

4/3/65

MYRA SUE FAUST
COMPLAINANT
VS
TOMMY B. FAUST
RESPONDENT

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

Comes now the Respondent, Tommy B. Faust, and files this his demurrer to the complainant's Bill of Complaint and says:


1.

That there is no equity in the bill.

2

That the allegations in paragraph 2 does not allege facts sufficient to explain the nature or character of the acts of violence.

Wilters & Brantley


Solicitors for the Respondent

4365
RECORDED

MYRA SUE FAUST

COMPLAINANT

VS

TOMMY B. FAUST

RESPONDENT

DEMURRERS

FILED

SEP 21 1958

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA

§

IN THE CIRCUIT COURT

BALDWIN COUNTY

§

IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon TOMMY B. FAUST to appear and plead, answer or demur, within thirty days from the service of this writ, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Myra Sue Faust, as Complainant, against Tommy B. Faust, as Respondent.

Witness my hand this the 22 day of August, 1958.

Alice J. Luck
REGISTER

MYRA SUE FAUST,

§

IN THE CIRCUIT COURT OF

Complainant

§

BALDWIN COUNTY, ALABAMA

versus

IN EQUITY

TOMMY B. FAUST,

§

Respondent

Comes your Complainant, Myra Sue Faust, and files this her Bill of Complaint for divorce against Tommy B. Faust, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

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

SECOND:

That your Complainant and the Respondent were married on, heretofore, to-wit, August 17, 1956 in Daphne, Alabama, and lived together as husband and wife until on, to-wit, July 29, 1958, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on July 29, 1958, to-wit, the Respondent did beat, curse, threaten and hit and hurt the Complainant in this: He struck her on or about the head and body; that on prior occasions during this marriage, the Respondent had struck and beaten the Complainant, attended with danger to her life and health.

THIRD:

That there was born of this marriage between Complainant and Respondent the following named child: Rebecca Sue Faust, aged four months. That the Complainant is a fit and proper person to have the care, custody and control of the said minor child. That your Complainant has no money with which to properly support and educate said minor child and the Respondent is able to pay your Complainant sufficient amounts to properly support and educate said child.

FOURTH:

That the Complainant and Respondent are jointly possessed of the following described real property in Baldwin County, Alabama, to-wit:

Beginning at the Northeast corner of Lot No. 3 according to a resubdivision of a part of M. V. Walter property, which resubdivision is recorded in Map Book 4, Page 96, Records in the Office of the Judge of Probate, Baldwin County, Alabama; thence West along the North boundary of said Lot 3, 15 feet to a point of beginning; thence continue West 85 feet to the West boundary of said Lot 3; thence South 180 feet to the Southwest corner of said Lot; thence East 85 feet to a point; thence North and parallel to West boundary of said Lot 180 feet to point of beginning.

That when the Respondent and Complainant purchased the above described property, the Complainant paid the sum of Fifteen Hundred (\$1500.00) Dollars as and for the down payment therefor, all of which she is ready and able to show to this Honorable Court.

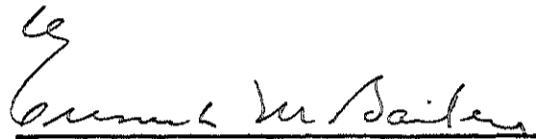
FIFTH:

That your Complainant has employed Ernest M. Bailey as her Solicitor of Record to prosecute this cause of action and she is unable to pay him a reasonable Solicitor's fee for his services in this matter.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Tommy B. Faust be made a party defendant to this cause by the usual writ or process of this Honorable Court and the Statutes in such cases made and provided; that upon a final hearing of this cause Your Honor will award the Complainant custody and control of her minor child herein named; that if this Honorable Court deems necessary, it will order a reference to determine such support that the Respondent shall pay to Complainant as and for support of the said minor child. That Your Honor will order and decree that the property, set forth above, belonging to the Complainant and Respondent be sold and the Complainant be awarded the sum of Fifteen Hundred (\$1500.00) Dollars from the

proceeds of sale to reimburse her for moneys advanced at the time of purchase of said property; that the proceeds of sale, in addition to that sum, be divided equally between the Respondent and the Complainant. That Your Honor will order and decree that the Respondent be required to pay Ernest M. Bailey a reasonable Solicitor's fee for his services in prosecuting this cause; that Your Honor will also grant unto Complainant an absolute divorce from the Respondent and decree that the parties be allowed to remarry if they see fit. Should Your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief as she will in duty bound ever pray.


ERNEST M. BAILEY
SOLICITOR FOR COMPLAINANT

THE STATE OF MISSISSIPPI

IN THE COUNTY OF

IN THE COURT OF THE CLERK OF THE SUPERIOR COURT

IN RE: THE ESTATE OF

ERNEST M. BAILEY

DECEASED

BY AND THROUGH THE UNDERSIGNED

ERNEST M. BAILEY

SOLICITOR

4265 ✓

SUMMONS AND BILL OF COMPLAINT

MYRA SUE FAUST,
COMPLAINANT
VERSUS
TOMMY B. FAUST,
RESPONDENT

Received 22 day of Aug 1958
and on 23 day of Aug 1958

I served a copy of the within on B. Billewamp
on Tommy B. Faust

By service on _____

TAYLOR WILKINS, Sheriff
By T. J. Taylor D. S.

at Fairhope Al.

Sheriff claims 70 miles at
Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff

BY Taylor
DEPUTY SHERIFF

* * * * *

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Respondent may be located
at the residence of B. Faust
Morphy Avenue, Fairhope,
Alabama

FILED

AUG 22 1958

ALICE J. DUCK, Register

4365