3341

CORRINE BROOKS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN W. BROOKS,	)	IN EQUITY
Respondent.	)	

DIVORCE DECREE

This cause coming on to be heard was submitted upon the Bill of Complaint, the Answer and Waiver of the Respondent, and the Testimony as noted by the Register, and upon due consideration thereof the Court is of the opinion that the Complainant is entitled to the relief prayed for in said Bill of Complaint.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby, dissolved, and that the said Corrine Brooks is forever divorced from the said John W. Brooks for and on account of adultery.

It is further ORDERED, ADJUDGED and DECREED by the Court that the said Corrine Brooks be, and she hereby is, awarded the full and complete care, custody and control of Margaret Ann Brooks and Carolyn Nan Brooks, the minor children born of the marriage of the Complainant and the Respondent.

It is further ORDERED, ADJUDGED and DECREED by the Court that the Respondent be, and he hereby is, required to pay to the Complainant as support for the said minor children a sum equal to the amount to which the said minor children would be entitled to under the Dependents Assistance Act of 1950, as amended, as long as the Respondent remains in the Armed Forces of the United States of America or as long as he is entitled to claim the benefits of the provisions of said Act and that in the event the Respondent is separated from Service in the Armed Forces of the United States of America and is no longer entitled to claim the benefits of the provisions of said Act, then, in that event, the Respondent is hereby required to pay to the Complainant for the support of said minor

children, as long as they are dependent upon the Complainant for support, the sum of Eighty Dollars ($80.00) 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 Corrine Brooks, the Complainant , pay the cost herein to be taxes, for which execution may issue.

This 1st day of September, 1954.

Hubert M Hale
Judge, Circuit Court, In Equity.

CORRINE BROOKS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN W. BROOKS,	)	IN EQUITY.
Respondent.	)	

ANSWER AND WAIVER

Comes now the Respondent, John W. Brooks, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Bill of Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does hereby consent that the same may be submitted and testimony taken without further notice to him.

John W Brooks
John W. Brooks

Sworn to and subscribed
before me this 14th day of
JUNE, 1954.

Charles A Kandel 1ST LT. ORD Corps
A Commissioned Officer of the Armed
Forces of the United States of America.
Summary Court Officer

FILED
9-1-54
ALICE J. DUCK, Register

CORRINE BROOKS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
JOHN W. BROOKS,	)	IN EQUITY
Respondent.	)	

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

Comes your Complainant, the undersigned Corrine Brooks, and respectfully represents and shows unto your Honor and unto this Court as follows:

FIRST:

That she is over the age of twenty-one years and a resident citizen of the State of Alabama, her more particular address being, Box 215, Loxley, Alabama, and that she has resided in the State of Alabama for more than one year next preceding the filing of this Bill of Complaint. That the Respondent, John W. Brooks, is a resident of the State of Alabama, but he is presently a member of the Armed Forces of the United States of America and is stationed in France, his more particular address being, 547 Ordnance Field Maintenance Company, APO 217, c/o Postmaster, New York, New York.

SECOND:

That your Complainant and the Respondent were married on January 9, 1942, in Pensacola, Florida, and lived together as man and wife until, to-wit, September, 1951, when the Respondent was sent overseas as a member of the Armed Forces.

THIRD:

That there were born to your Complainant and the Respondent two children: Margaret Ann Brooks, who is presently seven years of age and Carolyn Nan Brooks, who is presently five years of age. That your Complainant is a fit and proper person to have the care, custody and control of said minor children and the Respondent is not a fit and proper person to have such care, custody and control.

FOURTH:

That the Respondent since he has been stationed in Europe has committed numerous acts of adultery with one Vilma Suber and, in particular, did commit adultery with the said Vilma Suber in and during, to-wit; the month of March, 1953; none of such acts of adultery have been condoned by your Complainant.

FIFTH:

That your Complainant is presently employed but her wages are not sufficient to provide the adequate and proper means for the support, maintenance and education of her two said minor children and the Respondent is employed by the United States Army and is able to provide the necessary means for the support and education of the said children.

