

BEULAH MAE FLOYD,
Complainant,
vs.
CHARLES FLOYD,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY.
NO. 2692.

Now comes the Respondent in the above styled cause, by his Attorneys and demurs to the Bill of Complaint heretofore filed against him in said cause and to each and every aspect thereof and assigns the following separate and several grounds:

1. That said Complaint fails to state a cause of action.
2. That said Complaint fails to allege a ground to support the relief prayed for.
3. That the allegation "that the said parents of the Respondent are not physically able to care for the said baby" is but a conclusion of the pleader.
4. That the allegation that the baby "is badly in need of a mother's care" is but a conclusion of the pleader.
5. That it affirmatively appears from said Complaint that the Complainant had abandoned the minor child, Norman Lee Floyd and had left the child in the home of her mother.
6. That the allegation "when the Respondent by force took the baby" is but a conclusion of the pleader and there are no facts alleged to support such conclusion.
7. For aught that appears from the Complaint the Complainant is unfit to have the care, custody and control of the minor child, Norman Lee Floyd.
8. That the allegations contained in paragraph four of the Bill of Complaint are mere surplusage.
9. That said Complainant does not offer to do equity.

Respectfully submitted,
CHASON & STONE

By: Madame J. Stone

RECORDED

BEULAH MAE FLOYD,

Complainant

vs.

CHARLES FLOYD,

Respondent.

DEMURRER

FILED

AUG 15 1951

ALICE L. DUCK, Register

Charles Floyd

BEULAH MAE FLOYD

COMPLAINANT

VS

CHARLES FLOYD

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

This cause coming on to be heard is submitted upon the petition of the Complainant asking the immediate custody of the minor child born of the marriage between the Complainant and the Respondent, Norman Floyd.

The Court after considering the matter is of the opinion that the Complainant is entitled to the relief prayed for, in that it is to the best interest of the minor child, Norman Floyd, and that the said child needs the care and attention of his mother.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant, Beulah Mae Floyd, be awarded the immediate custody of the minor child, Norman Floyd, pending the further orders and decrees of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Sheriff of Baldwin County, Alabama, Honorable Taylor Wilkins, be and he is hereby authorized, empowered, instructed and directed to forthwith take into his custody the minor child Norman Floyd and deliver him into the custody of the Complainant, Beulah Mae Floyd and report his action to this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the costs in this proceeding, become a part of and be taxed along with the original proceeding.

Dated this the 1st day of August, 1951.

Telfair A. Maslbury, Jr.
JUDGE

2692

RECORDED
in Min

BEULAH MAE FLOYD

COMPLAINANT

VS

CHARLES FLOYD

RESPONDENT

DECREE

Executed 8-2 1951
by serving copy of within Summons and
Complaint on

Charles Floyd and
by delivering the within
named child to
Beulah Beulah Mae Floyd
Jaylor Wilkins Sheriff
by W F Hall Deputy Sheriff

FILED
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2672

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons CHARLES FLOYD 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 BEULAH MAE FLOYD, as Complainant and against CHARLES FLOYD as Respondent.

WITNESS, my hand this the 1st day of August, 1951.

W. J. Masburn
Register

BEULAH MAE FLOYD
COMPLAINANT

VS

CHARLES FLOYD
RESPONDENT

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

TO HONORABLE TELFAIR J. MASBURN, JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA: IN EQUITY:

Your Complainant Beulah Mae Floyd, respectfully represents unto
your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one
years of age and a bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and the Respondent married in Lucedale, Mississippi,
on May 31, 1950, and lived together as husband and wife in Baldwin County,
Alabama, until June 29, 1951.

3.

That on to-wit June 29, 1951, and on various occasion prior thereto,
while your Complainant and the Respondent were living together as husband
and wife, the Respondent 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 continues to live with him he will carry out
his threats and do violence to her person which would necessarily endanger
her life and health.

4.

That your Complainant and the Respondent have one child, Norman Lee Floyd, who remained in the custody of your Complainant, until Thursday night, July 26, 1951, when the Respondent by force took the baby from the home of the mother of your Complainant, and has kept him since that time; that the baby is now and has for some time been suffering with infantigo and is badly in need of a mother's care; that it is to the best interest of the said minor child that he be immediately restored to the custody of his mother, your Complainant; that the Respondent lives with his mother and father, his father being around 80 years of age and his mother 65 years of age; that the said parents of the Respondent are not physically able to care for the said baby.

5.

That the Respondent is an able bodied man working at Brookley Field, Mobile, Alabama, earning \$50.00 per week and more; that the Complainant has no property or means of raising money with which to prosecute this action.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Charles Floyd party Respondent to this cause of action 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 enter an order and decree requiring the Respondent to immediately surrender the custody of the minor child Norman Lee Floyd to his mother, your Complainant; that in the event the Respondent should fail to comply with the decree of the court that an order and decree be made and entered authorizing, directing and empowering the Sheriff of Baldwin County, Alabama, to take into his custody the minor child, Norman Lee Floyd and immediately return him to the custody of his mother, your Complainant; that Your Honor will order a reference to determine a reasonable amount to be paid by the Respondent to your Complainant as alimony pendente lite and attorney fees.

Your Complainant further prays that upon a final hearing hereof Your Honor will make and enter an order and decree forever divorcing her from the bonds of matrimony existing between her and the Respondent; that she be awarded the permanent custody of the minor child, Norman Lee Floyd; that

she be awarded such amounts as to Your Honor shall seem just and proper as permanent alimony, for the maintenance of herself and the minor child; that Your Honor will award to her such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Beulah Mae Floyd
Complainant

[Signature]
Solicitor for the Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority, in and for said County, in said State, personally appeared Beulah Mae Floyd, who is known to me and who having been by me first duly sworn, deposes and says; that the facts contained in the foregoing bill of complaint are true.

Beulah Mae Floyd

Sworn to and subscribed before me on this the 1 day of August, 1951.

[Signature]
Notary Public, Baldwin County, Ala.

NO 2692

RECORDED

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By W. F. Hall Deputy Sheriff

CHARLES F. FLOYD

COMPLAINANT

VS

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RESPONDENT

STATE OF CONNECTICUT

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ALICE J. DUCK, Register