

JOHN WILLIAM BREWTON,	*	IN THE CIRCUIT COURT OF
Complainant,	*	BALDWIN COUNTY, ALABAMA.
vs	*	IN EQUITY.
MABEL BREWTON,	*	NO. 2691
Respondent.	*	

This cause coming on to be heard is submitted for decree on the bill of complaint, the other pleadings and evidence as noted by the Register, and the evidence taken orally in open court; and the matter having been fully considered, the Court is of the opinion that the complainant is entitled to the relief prayed for. It is therefore ORDERED, ADJUDGED and DECREED that the bonds of matrimony heretofore existing between the complainant and respondent be, and the same are henceforth dissolved and annulled.

It is further ordered, adjudged and decreed that the respondent shall have custody of Geraldine Annette Brewton, the minor child born of the marriage between the parties, subject however to the right on the part of the complainant to see and visit said Geraldine Annette Brewton at reasonable times and to have the said Geraldine Annette Brewton visit with the complainant on weekends and other reasonable occasions.

It is further ordered, adjudged and decreed that the complainant pay to the respondent as maintenance and support for the minor child born of the marriage between the parties, namely Geraldine Annette Brewton, the sum of \$25.00 per month, the first of said payments to begin on the 1st day of November, 1952; the said payments to be made not later than the 10th day of each calendar month until the further orders of this court.

It is further ordered, adjudged and decreed that the parties hereto may and they are hereby allowed to again contract marriage but in no event before the expiration of sixty days from the date of this decree.

This Court hereby reserves jurisdiction of this cause for the purpose of enforcing the orders herein made or modifying them as further developments may justify.

It is further ordered that the complainant pay the costs herein incurred for which let execution issue.

DONE in term time this 20th day of October, 1952.

Jeffrey G. Mathews Jr.
JUDGE

LAW OFFICES OF
D. R. COLEY, JR.

302-6 FIRST FEDERAL SAVINGS BUILDING

106 ST. JOSEPH STREET

MOBILE, ALABAMA

SYDNEY S. PFLEGER
CHRIS C. DELANEY

November 15, 1952

Mrs. Alice J. Duck
Clerk Circuit Court
Baldwin County, Alabama
Bay Minette, Alabama

Re: John William Brewton
Vs: Mabel Brewton
Divorce

Dear Mrs. Duck:

I have your note of November 13 regarding the above case and in accordance with your suggestion, I hand you herewith copy of the decree. It will be appreciated if you will enter your verification and return the same.

Thanking you for your courtesy, I am

Very truly yours,


Chris C. De Laney

CD/ft
Enc.

SYDNEY S PFLEGER
CHRIS C. DE LANEY

LAW OFFICES OF
D. R. COLEY, JR.
302-6 FIRST FEDERAL SAVINGS BUILDING
106 ST. JOSEPH STREET
MOBILE 12, ALABAMA

September 13, 1951

Mrs. Alice J. Duck,
Clerk, Chancery Court,
Baldwin County,
Bay Minette, Alabama.

Dear Mrs. Duck:

Re: Brewton vs. Brewton

Enclosed herewith you will find Non-military
affidavit and motion in the above styled cause.

It will be appreciated if you will file the
same and enter a decree pro confesso on the record,
and advise.

With kind personal regards, I am

Very truly yours,

D.R. Coley, Jr.
D.R. Coley, Jr.

C/D

CIRCUIT COURT COMPLAINT

Printed By Baldwin Times, Bay Minette, Ala.

John William Brewton
Complainant,
Vs. Mabel Brewton
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

Mabel Brewton

by the Sheriff of Baldwin County, on the 7th day of Aug,
1961.

And it further appears to the Register, that the said _____

Mabel Brewton

_____, the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of W. R. Coley Jr. Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said _____

Mabel Brewton

This 14th day of Sept, 1961.

Adrian J. Ruck
Register.

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

Comes John William Brewton and by this his
bill of complaint against Mabel Brewton, respectfully
shows unto the Court as follows:

O N E

That both he and the Respondent are over the age
of 21 years, and are both bona fide resident citizens of
the State of Alabama and have so been for more than one
year immediately next preceding the filing of this bill of
complaint; that your complainant resides in Baldwin
County, Alabama and the Respondent resides in Mobile County,
Alabama.

