

EMMA ROBERTS REDMOND,
Complainant,
VS.
GROVER C. REDMOND,
Respondent.


IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3948

DECREE

This cause coming on to be heard is submitted on the Respondent's demurrer to the Complainant's bill of complaint, and the same being considered and understood by the Court and the Court being of the opinion that said demurrer is not well taken and is due to be overruled, IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the Respondent's demurrer to the Complainant's bill of complaint be, and it is hereby, overruled.
2. That the said respondent be, and he is hereby, given twenty days to file additional pleading if he so desires.

DONE AND ORDERED this 19th day of February, 1957.


JUDGE.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 3948

EMMA ROBERTS REDMOND,
Complainant,
VS.
GROVER C. REDMOND,
Respondent.

DECREE.

FILED
FEB 21 1957
ALICE A. MOSE, Register

EMMA ROBERTS REDMOND,
Complainant,
VS.
GROVER C. REDMOND,
Respondent.

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

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

Your Complainant, EMMA ROBERTS REDMOND, respectfully represents and shows unto your Honor as follows:

1.

That complainant is over the age of twenty-one years and is a resident of said State and County and has been a bona fide resident of said State for more than two years next preceding the filing of this bill of complaint; that GROVER C. REDMOND IS over the age of twenty-one years and is a resident of Baldwin County, Alabama,

2.

That your complainant and the respondent are husband and wife, having remarried, after having been divorced, on or about to-wit: the 11th day of September, 1950, at Bay Minette, Alabama.

3.

Your complainant avers and charges that since their remarriage, the respondent has repeatedly cursed, threatened, abused and struck her; that on, to-wit: the night of December 23rd, 1956, he presented a shotgun at her and threatened to kill her; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person attended with danger to her life or health.

4.

That your complainant and the respondent have the following minor children as a result of their prior marriage: MARTIN REDMOND, age 17, JANICE REDMOND, age 15, JAMES REDMOND, age 13, DELORES REDMOND, age 12, and JOYCE REDMOND, age 10; that your complainant is a fit and proper person to have the care, custody and control of said minor children, and that it would be to the best interest of said minor children to be placed in the custody of your complainant.

5.

That your complainant is without funds with which to maintain and support said children and herself; that the respondent is a strong, able-bodied man, who works every day and is able to support your complainant and the said minor children.

6.

That respondent owns a small home in Perdido, Alabama; that your complainant installed gas in said home and bought furniture for said home; and that it would be to the best interests of your complainant and the children to be allowed to remain in said home.

7.

That it has been necessary for your complainant to retain a Solicitor to represent her in this matter and that she is without funds with which to pay her said Solicitor; that she has employed TELFAIR J. MASHBURN, JR., ESQ., as her said Solicitor.

THE PREMISES CONSIDERED, your complainant makes the said GROVER C. REDMOND a party respondent to this bill of complaint, and in order that complainant may have the relief herinafter prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said GROVER C. REDMOND, commanding him to answer, plead, or demur to this bill of complaint within the time required by law; and your complainant prays that, on a final hearing of this cause, your Honor will make and enter a decree divorcing your complainant from the said respondent, granting her custody and control of the minor children, granting her and the said minor children the exclusive right to remain in possession of the home at Perdido, Alabama, fixing a reasonable amount for the respondent to pay to your complainant as alimony and as support and maintenance for the said minor children, and determining a reasonable amount for the respondent to pay to complainant's Solicitor, Telfair J. Mashburn, Jr., for his services in this cause; and complainant prays for such, other, further, different or general relief as in equity and good conscience she may be entitled to receive, and, as in duty bound, she will ever pray, etc.

Telfair J. Mashburn, Jr.
SOLICITOR FOR COMPLAINANT.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No.-----

-----TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Grover C. Redmond

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against-----

Grover C. Redmond
-----, Defendant.

by Emma Roberts Redmond
-----, Plaintiff.

Witness my hand this 5th day of January 19 57

Alice J. Darr Clerk

BOOK 022 PAGE 435

No. 3948 Page _____

The State of Alabama
Baldwin County

CIRCUIT COURT

EMMA ROBERTS REDMOND

Plaintiffs

vs.

GROVER C. REDMOND

Defendants

Summons and Complaint

Filed 1-5-57 19__

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

1-7 1957

_____, Sheriff

I have executed this summons

this 1-12 1957

by leaving a copy with

Grover C Redmond

Sheriff claims 26 miles at

Ten Cents per mile Total \$ 2.60

TAYLOR WILKINS, Sheriff
By Talbert
DEPUTY SHERIFF.

