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MARY RUTH ROBINSON,

Complainant,

V.

JAMES BRIDGES ROBINSON,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 2688

February 28, 1952.

APPEARED:

For Complainant,

HON. H. M. HALL

For Respondent,

HON. C. L. THOMPSON

Mary Ruth Robinson, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Hall

Q. This is Mary Ruth Robinson?

A. Yes.

Q. Mrs. Robinson, are you a resident of Baldwin County, Alabama?

A. I am.

Q. Were you such a resident on July 26, 1951, when this suit was filed?

A. I was.

Q. Were you at that time over twenty-one years of age?

A. I was.

Q. The Respondent, James Bridges Robinson; you know him?

A. I do.

Q. Now, was he on the date of the filing of this suit, a resident of Robertsdale, Baldwin County, Alabama?

A. Yes.

Q. Was he over twenty-one years of age?

A. Yes.

Q. Are you and the Respondent, Mr. Robinson, husband and wife?

A. We are.

Q. Where did you marry?

A. Fort Lauderdale, Florida.

Q. When?

A. April 7, 1940.

Q. And you lived together until approximately when?

A. April, of last year.

Q. Of 1951?

A. Yes.

Q. Where were you living at the time of the separation?

A. Robertsdale, Alabama.

Q. Now, Mrs. Robinson, do you all have any children?

A. We have four.

Q. What are their names and ages?

A. Jeanne Robinson.

Q. What are their full names, please ma'am?

A. Gloria Jeanne Robinson, age ten; Betty Joyce Robinson, age nine;  
James Bridges, Jr.

Q. James Bridges Robinson?

A. Yes, age seven; Leroy Gerald Robinson, age five.

Q. All right, now, at the time of the difficulty between you and the Respondent where, in what house were you living?

A. In my father's house.

Q. In Robertsdale?

A. Robertsdale.

Q. Well, on this, about the 16th of April, 1951, did he threaten you?

A. He did.

Q. Did he abuse you?

A. He did.

Q. Did he do any actual violence to your person?

A. He struck me and he tore my clothes.

Q. Where were you at the time?

A. In my father's house.

Q. I mean in your bedroom?

A. Yes.

Q. Was it day time or night time?

A. It was day time.

Q. Now, prior to that time had he threatened you?

A. He did.

Q. Had he at any other time?

A. Several occasions.

Q. Had he at any other time struck you?

A. He did.

Q. Now, was his conduct such as to cause you to believe he would carry on that conduct?

A. What do you mean?

Q. His conduct toward you, his demeanor?

A. Oh, yes.

Q. Now is he an able-bodied man, or what is his physical condition?

A. Well, I don't know at the time now, but you know he was injured.

Q. He was injured?

A. Yes.

Q. What was the nature of his injury; do you know?

A. Ruptured urethra.

Q. Ruptured urethra?

A. Yes.

Q. Was he on, drawing pay or do you know?

A. No, I don't know.

Q. Do you know what he is doing at the present time?

A. No, I don't.

Q. All right, when was the last time you saw him?

A. November, I believe.

Q. Of '51?

A. Yes.

Q. At that time was he, so far as you could see, able-bodied?

A. He was.

Q. Where did you see him?

A. In Robertsdale.

Q. Do you know where he is now?

A. Well, not definitely, but I know about where he is.

Q. Is he within the State of Alabama, or out of the State at this time, or do you know?

A. He's out.

Q. Do you know whether he is working at this time or not?

A. No, I don't.

Q. And you don't know whether he's earning any wages at all or not?

A. I don't know.

Q. Now, at the time he was working at Brookley Field, do you know what he was earning, making?

A. Well, he made around Fifty-five Dollars (\$55.00) a week.

Q. Was that "bring home" money?

A. Yes, that was "bring home" pay.

Q. And how long did he work over there? I mean at that pay?

A. Since '47, I believe until '49. He was injured in '49.

ON CROSS EXAMINATION

By Mr. Thompson

Q. Mrs. Robinson, isn't it true that he was laid off from Brookley for disability?

A. Yeah, when he got hurt.

Q. And that he had not worked any after that?

A. Well, he went back several times and worked afterwards.

Q. Not working regularly though?

A. No.

Q. And he was unemployed the last time you knew of him?

A. Yes.

Q. Have the children at any time stayed with him during the separation?

A. Well, a couple of days.

Q. Stayed with him part of the time and you part of the time?

A. Well, they have been with me all the time except a couple of days.

Q. They are with you now?

A. They are.

Q. You consider, you are stating to the Court that you are a suitable and proper person for their custody?

