

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

} No. 1779

Circuit Court, Baldwin County

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CHARLES EVANS MILLSTEAD,

WILLIE MILLSTEAD

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

CHARLES EVANS MILLSTEAD, Defendant

by ALLIE V. CROM, m2 as mother and next friend of DONNIE FAYE DONELSON, a minor

....., Plaintiff

Witness my hand this 2nd day of December 19 59.

Alice J. Duck, Clerk

No. 4779

Page _____

The State of Alabama

Baldwin County

CIRCUIT COURT

ALLIE V. ODOM, as mother and next
friend of DONNIE FAYE DONELSON,
a minor

Plaintiffs

vs.

CHARLES EVANS MILLSTAD

Defendants

Summons and Complaint

Filed December 2nd 1959

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

19_____

_____, Sheriff

I have executed this summons

this _____ 19_____

by leaving a copy with

_____, Sheriff

_____, Deputy Sheriff

ALLIE V. ODOM, as mother	I	IN THE CIRCUIT COURT
and next friend of DONNIE		
FAYE DONELSON, a minor,	I	OF BALDWIN COUNTY,
Complainant	I	ALABAMA
VS.	I	IN EQUITY
CHARLES EVANS MILLSTEAD,	I	NO. _____
Respondent	I	

TO THE HONORABLE HUBERT HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Comes now your Petitioner, Allie V. Odom, and shows unto the Court that she is over twenty-one years of age and a resident of Escambia County, and the Respondent, Charles Evans Millstead, is believed to be 19 years of age and a resident of Baldwin County, Alabama.

Your Petitioner alleges that a purported marriage was entered into on, to-wit, September 4, 1959, in Baldwin County, Alabama, whereby Charles Evans Millstead was purported to be married to Donnie Faye Donelson, at that time 14 years of age.

The Respondent procured by fraud a certificate of consent of the parents or guardians of Donnie Faye Donelson to procure a marriage license from the Probate Judge of Baldwin County, Alabama.

Your Petitioner, the mother of said minor, has never consented for her daughter to be married and that the marriage was performed against the wishes, consent or permission of your Petitioner.

Your Petitioner further shows unto the Court that the father of Donnie Faye Donelson is deceased having died a resident of Escambia County in 1944.

At the time of the purported marriage the child named herein was in the sole custody and control of your Petitioner residing in the Petitioner's home in Atmore, Escambia County, Alabama.

WHEREFORE, your Petitioner prays that after process be had on the named Respondent and his father, Willie Millstead, and that after the time for the Respondent to plead, answer or demur that this cause be set for hearing and after hearing the evidence at said hearing that this Honorable Court will Adjudge, Decree and Order that said purported marriage was illegally performed and that the said marriage be declared null and void and of no effect, and your Petitioner prays to do equity and prays that this Court will grant her all further and proper relief as she may be entitled to receive in the premises.

Allie V. Odom

ALLIE V. ODOM

M. A. Marsal

M. A. MARSAL

Solicitor for the Petitioner

FILED
DEC 8 1959

OFFICE T. DUNCAN

777

STATE OF ALABAMA

COUNTY OF MOBILE

Comes now Allie V. Odom, who being by me first duly sworn, doth depose and say that the allegations of the foregoing petition are true and correct.

Allie V. Odom

Subscribed and Sworn to before me on this 1st day of December, 1959.

Rachel Wells
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

Willie Millstead and Charles Evans Millstead
Lottie, Alabama.

HARRY SEALE
LAWYER
FIRST NATIONAL BANK BUILDING
MOBILE, ALABAMA

HARRY SEALE
M. A. MARSAL
A. J. SEALE
LEON G. DUKE

MAILING ADDRESS:
POST OFFICE BOX 1318
HEMLOCK 2-6686

December 18, 1959

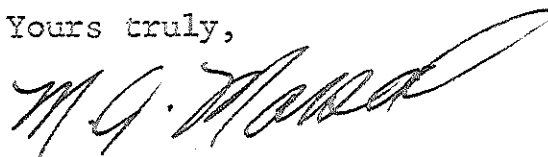
Miss Alice Duck
Clerk of the Circuit Court
Baldwin County, Alabama

Re: Odom vs. Milstead

Dear Miss Duck:

