

has become distraught, nervous, sick and afraid and she very believes that her life and health are in danger if she continues to live with the respondent.

5. That on May 24th, 1940 the respondent again assaulted your complainant, spit in her face and choked her and threatened to kill her and she was obliged to leave her home and take refuge with a neighbor and is afraid to attempt to live any longer with the respondent.

6. That your complainant is a devout Roman Catholic and by her religion, is prohibited from obtaining a divorce from the respondent, but because of the cruel, inhuman treatment of the respondent, she desires a legal separation and a divorce from bed and board.

7. That the parties had nothing when they came to Baldwin County but have both worked hard and lived frugally and they now own a forty-acre farm, well improved, together with a large amount of personal property.

8. That your complainant has contributed to the acquisition of this estate and by her own efforts and as her own property, has accumulated over the years a herd of dairy cattle, which now consists of thirty head, being fifteen cows and fifteen heifers and calves; that the respondent has never taken any interest in nor care of the cows but your complainant has always fed, milked and cared for them and sold the products, although the income therefrom she has always turned over to the respondent.

9. Your complainant has also accumulated a flock of one hundred fifty laying hens and about ninety chickens and these, too, have always been recognized by the respondent as the property of the complainant, although all of the earnings therefrom have been by her turned over to the respondent or invested in the home.

10. In addition to the cows and chickens, the respondent has three horses, seventeen hogs, all his farm machinery and tools, a truck and an automobile, but he now refuses to permit your complainant to take any of her cows or chickens, refuses to provide, in any way, for her support and maintenance although she is fifty

years old and in poor health and unable to earn her living by employment and complainant avers that your Honor should decree to her as her share of the community property and to enable her to support herself in her declining years, the cows and chickens which she has by her own efforts accumulated.

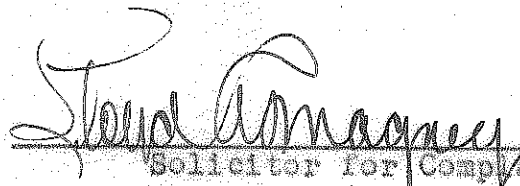
11. Your complainant further avers that the respondent now threatens to sell and dispose of all of the personal property and abandon and leave your complainant and she very believes that he will do so, unless restrained by the order of this court; and complainant will be irreparably injured thereby.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your Honor will grant to her the writ of summons of the State of Alabama directed to the respondent, Gustaw Mueller, and require said respondent to appear before this Honorable Court within the time allowed by law, and answer, demurrer plead to this bill of complaint, and abide such order and decree as may be entered therein; and your complainant will ever pray, etc.

PRAYER FOR RELIEF

Your complainant further prays that upon a final hearing of this cause, your Honor will grant to her a divorce from the bed and board of the respondent; that your Honor will award to her an allowance out of the estate of the respondent for her support and maintenance; that pending the hearing, your Honor will grant to your complainant an order restraining the respondent from selling or disposing of any of the property of the parties, except the crops and products of the farm which are produced for sale, until the further order of this court and that your complainant may have such other, further and different relief in the premises as may be just and equitable.


Solicitor for Complainant.

STATE OF ALABAMA }
BALDWIN COUNTY }

Francis Mueller, being first duly sworn on oath
deposes and says:

That she is the foregoing complainant, has read and knows the contents of the foregoing bill of complaint and that the facts therein setforth are true.

Mrs. Francis Mueller

Subscribed in my presence and sworn to before me this 1st day of June, 1940.

(Seal)

Joseph Tomagney
Notary Public.

JUN 1 1940

FRANCIS MUELLER,
Complainant,
vs.
GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY
copy
BILL OF COMPLAINT

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

PART ONE

Your complainant, Francis Mueller, respectfully shows unto your Honor that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing near Elberta therein, and that the respondent, Gustav Mueller, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Elberta therein.

