(4050)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

LA JUNE NELSON, Complainant

vs.

NORRIS S. NELSON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso and~~ Answer and Waiver and Testimony taken orally before the Court ~~as taken by the Register~~, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said La June Nelson is forever divorced from the said Norris S. Nelson for and on account of Cruelty. The Respondent, Norris S. Nelson, is hereby awarded the care, custody and control of the minor children, Terry Lynn Nelson and Chris Stacey Nelson. The Complainant shall have the right to visit such minor children and have them visit with her at reasonable and proper times.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Norris S. Nelson the Respondent pay the cost herein to be taxed, for which executed may issue.

This 12 day of June 1957

Hubert M. Hall

Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree, rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

_____

Register of Circuit Court, In Equity.

No._____ Page_____

THE STATE OF ALABAMA

BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

DIVORCE DECREE

FILED
JUN 12 1957
ALICE I. DUCK, Register

LA JUNE NELSON,	ß	
Complainant,	ß	IN THE CIRCUIT COURT OF
vs.	ß	BALDWIN COUNTY, ALABAMA
NORRIS S. NELSON,	ß	
Respondent.	ß	IN EQUITY NO._____
	ß	

Comes the Respondent in the above styled cause and for answer to the Petition to Show Cause why Defendant is not in contempt of Court, Respondent says as follows:

1. That he admits the allegations of Paragraph "I" of the Petition.

2. That he admits the allegations of Paragraph "II" of the Petition.

3. That he denies the allegations of Paragraph "III" of the Petition and demands strict proof thereof.

4. That he denies the allegations of Paragraph "IV" of the Petition and demands strict proof thereof.

For further answer to the Petition the Respondent says that Chris Stacey Nelson, who is now 6 years of age, was, in accordance with the terms of said decree, permitted to visit his Mother and did visit her almost every month from the rendition of said decree until April of 1961. On Friday before Easter of 1961, the Respondent and his wife, Hazel Nelson, brought both of the children to Gulf Shores where they were visiting the Respondent's Father and Mother. On Friday afternoon before Easter, Hazel Nelson, the wife of the Respondent, called Joe Burch, the husband of the Complainant, and informed him that they were in Gulf Shores and that he and the Complainant could pick the children up there. On the following Sunday morning the Complainant came to Gulf Shores and put Chris in her automobile and started driving away with him crying. The Respondent followed them and in a short distance came upon them where the Complainant's car had run out of gas. Chris was still crying and came to the Respondent and the Respondent put him into his automobile. Since that date the Complainant has only casually mentioned to Chris about his visiting her and she has not

attempted to have the Respondent compel him to go.

That Terry Lynn Nelson, who is 7 years of age, was sick at the time that she was to visit her Mother in the month of March, 1962. On April 20, 1962, which was the Friday before Easter, Hazel Nelson, the wife of the Respondent, called Joe Burch, the husband of the Complainant, and informed him that they were coming to Gulf Shores and would bring Terry by their home at Daphne, Alabama. The said Joe Burch informed Hazel that they had other plans for the weekend. The Complainant then asked to talk to Terry on the telephone and Terry told her Mother that she did not want to go visit her and hung up the telephone. The Respondent brought Terry to Baldwin County that same day. He was given permission to remove her from school for one-half day on Friday. He kept Terry at Gulf Shores until Sunday afternoon, at which time he returned to their home at Demopolis. During the period of time that he was in Baldwin County he did not hear from the Complainant and she made no effort to have Terry visit her on that weekend. The Respondent is informed that the Complainant did come to Demopolis on the Friday before Easter after the Respondent had left there to come to Baldwin County. On the second Friday in May, 1962, the Complainant came to Demopolis to get Terry to visit with her as provided in the decree. The Complainant parked her car in front of the Respondent's home and when the bus that Terry was riding let her off about two or three blocks from her home, Terry did not come up the road as she usually did, but cut across the field and hid behind a new house that was being constructed nearby. Later Terry came home and the Complainant and the Respondent attempted to get her to visit with the Complainant and Terry refused. The Respondent has done nothing to violate any of the terms or conditions of the decree heretofore rendered, but, on the contrary, has diligently attempted to comply with it in each and every respect.

The Complainant has not been to Demopolis to see the Children since May, 1962, hereinabove referred to. The Complainant called the wife of the Respondent on January 10th of this year to ask her to force the children to visit with the Complainant. The wife of the Respondent refused to do this and said that she could

not force them to visit with the Complainant but if the Complainant would come to Demopolis that she would attempt to persuade the children to voluntarily visit her. On that occasion the Complainant talked to one of the children on the telephone and was informed by such child that they did not desire to visit with her. On the 11th of January, 1963, the Complainant's Father and Aunt went to Demopolis to discuss the matter and the Aunt attempted to persuade Terry to come to Baldwin County and visit with her Mother. The Respondent informed Terry that it would be all right for her to make such visit, but Terry refused to do so. Chris was not invited on that occasion. He had recently been released from the hospital.

The Respondent has not in any respect failed to comply with the decree of the Court rendered on April 29, 1960, and is not in contempt of such Court.

CHASON & STONE

By: _____
Solicitors for Respondent

FILED
FEB 22-63
ALICE J. DUCK, CLERK REGISTER

LA JUNE NELSON,

Complainant,

vs.

NORRIS S. NELSON,

Respondent.

* * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO._____

FILED

FEB

ALICE L. DUCK, CLERK REGISTER

LA JUNE NELSON,	)	IN THE CIRCUIT COURT OF
Complainant,	)	
VS.	)	BALDWIN COUNTY, ALABAMA,
NORRIS S. NELSON,	)	
Respondent.	)	IN EQUITY NO._____.

RULE TO SHOW CAUSE

This day came La June Nelson and filed herein her verified petition praying that Norris S. Nelson be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition, it is

ORDERED, ADJUDGED and DECREED by the Court that the said Norris S. Nelson appear before the Court at 10 A M. on the 4 day of February, 1963, in the court room of the Circuit Court of Baldwin County, Alabama, at Bay Minette, Alabama, and show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said petition and of this rule to show cause be served forthwith, personally upon the said Norris S. Nelson by any Sheriff of the State of Alabama.