A. I am.

Q. You are able to care for them and maintain them?

A. Well, I'll do the best I can.

Q. Did you state on direct examination that you were in fear of your life and health?

A. Well, he threatened me several times.

Q. Was that enough to make you scared of him?

A. Sure was.

Q. You are not letting the children run the streets like he had charged?

A. No.

Q. They are being supervised?

A. They are; they sure are.

Q. Who looks after them?

A. My mother.

Q. You would be willing for him to have the right to visit those children on occasions?

A. Well, if he doesn't take them off and I don't know about it.

ON RE DIRECT EXAMINATION

By Mr. Hall

Q. How many of these children are in school?

A. Three.

Q. Do you have any property?

A. No.

Q. Or any income?

A. No.

Q. Other than just day to day?

A. Just my-

Q. What are you doing now, Mrs. Robinson?

A. I work in a department store.

Q. And that is your only income?

A. That's right.

Q. Is your father financially independent? Does he have any property or money; and your Mother?

A. Well, they have property.

Q. But they don't have, they're not independent?

A. No.

Q. They're not able to work-

MR. THOMPSON: I object to that line of questioning.

MR. HALL: All right. Come down.

THE COURT: Did your husband ever own any property down there?

A. We did own some, but we sold it before he left.

Mr. W. M. Phillips, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Hall

Q. This is Mr. W. M. Phillips?

A. Yes sir.

Q. You are the father of Mrs. Robinson here?

A. Yes sir.

Q. Mr. Phillips, do you remember on or about the 16th of April, 1951, a difficulty between your daughter and Mr. Robinson?

A. Yes sir.

Q. Where did that happen?

A. There in my building.

Q. Where were you at the time?

A. I was just in a hall, it's not a hall, but a wall between.

Q. Just a wall between you?

A. That's right.

Q. Were you crippled at that time?

A. Yes.

Q. That's during the time your foot was broken?

A. Yes sir.

Q. Did you hear the difficulty between them?

A. Yes sir.

Q. What did you hear?

A. I <sup>just</sup> heard her scream a couple of times and ceased; knocked her out.

Q. Of course you didn't go in there; you couldn't?

A. No.

Q. Now, what properties do you have, Mr. Phillips?

MR. THOMPSON: I object to that.

MR. HALL: All right, I'll withdraw it.

Q. Your daughter here, does she have any property?

A. No.

Q. What is she doing?

A. She's working in a department store in Fairhope.

Q. Is that the only income she has?

A. Yes sir.

Q. These four children, where are they being kept?

A. Well, keep them in Robertsdale.

Q. That's at your house; with your wife?

A. Yes sir. We keep them while they went to school.

ON CROSS EXAMINATION

By Mr. Thompson

No question.

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I, Ora S. Nelson, Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that the above and foregoing is a true and correct transcript of the evidence given at a hearing of the above styled cause when the same was heard before Honorable Telfair J. Mashburn, Jr., Judge, on February 28, 1952.

Transcribed and filed on this the 28th day of February, 1952.

Ora S. Nelson  
Court Reporter

MARY RUTH ROBINSON

COMPLAINANT

VS

JAMES BRIDGES ROBINSON

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

#### DIVORCE DECREE

This cause coming on to be heard was submitted upon the pleadings as noted by the Register, and testimony of witnesses for the Complainant taken in open court, and the court after considering the matter is of the opinion that the Complainant is entitled to the relief prayed for.

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 Mary Ruth Robinson is forever divorced from the said James Bridges Robinson for and on account of Cruelty.

It is further ordered, adjudged and decreed, by the court, that the Complainant, Mary Ruth Robinson, be and she is hereby awarded the care, custody and control of the children, Gloria Jean Robinson, Betty Joyce Robinson, James Bridges Robinson Jr., and Leroy Gerald Robinson, subject to the right of visitation by the Respondent at Reasonable times.

It is further ordered, adjudged and decreed, by the court, that the Respondent pay to the Complainant toward the maintenance and support of the minor children, Gloria Jean Robinson, Betty Joyce Robinson, James Bridges Robinson Jr., and Leroy Gerald Robinson the sum of FIFTY (\$50.00) DOLLARS per month.

