

1246

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - - GREETINGS:

WE COMMAND YOU, that you summon JAMES S. CLEMMONS, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery Jurisdiction within thirty days after the service of summons, and there to plead, answer, or demur without oath to a bill of complaint lately exhibited by Clara Evelyn Clemmons, against the said James S. Clemmons, 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 of law. 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 Court, this the 20 day of December, 1944.



Register

CLARA EVELYN CLEMMONS
COMPLAINANT

VS.

JAMES S. CLEMMONS
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;

And now comes your Complainant, Clara Evelyn Clemmons, and humbly complaining against the Respondent, James S. Clemmons, 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, State of Alabama, and over twenty-one years of age;

2.

That your Complainant and the Respondent were married in Mobile, Alabama, on January 9, 1941, and lived together as husband and wife until to-wit, December 18, 1944;

3.

That on to-wit, December 18, 1944, the Respondent committed acts of violence to the Complainant; that he threatened her life with a knife; that on various times prior thereto the Respondent threatened and abused

the Complainant and did actual violence to her person which necessarily endangered her life and health; that the conduct of the Respondent was such as to give the Complainant every reason to believe and she did actually believe that if she continued to live with him, he would carry out his threats and do violence to her person which would necessarily endanger her life and health;

4.

That there was born to said marriage between the Complainant and the Respondent, two children; Martin Luther Clemmons, age three, and James Wesley Clemmons, age one. Both are now, and have been all their lives with your Complainant, who is a fit and proper person to have their care and custody and control; that the Complainant has no means of supporting the children, or, employing counsel to prosecute this suit; that the Respondent is not a suitable person to have the care, custody and control of said children; that he is an able bodied man, employed in the shipyard at Mobile, Alabama.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said James S. Clemmons 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 order a reference to determine a reasonable amount of alimony to be paid by the Respondent to the Complainant, as alimony pendente lite and as a reasonable attorney's fee.

Complainant further prays that upon a final hearing hereof, your Honor will grant unto her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that your Honor will award to her the care, custody and control of said minor children; Martin Luther Clemmons, and James Wesley Clemmons; that your Honor will enter a decree ordering the Respondent to pay to the Complainant, monthly, such amount as your Honor may deem just as permanent alimony; that your Honor will give and grant unto her such other, further, different or general relief as

she may be entitled to receive, and as in duty bound she will ever pray.

BEERE & HALL

BY: *J. H. Beere*
Solicitors for the Complainant

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COMPLAINANT

VS.

JAMES S. CLEMMONS
RESPONDENT

SUMMONS AND COMPLAINT

Filed Dec 20 1944
R. J. [Signature]
[Signature]

Received December 21 1944
by [Signature] copy of original summons and
Complaint on

[Signature]

[Signature]
[Signature] Deputy Sheriff