Done this 18 day of January, 1963.

Hubert M Hall
Judge

LA JUNE NELSON,		IN THE CIRCUIT COURT OF
Complainant,		
VS.		BALDWIN COUNTY, ALABAMA,
NORRIS S. NELSON,		
Respondent.		IN EQUITY NO._____.

RULE TO SHOW CAUSE

This day came La June Nelson and filed herein her verified petition praying that Norris S. Nelson be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition, it is

ORDERED, ADJUDGED and DECREED by the Court that the said Norris S. Nelson appear before the Court at 10 A M. on the 4 day of February, 1963, in the court room of the Circuit Court of Baldwin County, Alabama, at Bay Minette, Alabama, and show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said petition and of this rule to show cause be served forthwith, personally upon the said Norris S. Nelson by any Sheriff of the State of Alabama.

Done this 18 day of January, 1963.

Hubert M. Hare
Judge

FILED
JAN 18 1963
ALICE J. DUCK, CLERK
REGISTRAR

LA JUNE NELSON,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
NORRIS S. NELSON,	)	
Respondent	)	IN EQUITY NO. 4050

Comes the Respondent in the above styled cause and demurs to that aspect of the Bill of Complaint filed in said cause which seeks to have the decree of this Court rendered on April 29, 1960, modified and to grant the Complainant the care, custody and control of the minor children named therein, and the Respondent assigns the following separate and several grounds, viz:

1. That said complaint does not state a cause of action.

2. That said complaint does not allege any material change in the circumstances of the parties since the rendition of the decree dated April 29, 1960.

3. That said complaint affirmatively shows that there has been no material change of circumstances since the rendition of said decree.

4. That the allegation that the Complainant has since remarried fails to state when she remarried and it is affirmatively shown by the stipulation which was attached to and made a part of the decree dated April 29, 1960, that she was married to her present husband at that time.

5. That the stipulation which was made a part of the decree dated April 29, 1960, specifically says that neither party will seek a change of the custody or visitation rights until such time as the welfare of the children would be involved and said complaint fails to allege any circumstances whereby the welfare of said children is involved.

6. That the Complainant is prohibited from seeking a modification of the decree rendered April 29, 1960, in and by the terms of the stipulation attached thereto since the complaint fails to allege wherein the welfare of the children is now involved.

7. That the allegations of the complaint, if true, are not sufficient grounds for the modification of the decree but would

only be grounds for a contempt proceeding.

CHASON & STONE

By: _____
Solicitors for Respondent

LA JUNE NELSON,

Complainant,

vs.

NORRIS S. NELSON,

Respondent.

* * * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 4050

* * * * * * * * * * * * * * * * * *

DEMURRER

* * * * * * * * * * * * * * * * * *

LA JUNE NELSON, Complainant,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
NORRIS S. NELSON, Respondent.	X	IN EQUITY

This matter coming on to be heard is submitted on the demurrer filed by the Respondent to the Bill of Complaint filed by the Complainant in said cause on May 15, 1958, and the Court having considered the same is of the opinion that such demurrer should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED by the Court that the Demurrer to the Bill of Complaint, which said Bill of Complaint was filed in said cause on May 15, 1958, is hereby sustained.

Done this the 21 day of August, 1958.

Hubert M Hall

Judge

m 4050½

DECREE SUSTAINING DEMURRER

LA JUNE NELSON,

Complainant,

vs.

NORRIS S. NELSON,

Respondent

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

AUG 21 1958

ALICE J. DUCK, Register

LA JUNE NELSON	)	IN THE CIRCUIT COURT
Complainant	)	OF BALDWIN COUNTY,
VS.	)	ALABAMA
NORRIS S. NELSON	)	
Respondent	)	NO. _____

Comes the Complainant in the above entitled cause and shows unto the court that on June 12, 1957, a decree was rendered in this cause by the terms of which, among other things, it was provided:

> The Respondent, Norris S. Nelson, is hereby awarded the care, custody and control of the minor children, Terry Lynn Nelson and Chris Stacey Nelson. The Complainant shall have the right to visit such minor children and have them visit with her at reasonable and proper times.

Since the rendition of the decree, conditions have changed in that the Complainant has married and her name is now La June Nelson Burch and she resides at 206 Dilston Road, Spring Hill, Alabama, and has a nice, wholesome home in which to entertain the abovenamed minor children, and it has been extremely difficult for her to see the children or have the children visit with her during hours which are convenient to all parties concerned.

WHEREFORE, she respectfully moves the court to modify the decree heretofore rendered on June 12, 1957, by setting certain definite dates and hours when she may take the children into her custody and have them visit with her on condition that the Complainant go to where the children now reside at Demopolis, Alabama, and get them and return them without expense to the Respondent.

La June Nelson Burch

Subscribed and sworn to before me
on this 8th day of March, 1960.

Rachel Weller
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

I hereby accept service of the filing of the foregoing motion and agree that it may be heard on the 29th day of April, 1960, at the hour 10 A.M. without further or other notice or service of notice.

Solicitor for the Respondent

FILED
APR 29 1960
ALICE L. DUCK, CLERK REGISTER

LA JUNE NELSON,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
vs.	X	
	X	BALDWIN COUNTY, ALABAMA
NORRIS S. NELSON,	X	
Respondent.	X	IN EQUITY

Comes the Respondent in the above styled cause and demurs to the petition filed by the Complainant in said cause and to each and every paragraph thereof, separately and severally, and assigns the following separate and several grounds, viz:

1. That the petition prays for an order modifying a former divorce decree between the parties rendered on the 12th day of June, 1957, but such petition fails to show any material change of circumstances which would be grounds for such modification.

2. That the facts alleged in the petition, if true, might be grounds for a contempt proceeding but are not sufficient to cause the original divorce decree to be modified.

