

3200

SUMMONS

Form 1531-3

McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, \_\_\_\_\_ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Helen Joiner

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by

Clarence Hamilton Joiner

against Helen Joiner

Herein fail not. Due return make of this writ as the law directs.

Witness this 19th day of February, 1954

Wesley J. Smith, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

CLARENCE HAMILTON JOINER,

Complainant,

VS.

HELEN JOINER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Clarence Hamilton Joiner, respectfully represents and shows unto your Honor as follows:

1. That your Complainant is over the age of twenty-one years and a resident of Baldwin County, Alabama, and has been a bona fide resident citizen of said State and County for more than two years next preceding the filing of this Bill of Complaint; that the Respondent, Helen Joiner is over the age of twenty-one years and a resident of Baldwin County, Alabama.

2. That your Complainant and the Respondent were lawfully married in the year 1948 in Bay Minette, Alabama, and that there was one child born to this marriage, to-wit: Clarence Hamilton Joiner, Jr., a son, who will be two years of age is June, 1954. The said child is now in the care, custody and control of the said Respondent, and your Complainant alleges that the said Respondent is not a fit and proper person to care for the said minor child and alleges that he is a fit and proper person to have the care, custody and control of said minor child, that he has a home in which to keep the said child and that he earns a sufficient amount of money to properly care for this child. It is to the best interest of the said minor that he be placed in the temporary and permanent custody of your Complainant.

3. Your Complainant further avers and alleges that the said Respondent has, since his said marriage to her, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill. Your Complainant further avers and alleges that said Respondent has been guilty of adultery with divers parties and persons whose names to your Complainant are unknown.

The premises considered, the Complainant makes the said Helen Joiner a party respondent to this Bill of Complaint and in

order that the Complainant may have the relief herein prayed for, may it please the Court to cause the States Writ of Subpoena to be issued, directed to the said Helen Joiner, commanding her to plead, answer or demur to this Bill of Complaint within the time required by law, and that on a final hearing of this cause, that your Complainant be granted a divorce from said Respondent; that he be awarded the permanent custody, care and control of the said minor child; and that your Honor grant such other, further and different relief as may be just and proper.

Complainant further prays that the Court will make and enter an order granting your Complainant the temporary care, custody and control of said minor child pending a final decree in this cause.

Clarence H. Hamilton Joiner

Complainant.

Sworn to and subscribed before me on  
this the 19<sup>th</sup> day of February, 1954.

R. D. [Signature]  
Notary Public, Baldwin County, Alabama

#### ORDER

The above petition having been presented to me on this date, and it appearing to the Court that it is to the best interest of said minor child that he be placed in the temporary care, custody and control of the Complainant, it is therefore, ORDERED, ADJUDGED AND DECREED that the Complainant shall have and he is hereby awarded the temporary care, custody and control of Clarence Hamilton Joiner, Jr., pending a final decree in this cause and the Sheriff of Baldwin County is hereby ordered and directed to take the said minor child into custody and deliver him to the Complainant in this cause, Clarence Hamilton Joiner.

ORDERED, ADJUDGED AND DECREED on this the 19<sup>th</sup> day of February, 1954.

Hubert M. [Signature]

Judge.