PRAYER FOR PROCESS

The premises considered, your Complainant respectfully prays that your Honor will cause the usual writ of process to be issued out of this Honorable Court directed to the said Respondent and requiring him to plead, answer or demur to this Bill of Complaint within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

The premises considered your Complainant respectfully prays that on a final hearing of this cause that your Honor will enter an order or decree forever dissolving the bonds of matrimony which have heretofore existed between your Complainant and the Respondent and grant to her an absolute divorce from said Respondent. Your Complainant further prays that in and by the terms of said decree your Honor will award to your Complainant the complete care, custody and control of the said Margaret Ann Brooks and Carolyn Nan Brooks, the minor children of said parties and will by said decree, require the Respondent to pay to your Complainant as support for the said minor children a sum equal to the amount to which the said minor children would be entitled under the Dependents Assistance Act of 1950, as amended, as long as the Respondent remains in the Armed Forces of the United States of America or as long as he is entitled to claim the benefit of the provisions of said Act and that in the event the Respondent is separated from service in the Armed Forces of the United States and is no longer entitled to claim the benefit of the provisions of said Act, then, that the Respondent be required to pay

to the Complainant for the support of said minor children the sum of Eighty Dollars ($80.00) a month. And your Complainant prays for such other and different orders and decrees as in the premises will be meet and proper.

Corrine Brooks
Complainant

CHASON & STONE

By: Marborne C. Stone, Jr.
Attorneys for Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Marborne C. Stone, Jr., a Notary Public, in and for said County in said State, personally appeared Corrine Brooks, who is known to me and who, after being by me first duly and legally sworn, did depose and say under oath as follows:

That her name is Corrine Brooks and that she is one and the same person as the Complainant in the foregoing Complaint and that her name is signed thereto as such. That the facts alleged in the foregoing Complaint are true and correct.

Dated this 1ST day of September, 1954.

Corrine Brooks
Corrine Brooks

Sworn to and subscribed
before me this 1ST day
of September, 1954.

Marborne C. Stone, Jr.
Notary Public, Baldwin County, Ala.

FILED
9-1-54
ALICE J. BECK, Register

ORAL DEPOSITION

Printed by Moore Printing Co.

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

CORRINE BROOKS Complainant

VS.

JOHN W. BROOKS Respondent

I, Louise Dusenbury

~~xxRxxxxxxxx~~ Commissioner

have called and caused to come before me Corrine Brooks, Mrs. Bama Fuqua ~~and~~

~~Ruth Goodwin~~

witness~~es~~ named in the Requirement for Oral Examination, on the 1st day of September 1954, at the office of the Court Reporter, Baldwin County, Alabama, in Bay Minette, Alabama, and having first sworn said Witness~~es~~ to speak the truth, the whole truth, and nothing but the truth, the said witnesses did ~~xxx~~ depose and say as follows:

SEE ATTACHED TRANSCRIPT OF EVIDENCE

SIGNED BY TESTIFYING WITNESSES

ORAL EXAMINATION

I, Louise Dusenbury, ~~as Register and~~ Commissioner, hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Norborne C. Stone, Jr.

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 witnesses; 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 1st day of September, 1954.

Louise Dusenbury (L. S.)
Louise Dusenbury

No. ..... Page .....

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

CORRINE BROOKS

vs. Complainant

JOHN W. BROOKS

Respondent

Oral Deposition

Filed September, 1954

Register

Recorded in

Record

Vol. ..... Page .....

Register

CORRINE BROOKS, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Stone.

Q. Is this Corrine Brooks?

A. That is right.

Q. Corrine, are you the complainant in this case?

A. Yes, sir.

Q/ Do you live in Lozley, Alabama?

A. Yes, sir.

Q. How long have you lived in Lozley?

A. About 14 years.

Q. Is John W. Brooks your husband?

A. Yes, sir.

Q. And is he a resident of the State of Alabama?

A. Yes, sir.

Q. Where is he now?

A He is over-seas in Paris, France.

Q. He is in the armed forces of the United States?

A. Yes, sir.

Q. Now when were you and John married?

A. January 9, 1942.

Q. Did you all live together as man and wife after that?

a. Yes, sir.