3. That the allegation in paragraph "4" of the petition that the Respondent has refused to allow the Petitioner to visit with her children at reasonable and proper times fail to allege sufficient facts to show an attempt to visit such children or a refusal of her right to do so.

4. That the allegations of paragraph "4" of the petition are not sufficient to justify a modification of the decree.

5. That the petition affirmatively shows in paragraph "5" that the complainant does not have grounds for modification of the decree.

Filed June 20, 1958
Alice J. Clucks,
Register

CHASON & STONE

By: _____
Solicitors for Respondent

LA JUNE NELSON,	X	
Complainant,	X	IN THE CIRCUIT COURT OF
vs.	X	BALDWIN COUNTY, ALABAMA
	X	
NORRIS S. NELSON,	X	IN EQUITY
Respondent.	X	
	X	

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause says:

1. That he admits the allegations of the first paragraph of the Bill of Complaint.

2. That he admits the allegation in the second paragraph as to the date of marriage and separation but he denies all other allegations in the second paragraph of the Bill of Complaint.

3. The Respondent admits the allegations of the third paragraph of the Bill of Complaint.

The Respondent hereby waives notice of the taking of testimony in said cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without notice to him.

Norris S. Nelson
Respondent

CHASON & STONE

By: [illegible]
Solicitors for Respondent

LA JUNE NELSON,	I	IN THE CIRCUIT COURT OF
Complainant,	I	
VS.	I	BALDWIN COUNTY, ALABAMA,
NORRIS S. NELSON,	I	
Defendant.	I	IN EQUITY NO._____.

RULE TO SHOW CAUSE

This day came La June Nelson and filed herein her verified petition praying that Norris S. Nelson be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to the nature of things set out in the verified petition; and upon consideration of the said petition, it is

ORDERED, ADJUDGED and DECREED by the Court that the said Norris S. Nelson appear before the Court at 10 A M. on the 4 day of March, 1963, in the court room of the Circuit Court of Baldwin County, Alabama, at Bay Minette, Alabama, and show cause, if any he have, why he should not be punished as for a contempt.

Let a copy of said petition and of this rule to show cause be served forthwith, personally upon the said Norris S. Nelson, by any Sheriff of the State of Alabama.

Done this 8 day of February, 1963.

Hubert M Hale
Judge

Defendant Norris S. Nelson resides at Star Route, Box 131, Gallion, Marengo County, Alabama.

FILED
FEB 8 63
ALICE L. BUCK, CLERK
REGISTER

LA JUNE NELSON,	I	IN THE CIRCUIT COURT OF
Complainant,	I	
VS.	I	BALDWIN COUNTY, ALABAMA,
NORRIS S. NELSON,	I	
Respondent.	I	IN EQUITY NO._____.

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

Now comes the Complainant and shows unto the Court and unto your Honor the following:

I.

That the Complainant is over the age of 21 years and is a resident of Baldwin County, Alabama; that your Respondent, Norris S. Nelson, is over the age of 21 years and is a resident of Marengo County, Alabama.

II.

That the Complainant, La June Nelson, was divorced from the Respondent, Norris S. Nelson, by decree of this Court rendered on June 12th, 1957; that the Complainant, La June Nelson, has since remarried, and is now known as La June Nelson Burch; that in and by said decree rendered by this Court, the Respondent, Norris S. Nelson, was awarded the care, custody and control of the minor children of the parties therein, said minor children being as follows: Terry Lynn Nelson and Chris Stacey Nelson. That subsequent to the decree rendered in the cause, modification of said decree was sought by your Complainant, which modification was granted by this Honorable Court on April 29th, 1960. A copy of said decree in said cause is herein set forth and made a part of this Bill of Complaint as if specifically written therein. That in and by the decree of this Honorable Court dated April 29, 1960, your Complainant was given the right to have the said minor children visit her on the second Friday of each month beginning at 4 o'clock P.M. and to return them the following Sunday at 4 o'clock P.M. during the period of time that the children, or either of them, were in grammar, junior high or high school; that other times during the year the said La June Nelson Burch was given the right to have said children visit her beginning at

noon on the second Monday of each month and return such children to Demopolis on the following Saturday at noon, except during the month of Easter; said decree further provided that if either of the children be sick on visitation date, the said Norris S. Nelson shall so notify La June Nelson Burch prior to the time she would normally leave home to come after such children and she was given the right to have the children visity upon the first Monday following their recovery from such illness.

III.

Your Complainant further alleges that since the rendition of the decree of this Court dated April 29th, 1960, that she has attempted to comply with said decree. Complainant further alleges that since December 25th, 1960, that the Respondent has hindered and prevented the Complainant from visiting with Chris Stacey Nelson, and that she has not been permitted to have said minor visit her at all since the decree rendered by this Honorable Court on April 29th, 1960; that on each occasion the Respondent has insisted that the said minor child was sick or that he did not desire to visit the Complainant, and that the Respondent would not in anywise make him visit with the Complainant; Complainant further alleges that the said minor child, Chris Stacey Nelson, was not enrolled in school, but entered school in September of 1962.

IV.

The Complainant further alleges that she has not been permitted by the Respondent to visit with the minor child, Terry Lynn Nelson, since March, 1962; that on or about March 5th, 1962, the Respondent denied permission to visit on the grounds of the poor health of the said minor child; that in April, 1962, the same reason was given in connection with his refusal to permit visitation; that on Easter, the Complainant made the trip to Demopolis and found that all children had been taken from school and out of the county and that no notice was given to her of such prior to the time that she left home to come after said children.

The premises considered your petitioner prays that a rule be issued to the said Norris S. Nelson requiring him at a time and place to be therein stated, to appear before the court and show cause, if any he have, why he should not be punished as for a contempt.

And petitioner prays for such other and further relief as may be mete and proper.

La June Nelson Burch
Petitioner

STATE OF ALABAMA
BALDWIN COUNTY

Before me, Mary Frances Thomson, a Notary Public in and for said State and County, personally appeared La June Nelson Burch, who is known to me and who being by me first duly sworn, deposes and says that she has knowledge of the facts stated in the above petition and that same are true.