PART TWO

Your complainant further avers and shows to the court:

1. That she was lawfully married to the respondent in Berlin, Germany on the 6th day of June, 1913 and ever since said marriage has conducted herself toward the respondent as a faithful and obedient wife.
2. That complainant and respondent moved to a farm near Elberta, Baldwin County, Alabama in October, 1917, where they have continuously resided ever since November, 1925.
3. That the issue of the marriage between the parties is one daughter, Gertrude Mueller, who is now the age of twenty-three years.
4. That the respondent has recently become very abusive to your complainant; has struck, beat and choked her and in other ways committed actual violence on her person; he has threatened to do her great bodily harm, and, in fact, to kill her and complainant has been and is afraid that he will carry out these threats as his temper, which has always been violent, has in recent months become ungovernable and that such conduct on the part of the respondent towards your complainant has seriously affected her health and she

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY,)

TO ANY SHERIFF OF THE STATE OF ALABAMA.....GREETING:

WE COMMAND YOU, That you summon GUSTAV MUELLER of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Francis Mueller, against said Gustav Mueller, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 7th day of June, 1940.

R. S. Duck
REGISTER.

FRANCIS MUELLER,
Complainant,

vs.

GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

WRIT OF INJUNCTION

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE--GREETINGS:

We command you that without delay, you execute this writ and due return thereof make to us instanter at a term of our Circuit Court in equity, to be held at Bay Minette on the _____ day of _____, 1940.

TO GUSTAV MUELLER--GREETINGS:

WHEREAS, one Francis Mueller has exhibited her Bill of Complaint in the said Circuit Court of Baldwin County, Alabama, in equity, and has obtained from the Honorable F. W. Hare, Judge of said circuit, an order for the issuance of an injunction to restrain and enjoin you as hereinafter mentioned; and whereas, the said Francis Mueller has, in accordance with said order, entered into bond with security, in the sum of \$ _____, payable to and approved by the Register of said Circuit Court and conditioned according to law;

NOW, THEREFORE, you, the said Gustav Mueller, are hereby commanded and strictly enjoined from selling, encumbering, transferring or disposing of any of the personal property now owned by you and in your possession, except such crops and products of the farm as may be produced by you for sale, and particularly that you do not sell, encumber, transfer or dispose of any cattle, chickens or household goods, until the further order of this Court.

Witness the hand of the Register and the seal of such Circuit Court in equity, this 7 day of June, 1940.

R. S. Dush
Register.

FRANCIS MUELLER,
Complainant,
vs.
GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

WRIT OF INJUNCTION

STATE OF ALABAMA)
BALDWIN COUNTY)

TO ANY SHERIFF OF THE STATE--GREETINGS:

We command you that without delay, you execute this writ and due return thereof make to us instanter at a term of our Circuit Court in equity, to be held at Bay Minette on the _____ day of _____, 1940.

TO GUSTAV MUELLER--GREETINGS:

WHEREAS, one Francis Mueller has exhibited her Bill of Complaint in the said Circuit Court of Baldwin County, Alabama, in equity, and has obtained from the Honorable F. W. Hare, Judge of said circuit, an order for the issuance of an injunction to restrain and enjoin you as hereinafter mentioned; and whereas, the said Francis Mueller has, in accordance with said order, entered into bond with security, in the sum of \$ _____, payable to and approved by the Register of said Circuit Court and conditioned according to law;

NOW, THEREFORE, you, the said Gustav Mueller, are hereby commanded and strictly enjoined from selling, encumbering, transferring or disposing of any of the personal property now owned by you and in your possession, except such crops and products of the farm as may be produced by you for sale, and particularly that you do not sell, encumber, transfer or dispose of any cattle, chickens or household goods, until the further order of this Court.

Witness the hand of the Register and the seal of such Circuit Court in equity, this 7 day of June, 1940.

R. S. Duesch
Register.

FRANCIS MUELLER,
Complainant,
vs.
GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

PART ONE

Your complainant, Francis Mueller, respectfully shows unto your Honor that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing near Elberta therein, and that the respondent, Gustav Mueller, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Elberta therein.

