

680

THE STATE OF ALABAMA,
Baldwin County

}

CIRCUIT COURT

TO VIRGINIA E. CRENSHAW

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine WILLIE BELLE BROOKS and MARJORIE TISDALE

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

WILLIE BELLE BROOKS

Complainant

and GRADY JACKSON BROOKS

Defendant,

on oath to be by you administered, upon them

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 26 day of November, 19 40

R.S. Dush

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$ ~~5.00~~

WILLIE BELLE BROOKS,

Complainant

-vs-

GRADY JACKSON BROOKS,

Respondent

EQUITY

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

Comes Grady Jackson Brooks, Respondent in the above styled cause and for answer to the Bill of Complaint says that he admits Paragraph One thereof, he admits Paragraph Two thereof, and he denies Paragraph Three thereof and demands strict proof thereof and he further says:

Respondent hereby waives service and notice of and demand for oral examination of the Complainant's witnesses, of the issue of commission to take testimony, notice of the time and place of the taking of the same and of the right to cross examine or introduce evidence in his own behalf; and he further consents that this case may be submitted for final decree at any time on the pleadings of the Complainant's evidence as noted by the Register.

The Respondent hereby requests of this Honorable Court that he be given the right to marry again if he so desires upon the issuance of this final decree.

WITNESS:

x Mrs Dorothy Bull
Mrs A. F. Hale

x Grady J. Brooks
Respondent

BILL OF COMPLAINT

WILLIE BELLE BROOKS,)	
Complainant)	IN THE CIRCUIT COURT OF BALDWIN COUNTY,
-vs-)	ALABAMA
GRADY JACKSON BROOKS,)	IN EQUITY
Respondent)	

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, ALABAMA, IN EQUITY:

Comes your Complainant WILLIE BELLE BROOKS and presents this her Bill of Complaint against GRADY JACKSON BROOKS and shows unto your Honor as follows:

FIRST: Your Complainant and the Respondent, Grady Jackson Brooks, are both over the age of twenty-one years and your Complainant and the Respondent are both bona fide residents of the State of Alabama and County of Baldwin at the time of the separation and have been for a period of two years next prior to the filing of this Bill of Complaint;

SECOND: That your Complainant and the said Grady Jackson Brooks were lawfully married at Andalusia, Alabama on May 12th, 1933 and lived together as man and wife until on or about the 24th day of September, 1938, and further that there were born of the said marriage to the Complainant and the Respondent two children whose names and ages are as follows:

Thomas Walter Brooks, 5 years of age, a boy
Jimmie Len Brooks, 3 years of age, a boy

and at this time both the boys named herein are residing with the Complainant and have so resided during the continuance of the separation.

THIRD: Your Complainant further shows unto your Honor that during the month of September, namely the 24th, 1938 your Respondent did voluntarily and without any cause or fault on the part of your Complainant desert your Complainant and which offense she has not condoned and she will not condone and that he has never returned to your Complainant nor co-habited with her as husband and wife from this 24th day of September, 1938 to the date of the filing of this bill, said abandonment by the Respondent continuing for more than two years next preceding the filing of this bill.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, Complainant prays that the said Grady Jackson Brooks be made a party to the Bill of Complaint, that he be brought into Court by personal service or any method approved and adopted by this Honorable Court directing him to plead, answer or demur to the allegations as set out against him in the said Bill of Complaint as filed in this cause

in all respects as required under law and rules of this Honorable Court.

PRAYER FOR RELIEF

And your Complainant prays that upon the final hearing of this cause that this Honorable Court will grant to her an absolute divorce dissolving forever and entirely the bonds of matrimony now existing between her and the said Grady Jackson Brooks and granting her the right to marry again should she so desire, and granting her the absolute control and custody of the two boys named herein, namely, Thomas Walter Brooks and Jimmie Len Brooks, and your Complainant prays for such other and further relief as in equity and good conscience she may be entitled to in the premises, for which she will ever pray.

Willie Belle Brooks
Complainant

Wm. H. Brown
Solicitor for Complainant.

FOOT NOTE: The Respondent is required to answer but not under oath the same being expressly waived, as to each and every paragraph of the foregoing complaint numbering from one to three both inclusive.

Willie Belle Brooks
Complainant

Wm. H. Brown
Solicitor for Complainant

THE STATE OF ALABAMA, }
Baldwin County.

No. _____ Circuit Court, In Equity

..... WILLIE BELLE BROOKS Complainant.....

vs.

..... GRADY JACKSON BROOKS Defendant.....

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

For and on account of desertion. It is further ordered, adjudged and decreed
by the Court that the Complainant is to have the care, custody and control
of the two children named Thomas Walter Brooks age 5 and Jimmie Linn Brooks,
age 3, subject to the further orders and decrees of this court.