La June Nelson Burch

Sworn to and subscribed before me this 12th day of January, 1963.

Mary Frances Thomson
Notary Public - Baldwin County, Alabama

FILED
JAN 18 1963
ALICE J. DUCK, CLERK REGISTER

RE FILED
FEB 8 1963
ALICE J. DUCK, CLERK REGISTER

Motion

Lajune Nelson
vs.
Norris S. Nelson

eived 18 day of Jan. 1963
l on ____ day of ____ 19____
rved a copy of the within ____

service on ____

TAYLOR WILKINS, Sheriff
By ____ D. S.

Returned 23 day Jan 19____
Not found in my county after diligent search and inquiry.

Taylor Wilkins, Sheriff
By Childress
Deputy Sheriff

I HAVE SERVED A COPY OF THE WITHIN
ON Norris S. Nelson
THIS 9th DAY OF Feb 1963
I. WILMER SHIELDS, SHERIFF
By Ernest Kelley D. S.

THE SHERIFF CLAIMS 30
MILES AT 10¢ PER MILE FOR A
TOTAL OF $ 3.00
I. WILMER SHIELDS, SHERIFF

LA JUNE NELSON,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY NO. 4050
NORRIS S. NELSON,	)	
Respondent.	)	

This matter coming on to be heard on the demurrer to the Bill of Complaint filed in said cause, and the Court having considered the same is of the opinion that the demurrer should be sustained; it is, therefore

ORDERED, ADJUDGED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that the demurrer to the Bill of Complaint filed in the above styled cause be, and the same is hereby, sustained.

Done this the 19th day of December, 1962.

Hubert M Stace
Judge

LA JUNE NELSON,

Complainant

vs.

NORRIS S. NELSON,

Respondent

* * * * * * * * * * * * * * * * * *

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 4050

* * * * * * * * * * * * * * * * * *

DECREE SUSTAINING DEMURRER

* * * * * * * * * * * * * * * * * *

LA JUNE NELSON,	)	IN THE CIRCUIT COURT OF
Complainant,	)	
VS.	)	BALDWIN COUNTY, ALABAMA,
NORRIS S. NELSON,	)	
Respondent.	)	IN EQUITY NO._____.

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

Now comes the Complainant and shows unto the Court and unto your Honor the following:

I.

That the Complainant is over the age of 21 years and is a resident of Baldwin County, Alabama; that the Respondent, Norris S. Nelson, is over the age of 21 years and is a resident of Marengo County, Alabama.

II.

That the Complainant, La June Nelson, was divorced from the Respondent, Norris S. Nelson, by decree of this Court rendered on June 12th, 1957; that the Complainant, La June Nelson, has since remarried, and is now known as La June Nelson Burch; that in and by said decree rendered by this Court, the Respondent, Norris S. Nelson, was awarded the care, custody and control of the minor children of the parties therein, said minor children being as follows: Terry Lynn Nelson and Chris Stacey Nelson. That subsequent to the decree rendered in the cause, modification of said decree was sought by your Complainant, which modification was granted by this Honorable Court on April 29th, 1960. A copy of said decree in said cause is herein set forth and made a part of this Bill of Complaint as if specifically written therein. That in and by the decree of this Honorable Court dated April 29. 1960, your Complainant was given the right to have the said minor children visit her on the second Friday of each month beginning at 4 o'clock P.M. and to return them the following Sunday at 4 o'clock P.M. during the period of time that the children, or either of them, were in grammar, junior high or high school; that other times during the year the said La June Nelson Burch was given the right to have said children visit her beginning at

noon on the second Monday of each month and return such children to Demopolis on the following Saturday at noon, except during the month of Easter; said decree further provided that if either of the children be sick on visitation date, the said Norris S. Nelson shall so notify La June Nelson Burch prior to the time she would normally leave home to come after such children and she was given the right to have the children visit upon the first Monday following their recovery from such illness.

III.

Your Complainant further alleges that since the rendition of the decree of this Court dated April 29th, 1960, that she has attempted to comply with said decree. Complainant further alleges that since December 25th, 1960, that the Respondent has hindered and prevented the Complainant from visiting with Chris Stacey Nelson, and that she has not been permitted to have said minor visit her at all since the decree rendered by this Honorable Court on April 29th, 1960; that on each occasion the Respondent has insisted that the said minor child was sick or that he did not desire to visit the Complainant, and that the Respondent would not in anywise make him visit with the Complainant; Complainant further alleges that the said minor child, Chris Stacey Nelson, is not enrolled in school, but will enter school in September of this year.

IV.

The Complainant further alleges that she has not been permitted by the Respondent to visit with the minor child, Terry Lynn Nelson, since March, 1962; that on or about March 5th, 1962, the Respondent denied permission to visit on the grounds of the poor health of the said minor child; that in April, 1962, the same reason was given in connection with his refusal to permit visitation; that on Easter, the Complainant made the trip to Demopolis and found that all children had been taken from school and out of the county and that no notice was given to her of such prior to the time that she left home to come after said children.

V.

That your Complainant has since remarried and is living in Daphne, Alabama, in a good home and in a good environment; that it is not to the best interest or welfare of said minor children that they be deprived of the opportunity of being with or visiting with their mother.

PRAYER FOR PROCESS

The premises considered, your Complainant respectfully prays that the above named Norris S. Nelson be made a party Respondent to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided.

PRAYER FOR RELIEF

Wherefore, the premises considered, your Complainant prays that this Honorable Court will, upon a hearing of this cause, modify said decree heretofore rendered by this Honorable Court on April 29th, 1960, and that the Complainant be awarded the care, custody and control of said minor children, Terry Lynn Nelson and Chris Stacey Nelson. The Complainant further prays for such other, further and different relief that this Honorable Court in Equity and good conscious may grant.

La Juna Nelson Burch
Complainant

J. Connor Owens, Jr.
Solicitor for Complainant

LA JUNE NELSON, Complainant,	)	IN THE
VS.	)	CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.
NORRIS S. NELSON, Respondent.	)	IN EQUITY.

