie Waid; that the said Charlie Waid be required to pay to your complainant for the support and maintainance of her and the said children a sum suitable to their condition and station in life in proportion with the property owned by and the earning capacity of the defendant. And as in duty bound, she will ever pray, etc.,

STONE & STONE. Solicitors for Complainant.

FOOT NOTE:-

The defendant, Charlie Waid, is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to FOURTH", both inclusive, but not under oath, answer under oath being hereby expressly waived.

STONE & STONE. Solicitors for Complainant. In the Circuit Court-Equity Side, State of Alabama, Baldwin County.

Charlie Waid.

Defendant.

\*

Now comes the above named defendant, Charlie Waid,
and for answer to the Bill of Complaint herein, admits, denies and

alleges as follows; -

Admits paragraph "First" of said complaint.

Admits paragraph "Second" of said complaint.

Denies each and every allegation of paragraph

"Third" except as hereinafter specifically admitted. qualified or explained.

Specifically denies, that since said marriage, especially during the past year or so, said complainant has been subject to cruel and inhuman treatment at the hands of the defendant: denies that defendant has threatened to strike and to kill complainant: denies that his conduct has been such that complainant had reason to fear that defendant would commit violence on her person attended with danger to life and health.

Further abswering, defendant alleges are of his married life he has shared all his earnings with his wife and children, and kept his marriage vows. That in the Spring of 1923, said Complainant without cause and without the consent of Defendant, left their home and obtained employment and was employed elsewhere, depriving Defendant and said Children of her help and assistance as wife and mother and retained all her earnings for her own use. That after her return, she treated the Defendant cruelly and inhumanly and threatened to kill the Defendant. That on account of Complainant's threats to kill Defendant, and his fear that she would carry out said threats, said Defendant was obliged to leave his home, and said Complainant and said Defendant have not lived together since about August 1, 1923.

That said Defendant offered to said Complainant all his property consisting of a house and lot, and said Complainant and Children now occupy said property in the Village of Summerdale, Alabama. That said Defendant has no other property except a span of mules and a wagon, which are mortgaged for three hundred (\$500.00) dollars. That since the separation of said parties, said Defendant has contributed regularly to the maintenance and support of said Complainant and Children out of his earnings. That said Children are able to work and that said Defendant furnished fertilizer for Cucumbers during the season of 1924, from which they realized a considerable amount. That said Children are capable of earning, and do earn from two to three dollars per day.

That said Defendant's earning capacity is not large on account of a rupture sustained while in the employ of the Government at Muscle Shoals. That he is at present out of employment and has no means of any kind at his disposal.

Wherefore Defendant prays that said complaint be dismissed and for such other order judgement or reliefs as to the Court shall seem equitable.

Attorgney for Defendant.

muring

# The State of Alabama BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY, IN EQUITY.

WE COMMAND YOU, That you	Chemian Word
WE COMMAND YOU, That you	summon
	· 155 / 11 10 10
of Baldwin,	County, to be and appear before the Judge of the Circuit Court of Bald-
win County, exercising Chancery jurisc	liction, within thirty days after the service of Summons, and there to answer,
plead or demur, without oath, to a B	ill of Complaint lately exhibited by
Aby Wa	id,
against said	Charlie Waid,
4	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
1	
1	
and further to do and perform what sa	id Judge shall order and direct in that behalf. And this the said Defendant shall
7 77 73	nd we further command that you return this writ with your endorsement thereon,
to our said Court immediately upon	the execution thereof.
MANA	
WITNESS, T. W. Richerson, Reg	ister of said Circuit Court, this 14th, day of June,
192 4.	
172.00	TW Remove
17/11	Register.
	the James and the bill upon application to the Posiston

# THE STATE OF ALABAMA BALDWIN COUNTY

	0	
Received in offic	e this	14th
day of	June,	.192
uns	tun	_
2 - 5 - 5		Sheriff.
	47	1-1
Executed this	9	day of
Du	ely	192 4
		vithin summons with
	5-9-3	
PP		216
Tha	lu	Waid
		Defendant.
	20	Stuart
	11.0	Shoriff
	1 1000	Silerin.
By /2111	ci 6	theretof
	4.21	Deputy Sheriff.
		The second secon