Taylor Wilkins Sheriff

W. A. Talbert Deputy Sheriff

Purdido

Emma Roberts Redmond
Complainant

Vs

Grover C. Redmond
Respondent

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In the Circuit Court of
Baldwin County, Alabama
In Equity. No 3948

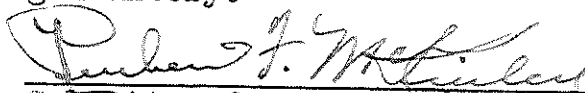
To. Hon. Hubert M. Hall, Judge of the Circuit Court of Baldwin
County, Alabama, In Equity.

1.

The Respondent admits the allegations contained in Counts 1
and 2 of said Bill of Complaint in the above styled cause and
the names and ages of said minor children in count 4 of said
bill, but denies each and every other allegation in said Bill
and demands strict proof thereof.

2.

That the Respondent has caught the Complainant with a man
in the Respondents home, one John Doe, whose name the Respondent
does not wish to disclose and has seen her with said John Doe
on to wit December 23, 1956 and on other occasions prior thereto,
under circumstances which would lead a reasonable person to feel
and believe that the Complainant was committing Adultery with
said John Doe and the Respondent further alleges that he has not
lived together with the Complainant as husband and wife since his
discovery of said acts denoting Adultery.


Solicitor for the Respondent

3948

Emma Roberts Redmond
Complainant
Vs
Grover C. Redmond
Respondent

Answer

FILED

MAR 8 1957

ALICE A. BUCH, Register

3948-140

Emma Roberts Redmond	¶	In the Circuit Court of
Complainant	¶	Baldwin County, Alabama
Vs	¶	In Equity. No. <u>3948</u>
Grover Redmond	¶	
Respondent	¶	
	¶	

Now comes the Respondent in the above styled cause by his Attorney and demurs to the Bill of Complaint and to each aspect thereof, both seperately and severally and for grounds for demurrer assigns the following:

1. There is no Equity in said Bill.
2. It is not shown that this Honorable Court has jurisdiction of this cause.
3. It is not shown in aspect 1 of said bill that the Complainant has resided in Baldwin County long enough for this Court to acquire jurisdiction.
4. It is not alleged in Aspect 2 of said bill whether the parties hereto ~~lived~~ lived together after remarriage or when they seperated.
5. It is not shown in said bill that Complainant has not condoned said alleged cruelty.
6. It is not shown in said bill that the Respondent was not given sufficient cause for commission of the alleged acts of cruelty, ^{or that} ~~by~~ the Complainant is free from fault in bringing on the alleged difficulties.
7. It is not alleged that the Complainant does actually believe that the Respondent will do actual violence to her person.
8. It is not alleged that the Respondent is not a fit and proper person to have the care, custody and control of said minor children.
9. It is not alleged in what manner the best interest of said minor children would best be served by placing them in the custody of complainant.
10. It is not alleged that said minor children have shown any desire to be placed in the custody of Complainant.
11. The allegation that the Respondent is a strong, able bodied man, is a mere conclusion of the pleader.
12. It is not shown that the Complainant has any training sufficient in Medical Science to be able to say whether the ~~Respondent~~ Respondent is able bodied or not.
13. It is not shown that a Solicitor is necessary to protect the interests of said Complainant.
14. It affirmatively appears from said Complaint that the Complainant is not interested in the welfare of the Respondent, but instead, in Aspect 6 of said bill, attempts to grasp control of everything belonging to Respondent.

15. It affirmatively appears from said bill that the Respondent works every day and has provided a home for his family and that the Complainant has no place to take said minor children.

16. It affirmatively appears from all of the Aspects of said bill that the Complainant is not entitled to the relief prayed for.

17. It affirmatively appears from said bill that the Complainant does not come into Equity with clean hands.

18. It affirmatively appears from said bill that the Complainant should not be allowed to come into a Court of Equity, nor that Equity should assume jurisdiction of an inequitable cause.

19. The Complainant in said bill does not offer to do Equity.

20. The Complainant affirmatively shows that it would not be to the best interests of said minor children to place them in the custody of said Complainant.

~~and~~ and

not waiving the above demurrers, but expressly insisting thereon, the Respondent moves this Honorable Court to dismiss this suit and tax the Complainant with the costs accrued, and urges this Honorable Court to take cognizance of the contents of said bill, that Equity should not assume jurisdiction thereof.


Solicitor for the Respondent

3948

Emma Roberts Redmond
Complainant
Vs
Grover Redmond
Respondent

Demurrers

FILED
JAN 21 1957
ALICE I. BUCK, CLERK