D E C R E E:

This matter coming on to be heard on this 29th day of April, 1960, on the motion of the Complainant to modify the decree rendered in this cause on June 12, 1957, with respect to the custody of the children named in such decree, and the parties to said cause having entered into an agreement and stipulation, a copy of which is attached to and made a part of this decree. The Court is of the opinion that such agreement and stipulation should be approved by the Court for the best interest of the parties and of the children.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the Court hereby approves the terms and conditions of the agreement and stipulation attached to this decree, and the said Norris S. Nelson shall continue to have the care, custody and control of his children, Terry Lynn Nelson, and Chris Stacey Nelson, and the said LaJune Nelson Burch shall have the right to go after such children in accordance with the terms of the agreement and stipulation, at noon on the second Monday of each month and return such children to Demopolis on the following Saturday at Noon, except in the month when Easter shall be observed, and during such month she shall go after said children Saturday noon before Easter and return them the following Thursday noon, provided further that neither of such children are sick at the time they are to visit her. Should either of such children be sick on the visitation date, the said Norris S. Nelson shall so notify LaJune Nelson Burch prior to the time she would normally leave home to come after such children and she shall then have the right to come after the children the first Monday following

their recovery from such sickness, and provided further that she shall have the right to come after such children only the second Friday of each month at 4:00 o'clock P.M. and return them the following Sunday at 4:00 o'clock P.M. during the period of time that either child is in grammar, Junior High or High School.

The Court hereby retains jurisdiction of this cause for such other and further orders and decrees as may be for the best interest of said minor children.

Dated this 29th day of April, 1960.

/S/ Hubert M. Hall
Judge, 28th Judicial Circuit of
Alabama

LA JUNE NELSON,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN COUNTY,
VS.	)	ALABAMA. IN EQUITY.
NORRIS S. NELSON,	)	
Respondent.	)	

S T I P U L A T I O N:

It is hereby stipulated and agreed by and between the parties to the above styled cause as follows:

1. That the decree heretofore rendered on June 12, 1957, in the case of La June Nelson vs. Norris S. Nelson, such La June Nelson now being known as La June Nelson Burch, by which decree Norris S. Nelson was awarded the care, custody and control of the minor children of the parties, Terry Lynn Nelson and Chris Stacey Nelson, and La June Nelson was granted the right to visit such minor children and have them visit with her at reasonable and proper times, should now be clarified.

2. That such minor children shall remain in the care, custody and control of the said Norris S. Nelson, but the said LaJune Nelson Burch shall have the right to have such children visit with her from 12:00 o'clock Noon on the second Monday of each month, beginning with the second Monday of May, 1960, until the following Saturday at 12:00 o'clock Noon, provided that the said LaJune Nelson Burch and her husband, Joseph Burch, or one of them when accompanied by a responsible adult, shall, at their expense, come after such minor children where they then reside, their present residence being 200 Pettus Street, Demopolis, Alabama, and return such children at the time hereinabove specified to such address, and provided further that the children are not sick on that date. Should either of such children be sick and unable to visit with their mother, said Norris S. Nelson shall notify her, by telephone, prior to the time she would normally leave home to come after such children, in which event the children shall visit with her beginning the first Monday after they recover from such sickness.

3. In the month that Easter shall occur each year, the said mother of such children shall have the right to come after them on Saturday Noon before Easter and return them at Noon on Thursday following Easter, in lieu of the other date hereinabove specified.

4. When either of said children shall enter Grammar School, the visitation of such children with their mother shall be reduced to the Second Friday of each month, beginning at 4:00 o'clock P.M. until the following Sunday afternoon at 4:00 o'clock P.M. during the entire school term. When the school term expires the visitation rights will be as now fixed; that is from the second Monday of each month until the following Saturday.

5. This clarification of the decree is entered into with the distinct understanding between the parties that unless the welfare of the children should be involved, no change of custody or visitation will be sought by either party as long as such children remain in Demopolis with their father. Should he leave Demopolis, the dates of visitation shall again be subject to review by the Court.

Dated this 29th day of April, 1960.

/s/ La June Nelson Burch
Complainant

/s/ Norris S. Nelson
Respondent.

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,
BALDWIN COUNTY

No. _____

CIRCUIT COURT, BALDWIN COUNTY

June TERM, 1962

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Norris S. Nelson

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 Norris S. Nelson, Defendant

by La June Nelson, Plaintiff

Witness my hand this 19 day of June 1962

Alice F. Nelson, Clerk

No. 4050 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

La June Nelson

Plaintiffs

vs.

Norris S. Nelson

Defendants

SUMMONS and COMPLAINT

FILED

Filed , 19

JUN 29 1962

, Clerk

ALICE J. DUCK, CLERK REGISTER

THE SHERIFF CLAIMS 36 MILES AT 10¢ PER MILE FOR A TOTAL OF $3.60

J. WILMER SHIELDS, SHERIFF

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Star Route Box 131
Gallion, Marengo County

RECEIVED IN OFFICE

6/29, 1962

, Sheriff

I have executed this summons

this 2nd July, 1962

by leaving a copy with

Norris S Nelson

J. Wilmer Shields Sheriff

Tracy Spencer Deputy Sheriff

LA JUNE NELSON,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN
VS.	)	COUNTY, ALABAMA.
NORRIS S. NELSON,	)	IN EQUITY.
Respondent.	)	4050

D E C R E E:

This matter coming on to be heard on this 29th day of April, 1960, on the motion of the Complainant to modify the decree rendered in this cause on June 12, 1957, with respect to the custody of the children named in such decree, and the parties to said cause having entered into an agreement and stipulation, a copy of which is attached to and made a part of this decree. The Court is of the opinion that such agreement and stipulation should be approved by the Court for the best interest of the parties and of the children.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the Court hereby approves the terms and conditions of the agreement and stipulation attached to this decree, and the said Norris S. Nelson shall continue to have the care, custody and control of his children, Terry Lynn Nelson, and Chris Stacey Nelson, and the said LaJune Nelson Burch shall have the right to go after such children in accordance with the terms of the agreement and stipulation, at noon on the second Monday of each month and return such children to Demopolis on the following Saturday at Noon, except in the month when

Easter shall be observed, and duringsuch month she shall go after said children Saturday noon before Easter and return them the following Thursday noon, provided further that neither of such children are sick at the time they are to visit her. Should either of such children be sick on the visitation date, the said Norris S. Nelson shall so notify LaJune Nelson Burch prior to the time she would normally leave home to come after such children and she shall then have the right to come after the children the first Monday following their recovery from such sickness, and provided further that she shall have the right to come after such children only the second Friday of each month at 4 :00 o'clock P. M. and return them the following Sunday at 4:00 o'clock P. M. duringthe period of time that either child in in grammar, Junior High or High School.