PART TWO

Your complainant further avers and shows to the court:

1. That she was lawfully married to the respondent in Berlin, Germany on the 6th day of June, 1913 and ever since said marriage has conducted herself toward the respondent as a faithful and obedient wife.
2. That complainant and respondent moved to a farm near Elberta, Baldwin County, Alabama in October, 1917, where they have continuously resided ever since. November, 1925.
3. That the issue of the marriage between the parties is one daughter, Gertrude Mueller, who is now the age of twenty-three years.
4. That the respondent has recently become very abusive to your complainant; has struck, beat and choked her and in other ways committed actual violence on her person; he has threatened to do her great bodily harm, and, in fact, to kill her and complainant has been and is afraid that he will carry out these threats as his temper, which has always been violent, has in recent months become ungovernable and that such conduct on the part of the respondent towards your complainant has seriously affected her health and she

has become distraught, nervous, sick and afraid and she verily believes that her life and health are in danger if she continues to live with the respondent.

5. That on May 24th, 1940 the respondent again assaulted your complainant, spit in her face and choked her and threatened to kill her and she was obliged to leave her home and take refuge with a neighbor and is afraid to attempt to live any longer with the respondent.

6. That your complainant is a devout Roman Catholic and by her religion, is prohibited from obtaining a divorce from the respondent, but because of the cruel, inhuman treatment of the respondent, she desires a legal separation and a divorce from bed and board.

7. That the parties had nothing when they came to Baldwin County but have both worked hard and lived frugally and they now own a forty-acre farm, well improved, together with a large amount of personal property.

8. That your complainant has contributed to the acquisition of this estate and by her own efforts and as her own property, has accumulated over the years a herd of dairy cattle, which now consists of thirty head, being fifteen cows and fifteen heifers and calves; that the respondent has never taken any interest in nor care of the cows but your complainant has always fed, milked and cared for them and sold the products, although the income therefrom she has always turned over to the respondent.

9. Your complainant has also accumulated a flock of one hundred fifty laying hens and about ninety chickens and these, too, have always been recognized by the respondent as the property of the complainant, although all of the earnings therefrom have been by her turned over to the respondent or invested in the home.

10. In addition to the cows and chickens, the respondent has three horses, seventeen hogs, all his farm machinery and tools, a truck and an automobile, but he now refuses to permit your complainant to take any of her cows or chickens, refuses to provide, in any way, for her support and maintenance although she is fifty

years old and in poor health and unable to earn her living by employment and complainant avers that your Honor should decree to her as her share of the community property and to enable her to support herself in her declining years, the cows and chickens which she has by her own efforts accumulated.


11. Your complainant further avers that the respondent now threatens to sell and dispose of all of the personal property and abandon and leave your complainant and she verily believes that he will do so, unless restrained by the order of this court; and complainant will be irreparably injured thereby.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your Honor will grant to her the writ of summons of the State of Alabama directed to the respondent, Gustav Mueller, and require said respondent to appear before this Honorable Court within the time allowed by law, and answer, demurrer plead to this bill of complaint, and abide such order and decree as may be entered therein; and your complainant will ever pray, etc.

PRAYER FOR RELIEF

Your complainant further prays that upon a final hearing of this cause, your Honor will grant to her a divorce from the bed and board of the respondent; that your Honor will award to her an allowance out of the estate of the respondent for her support and maintenance; that pending the hearing, your Honor will grant to your complainant an order restraining the respondent from selling or disposing of any of the property of the parties, except the crops and products of the farm which are produced for sale, until the further order of this court and that your complainant may have such other, further and different relief in the premises as may be just and equitable.


Solicitor for Complainant.

STATE OF ALABAMA)
BALDWIN COUNTY)

Francis Mueller, being first duly sworn on oath
deposes and says:

That she is the foregoing complainant, has read
and knows the contents of the foregoing bill of complaint and that
the facts therein setforth are true.

Mrs Francis Hueller

Subscribed in my presence and sworn to before me
this 1st day of June, 1940.

Louis Tomagney
Notary Public.

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY,)

TO ANY SHERIFF OF THE STATE OF ALABAMA.....GREETING:

WE COMMAND YOU, That you summon GUSTAV MUELLER of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Francis Mueller, against said Gustav Mueller, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 7th day of June, 1940.

