

INA BOUTWELL,)	
)	
Complainant,)	
)	
VS.)	IN THE CIRCUIT COURT OF
)	
)	BALDWIN COUNTY, ALABAMA.
BURNICE BOUTWELL,)	
)	
Respondent.)	IN EQUITY.

Now comes the Respondent in the aforesaid cause and files this his Demurrer to the Bill of Complaint, and for grounds therefor, says:-

FIRST:

That the Bill of Complaint does not contain equity.

SECOND:

That the grounds set up in paragraph number three of said bill of complaint does not sufficiently set forth grounds for a divorce.

THIRD:

That the grounds set up for a divorce are not sufficient within the law.

FOURTH:

That the act of Respondent in cursing, threatening and abusing the complainant prior to November, 1942, appeared to have been condoned by the Complainant.

FIFTH:

That whatever the conduct of the Respondent towards the Complainant prior to November, 1942, appears to have been condoned or forgiven by the Complainant prior to November, 1942.

SIXTH:

That it does not appear from the allegations of the Bill of Complaint that the complainant is a fit, suitable,

or proper person to have the care, custody and control of the children mentioned in said Bill of Complaint.

Hyatt & Pappas

Solicitors for Respondent

STATE OF ALABAMA
BALDWIN COUNTY.

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, that you summon BURNICE BOUTWELL to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within sixty days after the service of the summons, and there to answer, plead or demur without oath to a bill of complaint, lately exhibited by INA BOUTWELL against the said Burnice Boutwell, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court, this the 8th day of September, 1943.


Register

INA BOUTWELL

COMPLAINANT

VS

BURNICE BOUTWELL

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:

Now comes your Complainant, INA BOUTWELL, and humbly complaining against the Respondent, BURNICE BOUTWELL, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County, Alabama, and is twenty years of age; that your Respondent is a bona fide resident of Baldwin County, and over twenty one years of age;

2.

That they were married in Scottsboro, Jackson County, Alabama, on April 12th, 1937, and lived together as husband and wife until in November, 1942;

3.

That on, to-wit, November, 1942, and at various times prior thereto the Respondent cursed, threatened and abused the Complainant; and on several

occasions did violence to her person; that in November, 1942, the Respondent did actual violence to the Complainant by striking her; that the conduct of the Respondent was such that the Complainant had every reasonable apprehension to believe, and she does believe, that if she continued to live with him he would do further violence to her person which will necessarily endanger her life and health;

4.

That there was born to said marriage between your Complainant and the Respondent two children, who are now and have been all their lives living with Complainant, namely Billie Boutwell, age six years, and Norma Jean Boutwell, age two years; that the Respondent is not a fit, suitable or proper person to have the care, custody and control of the said minor children.

PRAYER FOR PROCESS.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said Burnice Boutwell 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 further prays that your Honor will upon the hearing thereof enter an order and decree granting to the Complainant an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the care, custody and control of the said minor children, Billie Boutwell and Norma Jean Boutwell, and that your Honor will give and grant unto her such other, further, different and 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.

943

RECORDED

INA BOUTWELL

COMPLAINANT

VS

BURNIGE BOUTWELL

RESPONDENT

SUMMONS AND COMPLAINT.

Sept 8th 1943

YOUR COPY OF WILLIAM SUMMONS ETC

Burnie Boutwell

W. R. Stuart Sheriff

13th June 1943

Call Sept 21 1943
Boutwell
my

Received in Sheriff's Office
this 8 day of Sept 1943
W. R. STUART, Sheriff