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 reddition 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 the payment of the cost of this suit.



It is further ordered that Mary Ruth Robinson the Complainant pay  
the cost herein to be taxed, for which execution may issue.

This 4<sup>th</sup> day of March, 1952.

Jessie G. Madalene, Jr.  
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 state cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 1952.

\_\_\_\_\_  
Register of Circuit Court, in Equity

2688

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MARY RUTH ROBINSON

COMPLAINANT

VS

JAMES BRIDGES ROBINSON

RESPONDENT

DIVORCE DECREE

**FILED**

*Feb 29* 1952

ALICE J. DUCK, Register

MARY RUTH ROBINSON  
COMPLAINANT  
VS  
JAMES BRIDGES ROBINSON  
RESPONDENT

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

DIVORCE DECREE

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It is further ordered, adjudged and decreed, by the Court, that the Complainant, Mary Ruth Robinson, be and she is hereby awarded the care, custody and control of the children, Gloria Jean Robinson, Betty Joyce Robinson, James Bridges Robinson Jr., and Leroy Gerald Robinson, subject to the right of visitation by the Respondent at Reasonable times.

It is further ordered, adjudged and decreed, by the court, that the Respondent pay to the Complainant toward the maintenance and support of the minor children, Gloria Jean Robinson, Betty Joyce Robinson, James Bridges Robinson, Jr., and Leroy Gerald Robinson the sum of FIFTY (\$50.00) DOLLARS per month.

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 the payment of the cost of this suit.

It is further ordered that Mary Ruth Robinson the Complainant pay the cost herein to be taxed, for which execution may issue.

This 4th day of March, 1952.

I, Alice J. Duck, 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 above stated cause, which said decree has been filed and enrolled in my office.  
WITNESS MY HAND AND SEAL THIS 10<sup>th</sup> day of June, 1952

/s/ Telfair J. Mashburn, Jr.  
Judge Circuit Court, in Equity

*Alice J. Duck*  
Register of Circuit Court, in Equity

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summons JAMES BRIDGES ROBINSON, 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 MARY RUTH ROBINSON, as Complainant and against James Bridges Robinson, as Respondent.

WITNESS, my hand this the 26<sup>th</sup> day of July, 1951.

David J. Leach  
Register

MARY RUTH ROBINSON

COMPLAINANT

VS

JAMES BRIDGES ROBINSON

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Mary Ruth Robinson, respectfully represents unto your Honor and this Honorable Court as follows:

1.

Your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

That your Complainant and the Respondent married at Ft. Lauderdale Florida, on April 7, 1942, and lived together as husband until April 16, 1951.

3.

That on to-wit, April 16, 1951, and on various occasions prior thereto, the Respondent threatened and abused your Complainant and did actual violence to her person by striking her and tearing her clothes which necessarily endangered her life and health; that the conduct of the Respondent was such as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do further violence to her person which would necessarily endanger her life and health.

4.

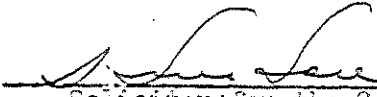
That there was born to the marriage between your Complainant and the Respondent four children, Gloria Jean Robinson, age 10, Betty Joyce Robinson, age 9, James Bridges Robinson Jr., age 6, and Leroy Gerald Robinson, age 5; That your Complainant, being the mother of said children is the suitable, fit and proper person to have their care, custody and control.

5.

That the Respondent is fully able and capable of assisting your Complainant in caring and providing for said minor children.

WHEREFORE, the premises considered, your Complainant prays that upon Honor will by proper process make the said James Bridges Robinson, party respondent to this bill of complaint 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; that this court will order a reference to determine a reasonable amount to be paid by the Respondent to your Complainant as alimony pendente lite.

Your Complainant prays that upon a final hearing hereof your Honor will award to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be awarded the custody of the four children, Gloria Jean Robinson, Betty Joyce Robinson, James Bridges Robinson, Jr., and Leroy Gerald Robinson; that she be awarded such amount as to the court shall seem just and proper as permanent alimony; that she be awarded such other, further, different or general relief as she may be in equity entitled to receive.