R. S. Duck
REGISTER.

Received in Shuff's office
June 15-1940
W. B. Stewart Shuff Baldwin &

Returned by request
of Comptroller State
of Georgia
This is the day of August
1940

W. B. Stewart Shuff
By W. B. Stewart Shuff

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

RECORDED

FRANCIS MUELLER, Complainant,	vs.	GUSTAV MUELLER, Respondent.
WRITE OF INJUNCTION		

LLOYD A. MAGNEY
Attorney-at-Law
Foley, Alabama.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

FRANCIS MUELLER,

Complainant,

vs.

GUSTAV MUELLER,

Respondent.

(COPY)

WRIT OF INJUNCTION

LLOYD A. MAGNEY
Attorney-at-Law
Foley, Alabama.

has become distraught, nervous, sick and afraid and she very believes that her life and health are in danger if she continues to live with the respondent.

5. That on May 24th, 1930 the respondent again assaulted your complainant, spit in her face and choked her and threatened to kill her and she was obliged to leave her home and take refuge with a neighbor and is afraid to attempt to live any longer with the respondent.

6. That your complainant is a devout Roman Catholic and by her religion, is prohibited from obtaining a divorce from the respondent, but because of the cruel, inhuman treatment of the respondent, she desires a legal separation and a divorce from bed and board.

7. That the parties had nothing when they came to Baldwin County but have both worked hard and lived frugally and they now own a forty-acre farm, well improved, together with a large amount of personal property.

8. That your complainant has contributed to the acquisition of this estate and by her own efforts and as her own property, has accumulated over the years a herd of dairy cattle, which now consists of thirty head, being fifteen cows and fifteen heifers and calves; that the respondent has never taken any interest in nor care of the cows but your complainant has always fed, milked and cared for them and sold the products, although the income therefrom she has always turned over to the respondent.

9. Your complainant has also accumulated a flock of one hundred fifty laying hens and about ninety chickens and these, too, have always been recognized by the respondent as the property of the complainant, although all of the earnings therefrom have been by her turned over to the respondent or invested in the home.

10. In addition to the cows and chickens, the respondent has three horses, seventeen hogs, all his farm machinery and tools, a truck and an automobile, but he now refuses to permit your complainant to take any of her cows or chickens, refuses to provide, in any way, for her support and maintenance although she is fifty

years old and in poor health and unable to earn her living by employment and complainant avers that your Honor should decree to her as her share of the community property and to enable her to support herself in her declining years, the cows and chickens which she has by her own efforts accumulated.

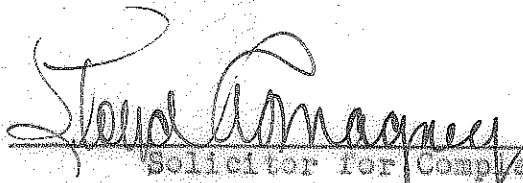
11. Your complainant further avers that the respondent now threatens to sell and dispose of all of the personal property and abandon and leave your complainant and she very believes that he will do so, unless restrained by the order of this court; and complainant will be irreparably injured thereby.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your Honor will grant to her the writ of summons of the State of Alabama directed to the respondent, Gustav Mueller, and require said respondent to appear before this Honorable Court within the time allowed by law, and answer, demurrer plead to this bill of complaint, and abide such order and decree as may be entered therein; and your complainant will ever pray, etc.

PRAYER FOR RELIEF

Your complainant further prays that upon a final hearing of this cause, your Honor will grant to her a divorce from the bed and board of the respondent; that your Honor will award to her an allowance out of the estate of the respondent for her support and maintenance; that pending the hearing, your Honor will grant to your complainant an order restraining the respondent from selling or disposing of any of the property of the parties, except the crops and products of the farm which are produced for sale, until the further order of this court and that your complainant may have such other, further and different relief in the premises as may be just and equitable.


Solicitor for Complainant.

STATE OF ALABAMA }
BALDWIN COUNTY }

Francis Mueller, being first duly sworn on oath
deposes and says:

That she is the foregoing complainant, has read and knows the contents of the foregoing bill of complaint and that the facts therein setforth are true.