The Court hereby retains jurisdiction of this cause for such other and further orders and decrees as may be for the best interest of said minor children.

Dated this 29th day of April, 1960.

Hubert M Stace

Judge, 28th Judicial Circuit of Alabama

LA JUNE NELSON,	)	IN THE
Complainant,	)	CIRCUIT COURT OF BALDWIN COUNTY,
VS.	)	ALABAMA. IN EQUITY.
NORRIS S. NELSON.	)	
Respondent.	)	

S T I P U L A T I O N:

It is hereby stipulated and agreed by and between the parties to the above styled cause as follows:

1. That the decree heretofore rendered on June 12, 1957, in the case of La June Nelson vs. Norris S. Nelson, such La June Nelson now being known as La June Nelson Burch, by which decree Norris S. Nelson was awarded the care, custody and control of the minor children of the parties. Terry Lynn Nelson and Chris Stacey Nelson, and La June Nelson was granted the right to visit such minor children and have them visit with her at reasonable and proper times, should now be clarified

2. That such minor children shall remain in the care, custody and control of the said Norris S. Nelson, but the said LaJune Nelson Birch shall have the right to have such children visit with her from 12:00 o'clock Noon on the second Monday of each month, beginning with the second Monday of May, 1960, until the following Saturday at 12:00 o'clock Noon, provided that the said LaJune Nelson Birch and her husband, Joseph Birch, or one of them when accompanied by a responsible adult, shall, at their expense, come after such minor children where they then reside, their present residence being 200 Pettus Street, Demopolis, Alabama, and return such children at the time hereinabove specified to such address, and provided further that the children are not sick on that date.

Should either of such children be sick and unable to visit with their mother, said Norris S. Nelson shall notify her, by telephone, prior to the time she would normally leave home to come after such children, in which event the children shall visit with her beginning the first Monday after they recover from such sickness.

3. In the month that Easter shall occure each year, the said mother of such children shall have the right to come after them on Saturday Noon before Easter and return them at Noon on Thursday following Easter, in lieu of the other date hereinabove specified.

4. When either of said children shall enter Grammar School the visitation of such children with their mother shall be reduced to the Second Friday of each month, beginning at 4:00 o'clock P. M. until the following Sunday afternoon at 4:00 o'clock P. M. during the entire school term. When the school term expires the visitation rights will be as now fixed; that is from the second monday of each month until the following Saturday.

5. This clarification of the decree is entered into with the distinct understanding between the parties that unless the welfare of the children should be involved, no change of custody or visitation will be sought by either party as long as such children remain in Demopolis with their father. Should he leave Demopolis, the dates of visitation shall again be subject to review by the Court.

Dated this 29th day of April, 1960.

Lo Dine Nelson Busch
Complainant

Norris L. Nelson
Respondent.

FILED
APR 29 1960
ALICE L. DICK, CLERK
REGISTER

STATE OF ALABAMA

BALDWIN COUNTY

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Norris S. Nelson 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 La June Nelson, as Complainant, against Norris S. Nelson, as Respondent.

Witness my hand this the 12th day of June, 1957.

_____
Register

LA JUNE NELSON,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
	)	
NORRIS S. NELSON,	)	IN EQUITY
Respondent.	)	
	)	

Comes your complainant, La June Nelson and files this her Bill of Complaint for divorce against Norris S. Nelson, and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and Respondent are over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, and that they have been such residents for more than two years last past.

SECOND:

That your Complainant and the Respondent were married on heretofore to-wit: September 12, 1954, and lived together as man and wife until, on account of the matters hereinafter complained of,

your Complainant was compelled to leave the Respondent and live separate and apart from him; that on, to-wit May 25, 1957, the Respondent shook your Complainant and put his fist in her face and from his conduct your Complainant had reasonable apprehension that if she continued to live with him her life and health would be in danger. That the Complainant has not lived with the Respondent as man and wife since that date.

THIRD :

That there was born to your Complainant and the Respondent two children, Terry Lynn Nelson, a girl approximately two years of age and Chris Stacey Nelson, a boy one year of age. That the Respondent is a fit and proper person to have the care, custody and control of said minor children.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Norris S. Nelson be made a party Defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this court and the Statutes in such cases made and provided; that upon a final hearing of this cause that Your Honor will grant to your Complainant an absolute divorce from the Respondent and that your Honor will award the full care, custody and control of the above named minor children to the Respondent with the right in Complainant to visit such children and have them visit with her at reasonable and proper times; that your Honor will also decree that the Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Ila Jane Nelson
Complainant

John D. Duck
Solicitor for Complainant

LA JUNE NELSON,	)	IN THE COURT OF
Complainant,	)	BALDWIN COUNTY,
vs.	)	ALABAMA
NORRIS S. NELSON,	)	IN EQUITY
Respondent.	)	CASE NO._____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE TWENTY EIGHTH JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, SITTING IN EQUITY:

Comes now La June Nelson, your Petitioner, and respectfully shows unto Your Honor as follows:

ONE

That the Petitioner is over the age of twenty-one years; that she is a bona fide resident citizen of the State of Alabama and now resides in Mobile, Alabama; that she has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the time of the filing of this Petition; that the Respondent, Norris S. Nelson, is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama.

