

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TOM PACKER vs. GIRTRUDE BUTLER PACKER.

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

AFFIDAVIT OF NON-RESIDENCE OF RESPONDENT.

Before me, R. S. Duck, Register of the Circuit Court in and for Baldwin County, Alabama, personally appeared T. J. Mashburn, Jr., Solicitor for the Complainant, who, being duly sworn, says on oath that Girtrude Butler Packer, the Respondent in the above styled cause, is not a resident of the State of Alabama; that the said Respondent is a resident of the State of Florida; that her Post Office address is Century, Florida.

T. J. Mashburn Jr.
Solicitor for the Complainant.

Subscribed and sworn to before me this the 22nd day of May, 1940.

R. S. Duck
Register of Circuit Court of Baldwin County, Alabama.

STATE OF ALABAMA, }
BALDWIN COUNTY. }

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO ANY SHERIFF OF THE SAID STATE--GREETING:

You are hereby commanded to summon GIRTRUDE BUTLER
PACKER to appear and plead, answer, or demur, within thirty
days from the service hereof, to a Bill of Complaint filed
in the Circuit Court in Equity for Baldwin County, of said
State, at Bay Minette, against GIRTRUDE BUTLER PACKER by
TOM PACKER, Complainant.

Witness my hand, this 22nd day of May, 1940.

R. S. Pugh

Register.

TOM PACKER,
Complainant.

VS.

GIRTRUDE BUTLER PACKER,
Respondent.

EQUITY NO. _____
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes your Complainant, TOM PACKER, and humbly complaining against the Respondent, GIRTRUDE BUTLER PACKER, respectfully represents and shows unto your Honor and this Honorable Court the following facts as a basis for the relief hereinafter prayed:

1. That your Complainant is a bonafide resident citizen of the State of Alabama, residing at Perdido, Baldwin County, Alabama, and is over the age of twenty-one years; That Girtrude Butler Packer, the Respondent, is a resident of the State of Florida, residing at Century, Escambia County, Florida, and is over the age of twenty-one years.

2. That your Complainant and the Respondent are husband and wife, having intermarried at McDavid, Escambia County, Florida, on to-wit: September 27, 1927; that they lived together as husband and wife in Perdido, Baldwin County, Alabama, until on, to-wit, March 8, 1940;

3. That since your Complainant and the Respondent have been married, the Respondent, Girtrude Butler Packer, has become addicted to habitual drunkenness.

4. That your Complainant and the Respondent have two minor children, John Wesley Packer, age 5, and Rose Ellen Packer, age 4; that the Respondent, Girtrude Butler Packer, is not a proper person to have the custody and control of the said minor children; that your Complainant at present has the said minor children and is providing for them; that your Complainant is a proper person to have the care, custody and control of the said minor children.

WHEREFORE, the premises Considered, Complainant prays that your Honor will, by proper process, make the said GIRTRUDE BUTLER PACKER party respondent to this Bill of Complaint, requiring her to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court;

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto him a decree of divorce forever barring the bonds of matrimony existing between him and the Respondent, GIRTRUDE BUTLER PACKER; that your Honor will award to him the care, custody and control of the said minor children: John Wesley Packer and Rose Ellen Packer; Complainant prays for such other, further, different or general relief as ~~he~~ may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

J. A. Mashburn, Jr.
Solicitor for the Complainant.

(ORIGINAL)

RECORDED

TOM PACKER,

Complainant,

VS.

GIRTRUDE BUTLER PACKER,

Respondent.

BILL OF COMPLAINT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed May 22nd, 1942
R. S. Davis, Register

T. J. MASHBURN, JR.
LAWYER
BAY MINETTE, ALABAMA

STATE OF ALABAMA,
BALDWIN COUNTY,

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Ala., do hereby certify that I have mailed a copy of the Summons, together with a copy of the Bill of Complaint filed in the within cause, to the Respondent, Gertrude Butler Tucker, at Century, Florida, by registered, mail, postage prepaid, with return receipt, and marked for delivery to addressee only, this the 22nd day of May, 1940.

R. S. Duck

R. S. DUCK, Register.

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Signature of Postmaster (Required)

Signature of Addressee (Required)

Date of Return

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