Ms. Francis Mueller

Subscribed in my presence and sworn to before me this 1st day of June, 1940.

(Seal)

Joseph Tomagney
Notary Public.

1-1-40
1-1-40

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

June Term, 1940

Francis Mullers, Complainant
No. 636 vs.
Dwight Muttler, Respondent

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court— Pocketing Cause, One fee only of.....	1.00	Summoning on Bill, Each Defendant.....	1.50
Issuing Summons on Bill, each.....	.50*	Executing Writ of Injunction, or Ne Exeat, each.....	1.50
Issuing Copies Thereof, each.....	.40	Executing Subpoenas for Witnesses, each.....	.65
Entering Return of Same, each.....	.15	Executing Writs of Possession, each.....	5.00
Orders of Publication to Non-Residents, each.....	1.00*	Executing Scire Facias or Notice, each.....	1.50
Filing Bill or Other Paper, each.....	.10	Taking and Approving Bonds, each.....	1.00
Copies of Same, Per 100 Words.....	.15	Impanelling Jury.....	.75
Entering Appearances, each.....	.25*	Collecting Execution for Costs Only, each.....	1.50
Issuing Writs of Injunction, Ne Exeat, each.....	1.50	Sheriff's Commissions.....	
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*	Total Sheriff's Fees	3 00
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each.....	.50		
Taking Testimony, Per Day.....	1.50	SUMMARY OF FEES, COSTS, AND JUDGMENT	
Taking Testimony, Per 100 words.....	.20	Fees in Circuit Court—	
Receiving and Filing Depositions, each pkg.,.....	.10	Register's Fees.....	5 80
Indorsing Depositions Published, each pkg.,.....	.10	Ex-Register's Fees.....	
All Entries on Commission Docket, Each Cause.....	.50	Sheriff's Fees.....	3 00
Entering Order Submitting Cases for Decree, each.....	.50	Ex-Sheriff's Fees.....	
Other Orders of Court, each.....	.25	Witness Fees.....	
Noting Testimony on Hearing of Cause, each.....	.50	Commissioner's Fees.....	
Entering Decrees, of 500 Words or Less, each.....	.75	Guardian Ad Litem.....	
Per 100 words over 500.....	.15	Publisher's Fees.....	
Taking Accounts, etc., on Ref., per Day.....	3.00*	Solicitor's Fees.....	
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15	Court Reporter's Fees, Per Day or fraction thereof.....	5.00
Reference and Reports, each.....	2.00*	Trial Tax.....	3.00
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25	Fees and Costs in Inferior Court:	
Issuing Witness Certificates, each.....	.25	Clerk of Inferior Court Fees.....	
All Entries on Subpoena Docket, each Cause.....	.50	Sheriff's Fees.....	
Taking and Approving Bonds, each.....	1.00	Witness Fees.....	
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee.....	3.00	Total Fees and Costs in Inferior Court	11 80
Settlements with Receiver or Trustee, each.....	2.00		
Examining Vouchers in Settlements, each.....	.10	Total Fees and Costs	
Examining Answers on Exceptions, each Answer.....	2.00	Judgment	
Removal Disabilities on Non-Age.....			
Commissions on Sales.....		Total Fees, Costs, and Judgment	
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.....	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
Total Register's Fees	5 80		

FRANCIS MUELLER,
Complainant,
vs.
GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY
copy
BILL OF COMPLAINT

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

PART ONE

Your complainant, Francis Mueller, respectfully shows unto your Honor that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing near Elberta therein, and that the respondent, Gustav Mueller, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Elberta therein.