  
Solicitor for the Complainant

770 2688

Received in Sheriff's Office  
this 26 day of July, 1951  
TAYLOR WILKINS, Sheriff

Executed July 30, 1951  
By Serving Copy on  
James Bridges Robinson

MARY RUTH ROBINSON  
COMPLAINANT  
VS  
JAMES BRIDGES ROBINSON  
RESPONDENT

BILL OF COMPLAINT

Sheriff  
Taylor Wilkins  
By  
Edleigh Steadman

RECORDED

Respondent at  
Robert J. [unclear]  
FILED  
JUL 26 1951  
ALICE J. MUCK, Register

MARY RUTH ROBINSON  
COMPLAINANT

VS

JAMES BRIDGES ROBINSON  
RESPONDENT

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

TO HONORABLE THOMAS J. DASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Respondent in the above entitled cause and for answer  
to said complaint says:

1. As to count one the Respondent admits the allegations alleged therein.
2. As to count two the Respondent admits the allegations as to marriage but denies the allegations as to the date of separation alleged.
3. As to count three your Respondent denies the allegations alleged therein.
4. As to count four your Respondent admits the allegations as to the four children being fruits of the marriage of the parties of this cause; but neither admits nor denies the allegation therein as to the custody.
5. Your Respondent neither admits nor denies the allegations therein.

AND NOW HAVING FULLY ANSWERED the said Bill of Complaint of the said Mary Ruth Robinson, Complainant in the foregoing cause, your Respondent now prays that this answer be taken as his Cross-Bill of Complaint and your Cross-Complainant, James Bridges Robinson, makes as Cross-Respondent to this Cross-Bill, the said Mary Ruth Robinson, and your Cross-Complainant now shows unto this Honorable Court the following facts:

1. That your Cross-Complainant and the Cross-Respondent are both bona fide residents of Baldwin County, Alabama, and have been more than two years next preceding; and are over the age of twenty-one years.
2. That your Cross-Complainant and the Cross-Respondent were married in Ft. Lauderdale, Florida, on April 7, 1941, and lived together as husband and wife until on to-wit July 19, 1951, at which time, your Cross-Complainant moved from the home of the parties hereto to other quarters, and from which time, they have no longer lived as man and wife.
3. That there was born between the marriage of your Cross-Complainant and the Cross-Respondent, four children, to-wit: Gloria Jean

Robinson, age 10, Betty Joyce Robinson, age 9, James Bridges Robinson Jr., age 6, and Leory Gerald Robinson, age 5; that three of said children are in the care, custody and control of your Cross-Complainant, and one is in the care, custody and control of your Cross-Respondent.

4. That the Cross-Respondent does not have custody and control of three of said children since she has returned these children to your Cross-Complainant's care, custody and control and that she sent them back to your Cross-Complainant without a change of clothes or any of their personal possessions; and that she has treated said children in a most unnatural manner, neglecting them and leaving them in care of other persons and that the said children have not been looked after but have been allowed to roam the streets of Robertsdale without supervision and that your Cross-Complainant has been denied the right to come on the place where the children are kept.

5. That your Cross-Complainant, James Bridges Robinson, is a fit, suitable and proper person to have the care, custody and control of said minor children and is ready and anxious to provide them with a proper home and care.

WHEREFORE THE FOREGOING PREMISES CONSIDERED, Cross-Complainant prays:

1. That this be taken as the Cross Bill of your Cross-Complainant and that this Honorable Court, by proper process will make the said Mary Ruth Robinson, Cross-Respondent hereto, requiring her to plead, answer or demur to the same within the time prescribed by law and the practice of this Honorable Court.

Your Cross-Complainant further prays that upon final hearing hereof your Honor will grant to him an absolute divorce forever barring the bonds of matrimony existing between your Cross-Complainant and the Cross-Respondent.

Cross-Complainant further prays that this Honorable Court will award to him the care, custody and control of the minor children, Gloria Jean Robinson, age 10, Betty Joyce Robinson, age 9, James Bridges Robinson Jr., age 6, Leory Gerald Robinson, age 5; and your Cross-Complainant prays for such other further or general relief to which he may be entitled, in equity and good conscience, and that he be discharged henceforth, free of cost.

  
Solicitor for Respondent-Cross Complainant.



2688

MARY RUTH ROBINSON

COMPLAINANT

VS

JAMES BRIDGES ROBINSON

RESPONDENT

ANSWER AND CROSS BILL

FILED

AUG 14 1951

ALICE J. DUCK, Register

FROM THE LAW OFFICES OF  
C. LENOIR THOMPSON  
BAY MINETTE, ALABAMA

RECORDED