

2442

LEAH CALVERT,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
vs.	¶	BALDWIN COUNTY, ALABAMA
CECIL CALVERT,	¶	IN EQUITY.
Respondent.	¶	

Comes the Respondent in the above styled cause and demurs to the Bill of Complaint filed in said cause as follows:

1. As to that aspect of the Bill of Complaint as set out in paragraph 3 thereof, in which the Complainant alleges, "that on and prior to February 1, 1950, the Respondent often threatened and abused the Complainant and often threatened to do violence to her person which would necessarily endanger her life or health," the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That this allegation is but a conclusion of the pleader.

(b) That this allegation is vague and indefinite.

(c) That it is not alleged with sufficient certainty when the Respondent threatened or abused the Complainant, or threatened to do violence to her person.

(d) Construing such allegation most strongly against the pleader such threats could have been before the marriage of the parties.

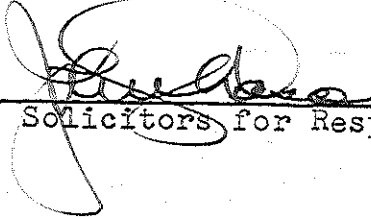
2. As to that aspect of the Bill of Complaint as set out in paragraph 3 thereof, in which the Complainant alleges, "that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she does actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person which would necessarily endanger her life and health", the Respondent demurs and assigns the following separate and several grounds, viz:

(a) That it is not alleged that such conditions existed at the time of separation.

(b) That it is not alleged that the Complainant is not now living with the Respondent.

(c) That this allegation is vague and indefinite.

Chason & Stone

By: 
Solicitors for Respondent.

STATE OF ALABAMA }
BALDWIN COUNTY }

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Cecil Calvert, to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of complaint, filed in the Circuit Court of Baldwin County, Alabama, in equity by Leah Calvert, as Complainant and against Cecil Calvert, as Respondent.
WITNESS my hand this 9th day of February, 1950.

Heinz J. Leuch
Register

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LEAH CALVERT	}	IN THE CIRCUIT COURT OF
COMPLAINANT	}	BALDWIN COUNTY, ALABAMA
VS.	}	IN EQUITY
CECIL CALVERT	}	
RESPONDENT	}	

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

Your Complainant, Leah Calvert, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.
2. That your Complainant and the Respondent married on July 19, 1948, and lived together in Baldwin County, Alabama, until on to-wit, February 1st, 1950.
3. That on and prior to February 1st, 1950, the Respondent oftended threatened and abused your Complainant and often threatened to do violence to her person which would necessarily endanger her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she does actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person which would necessarily endanger her life and health.
4. That there was born to the Complainant and the Respondent, two children, Dennis Calvert, age two and Clay Calvert, age one; that your Complainant is the suitable, fit and proper person to have their care, custody and control; that your Complainant has no money, property or means of supporting herself and the said minor children; that the Respondent is an able bodied man, capable of supporting your Complainant and the two minor children.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said Cecil Calvert 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.

That your Honor will order a reference to determine a reasonable amount to be paid by the Respondent to the Complainant as alimony and support for the said minor children, pendente lite and also a reasonable fee to be paid to the Solicitor for the Complainant.

Your Complainant prays that your Honor will upon a final hearing hereof, make and enter a decree, awarding to her an absolute decree of divorce, forever barring the bonds of matrimony existing between your Complainant and the Respondent; that she be awarded the care, custody and control of the minor children, Dennis Calvert and Clay Calvert; that the Respondent be required to pay to your Complainant as alimony and support for the said minor children such amount as to this Honorable Court shall seem just and proper; that your Honor will give and grant unto your Complainant such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for Complainant

3-13-50

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Received in Sheriff's Office
this 2 day of *Mar 50*
TAYLOR WILKINS, Sheriff

Executed this day
March-13-1950
By serving copy on
Cecil Calvert

Sheriff
Taylor Wilkins

By
Edleigh Staulborn

LEAH CALVERT

COMPLAINANT

VS.

CECIL CALVERT

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO.

filed 3-9-50
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