Q. When were you separated?

A. I don't remember the exact date.

Q. Were you separated around September 19, 19 51 when he was sent over-seas?

A. Yes, sir.

Q. Do you have any children?

A. Yes, Margaret Ann and Carolyn Nan.

Q. How old is Margaret Ann?

A. Seven.

Q. How old is Carolyn Nan?

A. Six.

Q. Is your husband, John W. Brooks, a fit and proper person to have th custody of those children?

A. No, sir.

Q. Do you have a home in Loxley?

A. Yes, sir.

Q. You maintain this home and those children live in that home with you?

A. Yes, sir.

Q. Since your husband has been stationed in Europe in the Armed service, Mrs. Brooks, have you received correspondence from one, Vilma Suber?

A. Yes, sir.

Q. In that correspondence did she state she had been living with your husband?

A. Yes, sir.

Q. Did you receive a letter from her around March of 1953?

a. Yes, sir.

Q. Which indicated that?

A. Yes, sir

Q. Did it conclusively state that?

A. Yes, sir.

Q. You have not lived with your husband since that time?

a. No.

Q. Is your present income sufficient for you to maintain and support and educate these children?

a. No.

Q. Your husband is in the United State Army?

A. That is right.

Q. Is he a member of the Armed forces, and as such entitled to an allotment in /the name of these children?

A. Yes, sir.

Corine Brooks

MRS. BAMA FUQUA, BEING FIRST DULY SWORN, TESTIFIED AS FOLLOWS:

Examination by Mr. Stone.

Q. You are Mrs. Bama Fuqua?
A. Yes, sir.
Q. Mrs. Fuqua, are you the mother of Corrine Brooks?

A. I am.

Q. Your daughter is presently married to John W. Brooks, is that correct?

A. Yes, sir.

Q. Were they married on January 9, 1942?

a. Yes, sir.

Q. Do you remember where they were married?

A. Pensacola, Florida in the Court house.

q. They have not lived together for the past year or so, have they ?

A. No, sir.

Q. They had two children?

A. Yes, sir.

Q. Where does Corrine live now?

A. In her home.

Q. In Loxley?

A. Yes, sir.

Q. Is that in Baldwin County, Alabama?

a. Yes, sir, right next door to me.

Q. Are those two children living with her?

A. Yes, sir.

Q. Your daughter is a fit and proper person to have these children?

A. Certainly.

Q. John Brook is not a fit and proper person to have them?

A. No, sir.

Q. John ks in the armed services?

A. Yes, sir.

Q. Was John living in Alabama when he wax sent over-seas?

A. Yes, sir.

Q. They were sidents of Alabama when he was sent over-seas?

A. Yes, sir.

Witness: Louise Duesenberry
Marbourne P. Stone, Jr.

Her
+
Mrs. Bama Fuqua
Mark

8531. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

CORRINE BROOKS,

Complainant,

vs.

JOHN W. BROOKS,

Respondent.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Answer and Waiver of the Respondent, Demand for Oral Examination, Commission to Louise Dusenbury to Take Depositions and Oral Depositions of Corrine Brooks, Mrs. Bama Fuqua and Ruth Goodwin as reduced to writing by the Commissioner and signed by the witnesses testifying

and in behalf of Defendant upon Answer and Waiver

CHASON & STONE

By: Marlowe Stone
Solicitors for Complainant

Register.

Corrine Brooks
Complainant
vs.
John W. Brooks
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay Minette, in the County of Baldwin Alabama, the place of trial of said cause, to-wit: Corrine Brooks, Bama Fugua and Ruth Goodwin

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

CHASON & STONE
By: Marlorne O. Stone
Solicitor for Complainant

NOTE:

Complainant suggests the name of Louise Dusenbury as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Marlorne O. Stone
Solicitor for Complainant.

5341

DEMAND FOR ORAL EXAMINATION

Corrine Brooks
Complainant

vs.

John W. Brooks
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this 1st day of September

1954

[illegible] Register

Moore Printing Co.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: LOUISE DUSENBURY, Bay Minette, Alabama

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 Corrine Brooks, Mrs. Bama Fuqua and Ruth Goodwin

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

, Complainant

and John W. Brooks is

Respondent

on oath, to be by you administered, upon said witnesses to take and certify the depositions of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1st day of September, 1954.

Register.

Commissioner's Fee, $

Witness' Fees, $

No. 3341

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CORRINE BROOKS

Complainant—

vs.