As you know, I represent Mrs. Ollie V. Odom, the mother of Donnie Faye Donaldson, and I have talked with Honorable Hubert Hall this morning as to when this case will be heard. I would appreciate it very much if you would notify me as soon as the cause is set on his docket. Your kindness is appreciated and a merry Christmas to you and your family,

Yours truly,



M. A. MARSAL

MAM/AR

ALLIE V. ODOM, as mother	⌘	IN THE CIRCUIT COURT
and next friend of DONNIE		
FAYE DONELSON, a minor,	⌘	OF BALDWIN COUNTY,
Complainant	⌘	ALABAMA
VS.	⌘	IN EQUITY
CHARLES EVANS MILLSTEAD,	⌘	NO. _____
Respondent	⌘	

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BALDWIN COUNTY, ALABAMA:

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Allie V. Odom

ALLIE V. ODOM

M. A. Marsal

M. A. MARSAL

Solicitor for the Petitioner

STATE OF ALABAMA

COUNTY OF MOBILE

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Allie V. Odom

Subscribed and Sworn to before me
on this 1st day of December, 1959.

Rachel Wells
NOTARY PUBLIC, MOBILE COUNTY, ALABAMA

Willie Millstead and Charles Evans Millstead
Lottie, Alabama.

FILED
DEC 2 1959

ALICE J. DUCK, Register

SUMMONS AND COMPLAINT

Moore Prtg. Co.

The State of Alabama,
Baldwin County.



Circuit Court, Baldwin County

No. 4779

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon CHARLES EVANS MILLSTEAD,

WILLIE MILLSTEAD

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.....

CHARLES EVANS MILLSTEAD....., Defendant....

by ALLIE V. ODOM, ~~and~~ as mother and next friend of DONNIE FAYE DONELSON, a minor

....., Plaintiff....

Witness my hand this 2nd day of December 19 59

Alice J. Slusk....., Clerk

73136

No. 4779

Page

The State of Alabama

Baldwin County

CIRCUIT COURT

ALLEE V. ODOM, as mother and next friend of DONNIE FAYE DONELSON, a minor

Plaintiffs

vs.

CHARLES EVANS MILLSTEAD

Defendants

Summons and Complaint

Filed December 2nd 1959

Alice J. Duck Clerk

FILED

DEC 2 1959

ALICE J. DUCK, Register

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

12/2 1959

Sheriff

I have executed this summons

this Dec 5 1959

by leaving a copy with

Charles Evans Millstead
William Millstead

Sheriff claims

80

miles at

Five Cents per mile Total \$ 8.00

TAYLOR WILKINS, Sheriff

BY

DEPUTY SHERIFF

Taylor Wilkins Sheriff

W. A. Talbert Deputy Sheriff

Talbert Ala

ALLIE V. ODOM, as mother and)	
next friend of DONNIE FAYE)	IN THE CIRCUIT COURT OF
DONELSON, A MINOR)	BALDWIN COUNTY, ALABAMA,
COMPLAINANT)	IN EQUITY
VS)	NO. 4779
CHARLES EVANS MILLSTEAD)	
RESPONDENT)	

Comes now the Respondent in the above styled cause and demurs to the Petitioner's Complaint and for grounds therefor says:

1.

There is no equity in the Petition.

2.

That the Petition fails to set out sufficient grounds on which the court can base a decree for annulment.

3.

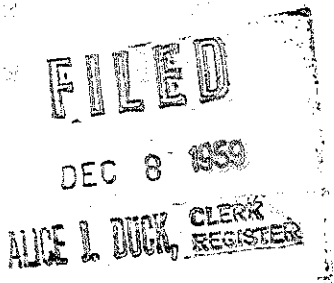
That the fraud alleged in this petition is not such fraud as will go to the validity of a marriage.

4.

In his prayer for relief the Petitioner prays for conjunctive relief for which she is not entitled to receive.

5.

The Petitioner is seeking affirmative relief against Donnie Faye Donelson Millstead and she is not made a party to this suit.



Wilters & Brantley

BY: Robert M. Brantley
Solicitor for Respondent

buch

ALLIE V. ODOM , as mother and
next friend of Donnie Faye
Donelson, a minor,

COMPLAINANT

VS

CHARLES EVANS MILLSTEAD

RESPONDENT

DEMURRERS

FILED

NOV 11 1964

ALLIE V. ODOM, as mother and next friend of Donnie Faye Donelson, a minor, vs. CHARLES EVANS MILLSTEAD, Respondent. DEMURRERS.