It is further ordered that the said Willie Belle Brooks and Grady Jackson Brooks
be, and ~~they are~~ they are hereby permitted to again contract marriage, upon the payment of the costs of Court
in this cause.

It is further ordered, that the said Willie Belle Brooks
pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property
found," then execution for such costs may be issued against the said

..... Grady Jackson Brooks

It is further ordered, adjudged and decreed that said Willie Belle Brooks
shall not again marry except to said Grady Jackson Brooks
until sixty days after this date, and that if an appeal is taken within sixty dayss he shall not marry
again except to said Grady Jackson Brooks.....
..... during the said pendency of appeal

This 27th day of November 1940

J. W. Hare
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }
Baldwin County.

Circuit Court, In Equity.

I, E.S. Duck Register of said Circuit Court of said
County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by
said Court on the day of November 1940 in the cause of

..... Willie Belle Brooks Complainant.....

vs.

..... Grady Jackson Brooks Defendant.....

as appears of record in said Court.

Witness my hand and the seal of said Court, this the
day of November 1940

..... Register

Minute 2-10-70

RECORDED

No. _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

**CIRCUIT COURT, IN EQUITY
Baldwin County, Ala.**

WILLIE BELLE BROOKS

VS.

GRADY JACKSON BROOKS

DECREE OF DIVORCE

Filed in office this 29

day of November 1940

R. S. Duch

REGISTER

E. O. M.

RECORDED

WILLIE BELLE BROOKS,
Complainant

-vs-

GRADY JACKSON BROOKS,
Respondent

BILL OF COMPLAINT

Filed November 26, 1940
R.S. Durr, Register

RECORDED

WILLIE BELLE BROOKS,
Complainant

-VS-

GRADY JACKSON BROOKS,
Respondent

ANSWER AND WAIVER

Filed November 26, 1940
A.S. Ditch, Register

RECORDED

NO. _____

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

WILLIE BELLE BROOKS
Complainant

vs.

GRADY JACKSON BROOKS
Defendant

Commission To Take Deposition

COMMISSIONER:

VIRGINIA E. CRENSHAW

Witnesses:

WILLIE BELLE BROOKS

MARJORIE TISDALE

WILLIE BELLE BROOKS

VS.

GRADY JACKSON BROOKS

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____

TESTIMONY OF WILLIE BELLE BROOKS and MARJORIE TISDALE

and in behalf of Defendant upon ANSWER AND WAIVER

R. S. Ditch

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

WILLIE BELLE BROOKS

vs.

GRADY JACKSON BROOKS

NOTE OF TESTIMONY

Filed in Open Court this 27

day of November 1940

R. S. Duch

REGISTER

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

WILLIE BELLE BROOKS _____ COMPLAINANT

VS.

GRADY JACKSON BROOKS _____ RESPONDENT

I, Virginia E. Crenshaw _____

as Register and Commissioner _____

have called and caused to come before me _____

Willie Belle Brooks and Marjorie Tisdale _____

witnesses named in the requirement for Oral Examination, on the 20th day of November _____

1940, at the office of Orvis M. Brown _____

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said witnesses _____

doth depose and say as follows:

TESTIMONY OF WILLIE BELLE BROOKS

My name is Willie Belle Brooks. I am a resident of Baldwin County, Alabama residing at Robertsdale, Alabama and have been a resident of Baldwin County for the past three years. My husband's name is Grady Jackson Brooks. We were lawfully married at Andalusia, Alabama on May 5th, 1933 and lived together as husband and wife until on or about the 24th day of September

ORAL EXAMINTAION

I, Virginia E. Crenshaw as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness^{es} and read over to them and they signed the same in the presence of myself and Orvis M. Brown at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness^{es}; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 27th day of November 19 40.

Virginia E. Crenshaw (L. S.)

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TESTIMONY OF MARJORIE TISDALE

My name is Marjorie Tisdale. I am the step-mother of Willie Belle Brooks and have known her since the date of her marriage to Grady Jackson Brooks, in May of 1933 and know that she was married to Grady Jackson Brooks up until on or about the 24th day of September, 1938 and that during the time she was married to him there were born to them two boys, Thomas Walter Brooks age 5, and Jimmie Linn Brooks age 3 at this time. That on or about the 24th day of September 1938 the Respondent Grady Jackson Brooks did voluntarily and without any cause or fault of the Complainant, Willie Belle Brooks deserted her and the two children and has not lived with her since that date as husband and wife. Being personally acquainted with Willie Belle Brooks I know of my own personal knowledge that she is the proper person to care for these two children and that they will be better cared for and that they will be reared in the proper environment if they are placed in her custody and control. I know of my own personal knowledge further that Grady Jackson Brooks is over the age of twenty one years.

Marjorie Tisdale