JOHN W. BROOKS

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Louise Dusenbury

WITNESSES:

Corrine Brooks

Mrs. Bama Fuqua

~~EMIXX~~ Ruth Goodwin

3341

CORRINE BROOKS	◊	IN THE CIRCUIT COURT OF
COMPLAINANT	◊	BALDWIN COUNTY, ALABAMA,
VS	◊	IN EQUITY
JOHN W. BROOKS,	◊	
RESPONDENT	◊	

PETITION FOR MODIFICATION OF DIVORCE DECREE

Comes now your Petitioner, Corrine Brooks, and shows unto the Court as follows:

1.

That she and the Respondent are each over the age of twenty-one years.

2.

That Corrine Brooks is a resident citizen of Loxley, Baldwin County, Alabama, and has been for the past three years; that the Respondent is a bona fide resident citizen of Baldwin County, Alabama, and is presently in service, that his address is now 51st C.M.I. Co., Smk Genr., Ft. McClellan, Alabama.

3.

That the Complainant was divorced from the Respondent in the Circuit Court of Baldwin County, Alabama, on the 1st day of September, 1954, that since the time of this divorce she has married again and is now Mrs. Corrine Brooks Wilsey.

4.

That since the time of her divorce the petitioner has become financially able to support herself and her minor children.

WHEREFORE, the premises considered, the petitioner prays that your Honor will by proper process make the said John W. Brooks 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.

Your Petitioner prays and respectfully requests the court to modify the Divorce decree rendered on the 1st day of September, 1954, insofar as it pertains to support and maintenance for their minor children by

striking this portion of the decree therefrom and by disallowing any support and maintenance in said modified decree; Petitioner prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

James L. Hedrick
Solicitor for the Petitioner

3341 A

John W. Brooks

vs.

Corinne Brooks

Petition

SUMMONS Form 1531-3 McQuiddy Printing Co., Nashville, Tenn.

The State of Alabama, ... County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon John W. Brooks

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State by Corinne Brooks

against John W. Brooks

Herein fail not. Due return make of this writ as the law directs.

Witness this 9 day of Nov, 1955

Alice Hewack, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

CORRINE BROOKS,	)	IN THE CIRCUIT COURT
Complainant	)	OF
-vs-	)	BALDWIN COUNTY, ALABAMA
JOHN W. BROOKS,	)	IN
Respondent	)	EQUITY

Comes the Respondent, JOHN W. BROOKS and for his answer to the Petiton filed in above styled cause, Nov. 9, 1955 says:

He denies each and every allegations in said petition and demands strict proof thereof.

This 1st day of December, 1955.

John W. Brooks

John W. Brooks

3341

3341 A.

RECEIPT FOR REGISTERED ARTICLE No. 150

Fee paid 40

11-9, 19 55
(Date)

Class postage paid 1

Return receipt fee 07

Declared value, $ 1.00

Special delivery fee

Surcharge paid, $

Restricted delivery (Accepting employee will place initials in proper space)
in person 20
or order
Fee paid

From Alice J. Deck, Clk
(Sender)
PO Box
(Street and number) (Post office and State)

Addressed to John W. Brooks
(Addressee)
51st Cir. Ct. Smith Hour H Mullen
(Street and number) (Post office and State)

GPO c9—16—12665-5

Postmaster, per [illegible]

POSTMARK
CLAY MINETTE
NOV 9 1955
ALA.

3341 A

DELIVERING EMPLOYEE

☐ Deliver ONLY to addressee

☐ Show address where delivered

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this return receipt.

1 John W Brooks
(Signature or name of addressee)

2 Deliver to Addressee Only
(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery ....., *19*....

Form 3811
Rev. 4-54

U. S. GOVERNMENT PRINTING OFFICE 16—12421-3

ANNISTON, ALA. NOV 14 1955 FORT McCLELLAN BR.

FILED NOV 1 1955 ALICE L. McGEHEE, Clerk

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, $300
(GPO)

POSTMARK OF DELIVERING OFFICE

FORT McCLELLAN
NOV 14
1230PM
1955

Return to Alice French, Register
(NAME OF SENDER)

Street and Number, or Post Office Box, Box 239

REGISTERED ARTICLE

No. 150

Post Office Bay Minette

INSURED PARCEL

No.

State Ala.

16—12421