


LAURA BELL HORTON,  
Complainant,  
VS.  
JOHN BUNYAN HORTON,  
Respondent.

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

DEMURRER

Now comes the Respondent in the above entitled cause,  
and for demurrer to the Bill of Complaint sets down and assigns  
separately and severally the following:

1. There is no equity in the bill.
2. No facts are alleged which will entitle Complainant  
to a reference to ascertain permanent alimony and support at this  
time.

  
Solicitor for Complainant.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA,  
BALDWIN COUNTY

No. 857,

CIRCUIT COURT BALDWIN COUNTY

August, TERM, 194 2

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon John Bunyon Horton.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against John Bunyon Horton.

Defendant

by Laura Bell Horton.

Plaintiff

Witness my hand this 20th day of August, 194 2

*R. Duck*

Clerk.

To the Honorable Francis W. Hare, Judge of the Circuit Court of Baldwin County,  
Sitting in Equity:

Comes LAURA BELLE HORTON and by this, her Bill of Complaint presented against JOHN  
BUNYON HORTON, respectfully shows:

1. The Complainant is past the age of twenty one years and has been for more than ten years a bona fide resident of the State of Alabama and that the defendant, John Bunyon Horton, is past the age of twenty one years and has for more than ten years been a resident of the said State of Alabama now residing in the Town of Fairhope in Baldwin County in said State.
2. That the Complainant and the defendant were legally married on April 20th 1929 at Bay Minette, Alabama and lived together as husband and wife until June 30th 1942 within said State of Alabama.
3. Complainant further shows that the defendant, between the dates of January 1st 1939 and the present date, committed adultery with one Maudie John Bishop.
4. That there was born of said marriage between plaintiff and defendant four children, as follows: Mary Rebecca, aged 10 years, John Burnard, aged 8 years, Gable, aged 5 years and Ann Marie, aged 3 years.

THE PREMISES CONSIDERED, Complainant then prays that John Bunyon Horton, the said defendant, be made defendant to this bill and by appropriate process be required to answer the same within the time prescribed by law and obey such orders and decrees as may be made in the premises.

Complainant further prays that an order of reference issue forthwith commanding the Register of the Honorable Court to ascertain and report upon a suitable amount to be allowed Complainant as ~~permanent~~<sup>temporary</sup> alimony and support and a further sum as counsel fees for her prosecution of this cause and that, upon said finding, a decree be rendered commanding the payment of such sums to Complainant by the defendant. Also that a decree of divorce be granted the Complainant as hereinafter prayed for and that said decree further provide for the payment to the Complainant by the defendant of such periodic sums as permanent alimony as shall be proper for the support of herself and of the children of said marriage.

Complainant further prays that, upon the hearing of this cause, a decree be rendered forever divorcing her from the said John Bunyon Horton, granting her the custody of the children of said marriage, granting her the right to marry again should she so desire and commanding the payment by the defendant of such sums of permanent alimony as to Your Honor may seem fit, together with such other, further or different relief as may appear proper in the premises.

Mrs. Laura Belle Horton  
Complainant

E. G. Miller  
Solicitor for Complainant

Defendant resides in  
Fairhope, Alabama.

8/57

DEMURRER

RECORDED

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Filed Sept 21, 1942

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