TWO

That the Petitioner and Respondent were permanently divorced from the bonds of matrimony by decree granted by the Circuit Court of Baldwin County, Alabama, on the 12th day of June, 1957, for and on account of cruelty on the Respondent's part; your Petitioner being the Complainant in said proceedings.

THREE

That there was born to the marriage of the Petitioner and Respondent two children, Terry Lynn, age three years, and Cris Stacey, age two years; that by said decree the Respondent, Norris S. Nelson, was awarded the care, custody and control of the said minor children and the Petitioner being given the right to visit these said minor children and have them visit with her at all reasonable and proper times.

FOUR

Petitioner avers that on various occasions the Respondent has contemptuously refused to allow the Petitioner to visit with her children at reasonable and proper times.

FIVE

Petitioner further avers that the Respondent wrote her a registered letter dated January 16, 1958, in which he stated he felt "a reasonable and proper interval for seeing Terry Lynn and Chris Stacy is every six weeks (if you wish to) and that would be for a weekend or the hour or so on Sunday as you have been doing in the past." Petitioner further avers that since January 16, 1958, the Respondent has allowed the Petitioner to visit with her children only every six weeks; that Petitioner has on several occasions attempted to visit her children but the Respondent or members of his family have contemptuously refused to allow the Petitioner to visit with her children. Petitioner avers that the continued refusals on the part of the Respondent are without a Court Order and not within the terms of the divorce decree. Petitioner further avers that if said Respondent is allowed to continue to disregard this Honorable Court's decree that she fears in the future she will be completely denied the right to visit her children.

SIX

The Petitioner avers that she is now living with her mother, Rose Byers, and stepfather, Walter K. Byers, in Mobile, Alabama; that it is a comfortable home and suitable place in which to rear small children. Petitioner says further that she is a fit and proper person to have temporary care, custody and control of her said minor children.

PRAYER FOR PROCESS

WHEREFORE, the premises considered, the Petitioner respectfully prays that upon the filing of this Petition, the Court will issue proper process to Norris S. Nelson, Making him a party Respondent to this cause of action requiring him to appear and plead, answer or demur to the allegations hereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

WHEREFORE, the premises considered, Petitioner respectfully prays that upon a final hearing of this cause, your Honor will enter an order modifying the divorce decree rendered on the 12th

day of June, 1957, so as to grant to the Petitioner temporary custody of the two minor children heretofore mentioned during the summer months of June, July and August of each year and during the Christmas Holidays of each year; that further the order specify the Petitioner be allowed to take the children to live with her in her home.

The premises considered, your Petitioner prays that the requested relief as above be entered as well as such other and further relief as she may be entitled to receive in the premises.

filed May 15, 1958
Alice J. Duck

SLEPIAN AND BYRD
WILTERS AND BRANTLEY
BY Delbert M. Brantley
ATTORNEYS FOR PETITIONER

Respondent's Address:
Gulf Shores, Alabama

Executed June 5, 1958

Received 16 day of May 19 58
and on 5 day of June 1958
served a copy of the within G & C
on Morris Nelson

by service on

TAYLOR WILKINS, Sheriff
By Charles Wilson D. S.

Sheriff claims 22 miles at
Ten Cents per mile Total $ 2.20
TAYLOR WILKINS, Sheriff
BY Charles Wilson
DEPUTY SHERIFF

FILED
MAY 15 1958
ALICE J. ROCK, Register

RECORDED
4050

La June Nelson
vs.
Morris S. Nelson

LA JUNE NELSON, COMPLAINANT, VS. NORRIS S. NELSON RESPONDENT.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

LA JUNE NELSON, THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Duck.

Q. What is your name, please?

A. LaJune Nelson.

Q. What is your husband's name?

A. Norris S. Nelson.

Q. Where were you married?

A. Wayne, Nebraska.

Q. When were you married?

A. September 12, 1954.

Q. Do you have any children?

A. Two, Terry Lynn Nelson and Chris Stacey Nelson.

Q What are their ages?

A. One and Two.

Q. Please State to the Court why you and your husband separated

A Cruelty.

Q. Explain what the cruelty was?

A. Well just that he pushed me and we have been fighting.

Q. When, approximately, was this?

A. May 25th.

Q. That was this year?

A. Yes sir.

Q. Do you believe from his conduct that your life and health

would be in danger if you continued to live with him?

A. Yes sir.

EXAMINATION BY THE COURT:

Q. Mrs. Nelson, it is perfectly agreeable with you that the Court award Mr. Nelson the children?

A. Yes sir.

Q. And you and Mr. Nelson have agreed as to your right of visitation of the children, is that right?

A. Yes sir.

Q. And you havemreached a property settlement of all you have, which is perfectly agreeable to both of you?

A. Yes sir.

I hereby certify that the foregoing is a true and correct transcript of the testimony taken by me in the above styled cause.

This 12th day of June, 1957.

COURT REPORTER

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons NORRIS S. NELSON 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 LA JUNE NELSON, as Complainant and against NORRIS S. NELSON, as Respondent.

WITNESS MY hand this the 6 day of September, 1957.

Register

LA JUNE NELSON	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA
VS	)	IN EQUITY
NORRIS S. NELSON	)	CASE NO. 4050½
RESPONDENT	)	

TO THE HONORABLE HUBERT M. WALL, JUDGE OF THE THIRTY EIGHTH JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, IN EQUITY, SITTING:

Comes now your Complainant in the above styled cause and shows unto Your Honor as follows:

1.

That the Complainant is over the age of twenty-one years; that she is a bona fide resident citizen of the State of Alabama and now resides in Fairhope, Alabama; that she has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the time of the filing of this petition; that the Respondent, Norris S. Nelson, is over the age of twenty-one years and is a resident citizen of Baldwin County, Alabama.

2.

That the Complainant and Respondent were permanently divorced from the bonds of matrimony by decree granted by the Circuit Court of Baldwin County, Alabama, on the 12th day of June, 1957, for and on account of cruelty on the Respondent's part.

