

about or causing the hereinafter described acts, omissions and conditions on defendant's part.

4.

The defendant, disregarding the solemnity of her marriage vow and her obligation to treat plaintiff with kindness, forbearance and attention, shortly after the first of February, 1947, commenced a course of harsh and cruel treatment toward this plaintiff which has continued with very slight interruptions until the date of the filing of this petition.

On diverse occasions while said parties lived together as man and wife, defendant was guilty of excesses, harsh and cruel treatment and outrages toward this plaintiff of such a nature as to render their further living together as husband and wife wholly insupportable, and that as a consequence of all of said harsh and cruel treatment, some of which is hereinafter detailed, of which defendant was guilty toward this plaintiff, plaintiff and defendant were finally, on January 10, 1948, separated and have not since said date lived together as husband and wife nor cohabited since that date.

Plaintiff would show to the Court that, as examples of the harsh and cruel treatment of which defendant was guilty which began shortly after February 1, 1947, the defendant would constantly nag at plaintiff and argue with reference to money matters and, in a violent outburst of temper on or about the 25th day of February, 1947, accused plaintiff of infidelity, and with the intention of doing him bodily harm, threw a bottle at plaintiff which barely missed his head. That on or about March 17, 1947, defendant scratched plaintiff severely on his left arm, and struck him a number of times on the chest. That subsequently during the early part of April, 1947, and on or about April 3, 1947, in another outburst of uncontrollable temper, defendant threw a

cookie jar at plaintiff, such act on defendant's part being with the intent of doing serious bodily injury. That on or about May 9, 1947, the defendant again in an outburst of anger and uncontrollable temper, and with the intention of doing the plaintiff bodily harm, aimed a glass at plaintiff, which narrowly missed striking him in the head and causing such violent exertion on his part to avoid being struck that he became partially paralyzed in his right arm. That on or about January 10, 1948, the defendant again in an outburst of anger and uncontrollable temper informed the plaintiff that she had consulted with the District Attorney of Tarrant County, Texas, or one of his assistants, and had determined that she could legally order plaintiff out of the home, and she forthwith directed the said plaintiff to leave the home immediately and never to return, and plaintiff being highly nervous and afflicted with a heart ailment was fearful of subjecting himself to such further outbursts, and therefore complied with defendant's order.

That plaintiff is ill and has been for a period of several years suffering from a heart ailment, which condition requires him to be under the care of a physician. That at the time of the marriage of plaintiff and defendant, defendant was fully advised of plaintiff's physical condition, and all of her ill treatment of plaintiff was with the full knowledge of plaintiff's condition and the likely serious results of her actions.

That plaintiff has been a dutiful and kind husband, and has amply provided for the defendant during the marriage, and most recently doing his duty as a husband cared and provided for defendant when she became ill and of necessity had to undergo a minor surgical operation, from which operation she has now fully recovered.

That prior to plaintiff being ordered out of his home by defendant, defendant purloined a diary kept by the plaintiff covering the year 1944, which was long prior to the date that plaintiff and the defendant were married, and has likewise purloined and kept from plaintiff certain other private papers, and that plaintiff has often requested the return of his diary and other papers, but in each instance the defendant has refused to return that which is rightfully his.

That as a consequence of all of the above and foregoing acts of harsh and cruel treatment, and the fact that plaintiff has no way of knowing when the defendant will fly into a rage and exhibit an outburst of uncontrollable temper, plaintiff has become highly nervous and his heart ailment has become aggravated to such an extent that a continuation thereof and of the marital relationship would result in a serious impairment of plaintiff's health.

5.

That no children have been born to plaintiff and defendant as a result of their said marriage.

6.

That there has been no community property accumulated by plaintiff and defendant, or either of them, during the period of the marital relationship with the exception of a few items of personal belongings and furniture, to which articles plaintiff hereby waives any right, title or interest.

7.

That plaintiff hereby acknowledges his responsibility to support the defendant during the pendency of this suit, and hereby agrees to make payment of the sum of \$150.00 per month for such support.

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COMMISSION EXHIBIT No. 1960-A-Continued

WHEREFORE, Premises considered, plaintiff prays that defendant be cited to appear and answer herein; that on final hearing hereof plaintiff have judgment dissolving the marriage now existing between plaintiff and defendant, that defendant be ordered to return plaintiff's 1944 diary and other private papers, for all court costs, and for such other and further relief, both special and general, at law or in equity, to which plaintiff may show himself justly entitled.

A CERTIFIED COPY.
 ATTEST: 6-9-1964
 GEORGE JOHNSON
 District Clerk, Tarrant
 County, Texas
 By Roy Leonard
 Deputy

WALLACE & KORTH
 by

Jud Korth
 Attorneys for Plaintiff,
 812 Neil P. Anderson Building,
 Fort Worth, Texas.

COMMISSION EXHIBIT No. 1960-A-Continued

NO. 15537-8

IN THE 17th DISTRICT COURT
 OF TARRANT COUNTY, TEXAS.

EDWIN A. EKDAHL

vs.

MARGUERITE C. EKDAHL

PLAINTIFF'S ORIGINAL PETITION

FILED
 TARRANT CO.

1964 JUN 23 12 11 PM
RL
 LEWIS O. HALL
 DIST. CL.

COMMISSION EXHIBIT No. 1960-A-Continued