PART TWO

Your complainant further avers and shows to the court:

1. That she was lawfully married to the respondent in Berlin, Germany on the 6th day of June, 1913 and ever since said marriage has conducted herself toward the respondent as a faithful and obedient wife.
2. That complainant and respondent moved to a farm near Elberta, Baldwin County, Alabama in October, 1917, where they have continuously resided ever since November, 1925.
3. That the issue of the marriage between the parties is one daughter, Gertrude Mueller, who is now the age of twenty-three years.
4. That the respondent has recently become very abusive to your complainant; has struck, beat and choked her and in other ways committed actual violence on her person; he has threatened to do her great bodily harm, and, in fact, to kill her and complainant has been and is afraid that he will carry out these threats as his temper, which has always been violent, has in recent months become ungovernable and that such conduct on the part of the respondent towards your complainant has seriously affected her health and she

SUMMONS

THE STATE OF ALABAMA, }
BALDWIN COUNTY, }

TO ANY SHERIFF OF THE STATE OF ALABAMA.....GREETING:

WE COMMAND YOU, That you summon GUSTAV MUELLER of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Francis Mueller, against said Gustav Mueller, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 7th day of June, 1940.

R. S. Duck
REGISTER.

FRANCIS MUELLER,
Complainant,
vs.
GUSTAV MUELLER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

PART ONE

Your complainant, Francis Mueller, respectfully shows unto your Honor that she is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, residing near Elberta therein, and that the respondent, Gustav Mueller, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Elberta therein.

PART TWO

Your complainant further avers and shows to the court:

1. That she was lawfully married to the respondent in Berlin, Germany on the 6th day of June, 1913 and ever since said marriage has conducted herself toward the respondent as a faithful and obedient wife.

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has become distraught, nervous, sick and afraid and she verily believes that her life and health are in danger if she continues to live with the respondent.

5. That on May 24th, 1940 the respondent again assaulted your complainant, spit in her face and choked her and threatened to kill her and she was obliged to leave her home and take refuge with a neighbor and is afraid to attempt to live any longer with the respondent.

6. That your complainant is a devout Roman Catholic and by her religion, is prohibited from obtaining a divorce from the respondent, but because of the cruel, inhuman treatment of the respondent, she desires a legal separation and a divorce from bed and board.

7. That the parties had nothing when they came to Baldwin County but have both worked hard and lived frugally and they now own a forty-acre farm, well improved, together with a large amount of personal property.

8. That your complainant has contributed to the acquisition of this estate and by her own efforts and as her own property, has accumulated over the years a herd of dairy cattle, which now consists of thirty head, being fifteen cows and fifteen heifers and calves; that the respondent has never taken any interest in nor care of the cows but your complainant has always fed, milked and cared for them and sold the products, although the income therefrom she has always turned over to the respondent.

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11. Your complainant further avers that the respondent now threatens to sell and dispose of all of the personal property and abandon and leave your complainant and she verily believes that he will do so, unless restrained by the order of this court; and complainant will be irreparably injured thereby.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your Honor will grant to her the writ of summons of the State of Alabama directed to the respondent, Gustav Mueller, and require said respondent to appear before this Honorable Court within the time allowed by law, and answer, demurrer plead to this bill of complaint, and abide such order and decree as may be entered therein; and your complainant will ever pray, etc.

PRAYER FOR RELIEF

Your complainant further prays that upon a final hearing of this cause, your Honor will grant to her a divorce from the bed and board of the respondent; that your Honor will award to her an allowance out of the estate of the respondent for her support and maintenance; that pending the hearing, your Honor will grant to your complainant an order restraining the respondent from selling or disposing of any of the property of the parties, except the crops and products of the farm which are produced for sale, until the further order of this court and that your complainant may have such other, further and different relief in the premises as may be just and equitable.


Solicitor for Complainant.

STATE OF ALABAMA }
BALDWIN COUNTY }

Francis Mueller, being first duly sworn on oath
deposes and says:

That she is the foregoing complainant, has read and knows the contents of the foregoing bill of complaint and that the facts therein setforth are true.

Mrs Francis Hueller

Subscribed in my presence and sworn to before me this 1st day of June, 1940.

Joseph Tomagney
Notary Public.

SUMMONS

THE STATE OF ALABAMA,)
BALDWIN COUNTY,)

TO ANY SHERIFF OF THE STATE OF ALABAMA.....GREETING:

WE COMMAND YOU, That you summon GUSTAV MUELLER of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Francis Mueller, against said Gustav Mueller, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 7th day of June, 1940.

R. S. Duck
REGISTER.