3.

That there was born to the union of the Complainant and Respondent two children, Terry Lynn Norris, age two years, and Orie Stacey Norris, age one year; that by said decree the Respondent, Norris S. Nelson, was awarded the

care, custody and control of the said minor children, giving the Complainant the right to visit these said minor children and have them visit with her at reasonable and proper times. That since the time of this divorce, the Respondent has proven himself to be an unfit person to have the said children's care, custody and control. That at the time the Complainant and Respondent were divorced, the Complainant was pregnant; that on or about the date of June 26, 1957, and after the date of the said divorce decree, the Respondent beat and kicked the Complainant until she was lame and bruised. Your Complainant says that she had a miscarriage on or about the 19th day of August, 1957, and verily believes that this was the result of the beating the Respondent gave her. The Complainant says further that the Respondent has developed an ungovernable temper and has beat up several people since the time of the aforesaid divorce decree.

4.

Your petitioner avers that said minor children are living with the father and mother of Norris S. Nelson; that your Complainant went to the home of Inez Nelson, the Respondent's mother, to visit with her said children on the 5th day of September, 1957; that without just cause or reason Inez Nelson, the mother of Norris S. Nelson, beat her until she was black and blue about the face and body. Complainant says that the Respondent and his mother, Inez Nelson, have shown themselves to be unsuitable and improper persons to have the care, custody and control of the said two minor children.

5.

The Complainant avers that she is now living with her mother, Rose Byers, and stepfather, Walter K. Byers, in Fairhope, Alabama; that it is a comfortable home and suitable place in which to rear small children. Complainant says further that she is a fit and proper person to have the care, custody and control of her said minor children.

6.

The Complainant avers that the Respondent is an able-bodied man; that his income last year was in the neighborhood of $8500.00 and your petitioner verily believes that the Respondent's income for this year will be very nearly the same amount.

PRAYER FOR PROCESS

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process made the said Norris S. Nelson, 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.

PRAYER FOR RELIEF

WHEREFORE, the premises considered, your Complainant respectfully prays that on a final hearing of this cause, Your Honor will enter a decree modifying the divorce decree heretofore referred to rendered on the 12th day of June, 1957, so as to grant the Complainant the permanent care, custody and control of Terry Lynn Norris and Oris Stacey Norris.

Your Complainant further prays that Your Honor will enter a decree ordering the Respondent to pay her support money in such an amount as your Honor may deem proper, the premises considered.

Your Complainant prays for such other, further, or different relief as in the premises she may be entitled to receive.

Respectfully submitted,

John V. Duck

Wilters & Brantley

BY: Delbert M Brantley

Attorneys for petitioner and Complainant

4050½

LA JUNE NELSON

COMPLAINANT

VS

NORRIS S. NELSON

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

CASE NO. 4050½

Fort Morgan -

Filed 9-6-57

Dorcy J. Peacock

Register

Received 7 day of Sept 1957

and on 20 day of Sept 1957

I served a copy of the within Pe.

on Norris S. Nelson

By service on

TAYLOR WILKINS, Sheriff

By Orbit Foley D

Sheriff claims 22 miles at

Ten Cents per mile Total $ 2.20

TAYLOR WILKINS, Sheriff

BY E. Muldrow

DEPUTY SHERIFF

LA JUNE NELSON,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
	)	IN EQUITY NO. 4050½
NORRIS S. NELSON,	)	
Respondent.	)	

Comes the Respondent in the above styled cause and demurs to the Bill of Complaint filed in said cause and assigns the following separate and several grounds, viz:

1. The Respondent demurs to that aspect of the Bill of Complaint as contained in paragraph "3" and assigns the following separate and several grounds:

a. That the allegation in this paragraph that the Respondent has proven himself to be an unfit person to have the custody of his children is but a conclusion of the pleader.

b. That no change of circumstances is shown to have occurred since the granting of the divorce and the awarding of the custody of such children to the Respondent which would justify the Court changing their custody.

c. That the allegation in this paragraph that the Respondent beat and kicked the Complainant until she was lame and bruised fails to sufficiently set out any facts which would justify the Court in changing the custody of the children.

d. The allegation in this paragraph that the Complainant had a miscarriage which was the result of a beating the Respondent gave her does not set out any facts which would justify a change in the custody of the children.

e. That the allegation in this paragraph that the Respondent has developed an ungovernable temper and has beat up several people since the divorce is but a conclusion of the pleader and does not allege who he has beaten or when he did so or the facts surrounding such occurrences and this allegation does now show a change of conditions which would change the custody of the children.

2. The Respondent demurs to that aspect of the Bill of Complaint set out in paragraph "4" of such complaint and assigns the following separate and several grounds, viz:

a. That the allegation in this paragraph that the mother of Norris S. Nelson beat the Complainant does not show a change of circumstance since the granting of the divorce decree which is sufficient to justify modifying such decree.

b. That the allegation in this paragraph that the Respondent and his mother have shown that they are not suitable persons to have the care and custody of the children is but a conclusion of the pleader.

3. The Respondent demurs to that aspect of the Bill of Complaint which seeks to modify the original decree and to award the Complainant the custody of the minor children and to require the Respondent to support such children and assigns the following separate and several grounds, viz:

a. That it is affirmatively shown by said Bill of Complaint that such divorce decree was granted less than three months prior to the filing of this proceeding and no facts are alleged to show any change of circumstance which has occurred subsequent to the rendering of the decree which would justify the Court in modifying the decree.

b. From aught that appears from said complaint the conduct of the Respondent is no different now from what it was when the Court rendered a divorce in favor of the Complainant and against the Respondent based upon the Respondents cruelty to the Complainant.

c. That all material facts which are alleged, if true, would not justify the Court in modifying its decree.

d. For aught that appears from said complaint the Complainant did not object to the Court awarding the children to the Respondent in the original proceeding and no change of circumstance has been shown which would warrant a modification of such decree.

CHASON & STONE

By: _____
Solicitors for Respondent