

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 same, 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 subpoenas 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 alimony pendente lite for the support and maintenance 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 maintenance 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.

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 * Aby Waid,
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 * Complainant,
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 * VS
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 * Charlie Waid,
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 * Defendant.
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In the Circuit Court-Equity Side,
 State of Alabama,
 Baldwin County.

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 de-
 fendant: 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 per-
 son attended with danger to life and health.

Further absolving, defendant, alleges.

That through all the years 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 ob-
 tained 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 De-
 fendant, and his fear that she would carry out said threats, said De-
 fendant 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, Ala-
 bama. That said Defendant has no other property except a span of
 mules and a wagon, which are mortgaged for three hundred (\$300.00)
 dollars. That since the separation of said parties, said Defendant
 has contributed regularly to the maintenance and support of said Com-
 plainant and Children out of his earnings. That said Children are
 able to work and that said Defendant furnished fertilizer for Cucum-
 bers during the season of 1924, from which they realized a considera-
 ble 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 Govern-
 ment 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 relief as to the
 Court shall seem equitable.

Chas. E. Cowright
 Attorney for Defendant.

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 Charley Waid,

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

Aby Waid,

against said Charlie Waid,

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 14th, day of June,

1924.

T. W. Richerson
Register.

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

Copy Original

Serve on

Circuit Court of Baldwin County
In Equity

No.

SUMMONS

Aby Waid,

vs.

Charley Waid,

RECORDED

Stone and Stone,
Solicitor for Complainant.

Recorded in Vol. Page

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THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this 14th
day of June, 1924.

W.R. Stuart
Sheriff.

Executed this 5th
July day of 1924

by leaving a copy of the within summons with

Charley Waid
Defendant.

W.R. Stuart
Sheriff.

By *Bruce E. Thurgood*
Deputy Sheriff.