

633

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon JOHN P. GRAHAM 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 Ruby Graham against said John P. Graham, 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, R. S. DUCK, Register of said Circuit Court, this 27<sup>th</sup> day of May, 1940.

R. S. Duck,  
Register.

RUBY GRAHAM, )  
Complainant, )  
VS. )  
JOHN P. GRAHAM, )  
Respondent. )

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

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

And now comes your Complainant, RUBY GRAHAM, and humbly complaining against the Respondent, JOHN P. GRAHAM, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That the Complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age; that the Respondent is a resident of Baldwin County, Alabama, and over twenty-one years of age.
2. That your Complainant and the Respondent were married at Jackson, Alabama, in January, 1920, and lived together as husband and wife, until on to-wit, in April, 1938.
3. That on to-wit, in April, 1938, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.
4. That there was borne to said marriage between your Complainant and the Respondent three children: Margaret Graham, John C. Graham and Jane Graham, all minors, nineteen, eighteen and fifteen years of age, respectively; that said

minors are now and have been all their lives living with your Complainant; that the Respondent is not a suit and fit person to have the custody, care and control of said minor children; that your Complainant is ready, able and willing to assume control over and to support and maintain said minors.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said JOHN P. GRAHAM party respondent to this Bill of Complaint, requiring him 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 prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, JOHN P. GRAHAM; that a further decree may be made and entered awarding to your Complainant the custody, care and control of said minor children: Margaret Graham, John C. Graham and Jane Graham; that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: 

Solicitors for Complainant.

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6/11/40

no. 633

RECORDED

SUMMON AND COMPLAINT

RUBY GRAHAM,

Complainant,

VS.

JOHN P. GRAHAM,

Respondent.

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

Filed May 27, 1940  
R. S. Duchy, Register

Confidential present  
in Jordan County,  
North Carolina.

Received in Sheriff's office  
this the 27th day of May 1940  
W. H. Holcombe Sheriff

Not found in  
Charke County

6-24-1940

C. A. Waite

Sheriff

Charke County

Received 4 and on 24 Day of Sept 1940  
I served a copy of the within 24 Day of Sept 1940  
on John P. Graham  
by service on.....  
.....  
.....  
W. H. HOLCOMBE, Sheriff  
By J. H. Macker D.S.