T W O

That he and Respondent were lawfully married on,
to-wit, October 8th, 1945, at Lucedale, Mississippi, and
lived together thereafter as husband and wife, until, to-
wit, March 1st, 1950, at which time the Respondent, without
any just cause or excuse whatsoever voluntarily abandoned
his bed and board; that said abandonment has been absolute,
continuous and voluntary from that time to the present
time and for more than one year immediately next preceding
the filing of the bill of complaint in this cause.

T H R E E

Complainant further shows that there was born of
his marriage with Respondent one child, viz: Geraldine

Annette Brewton, 5 years of age; who is now in the custody of your respondent. Complainant says and shows that your Respondent is not a fit and proper person to have the custody of said child and that your complainant is a fit and proper person to have the custody of said minor child.

WHEREFORE, the premises considered, Complainant prays that Mabel Brewton be made Defendant to this bill and by appropriate process required to answer same within the time prescribed by law and obey such orders and decrees as may be made in the premises.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing him from the said Mabel Brewton, granting him the custody of their minor child, the right to marry again should he so desire, together with such other, further or different relief as may appear proper in the premises.


D. R. COLEY, JR.,
SOLICITOR FOR COMPLAINANT

Respondent's Address:

Bay Shore Avenue,
Crichton, Alabama.

JOHN WILLIAM BREWTON, * IN THE CIRCUIT COURT OF
 Complainant, * BALDWIN COUNTY, ALABAMA.
 vs * IN EQUITY.
MABEL BREWTON, * NO. 2691
 Respondent. *

Comes the complainant and cross-respondent and for answer to the cross-bill herein, says:

1. He admits the allegations of Paragraph One of the cross-bill as to the names, ages and residence of the parties, but denies that the respondent and cross-complainant is a fit and proper person to be granted the custody and control of the child born of the marriage and on the contrary says that she is not, and that it will be to the best interests of said child that the custody be awarded to him.

2. He denies the allegations of Paragraph Two of the cross-bill. He further states that he has never at any time committed any actual violence upon the person of the respondent and cross-complainant at any time.



SOLICITOR FOR COMPLAINANT AND
CROSS RESPONDENT

Copy mailed to William Grayson, solicitor for Mabel Brewton.

RECORDED

Filed 9-24-52
Arcis J. Lynch
Register

SUMMONS AND COMPLAINT

CIRCUIT COURT, BALDWIN COUNTY

THE STATE OF ALABAMA,

BALDWIN COUNTY

No. 2691

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon MABEL BREWTONto 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, againstMABEL BREWTON

Defendant

by

JOHN WILLIAM BREWTON

Plaintiff.....

Witness my hand this 31st day of July 1951Alice J. Smith, Clerk

2691

Page

120

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

JOHN WILLIAM BREWTON

Plaintiffs

vs.

MABEL BREWTON

Defendants

SUMMONS and COMPLAINT

Filed 31st of July, 1951

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

July 31, 1951

Sheriff

I have executed this summons

this Aug 7, 1951

by leaving a copy with

Mabel Brewton

Sheriff

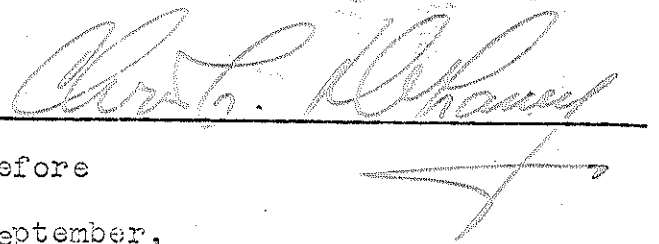
Deputy Sheriff

JOHN WILLIAM BREWTON,
Complainant ,
vs.
MABEL BREWTON,
Defendant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY - No. 2691

STATE OF ALABAMA,
COUNTY OF MOBILE.

Before me, the undersigned authority, personally appeared this day CHRIS C. De LANEY, who, being by me first duly sworn, deposes and says that he is personally acquainted with Mabel Brewton, the Defendant in the above entitled cause; that the said Mabel Brewton is over the age of 21 years; that he sees her frequently on the streets of the City of Mobile, Alabama, saw her before the suit herein was filed, and during the pendency of said cause, and knows of his own personal knowledge that she is not now, was not at the time the bill of complaint was filed, and has not been at any time intervening, in the Military Service of the United States.



Subscribed and sworn to before
me this the 13th day of September,
1951.


NOTARY PUBLIC, MOBILE COUNTY, ALABAMA.

RECORDED

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA.

IN EQUITY - No. 2691

JOHN WILLIAM BREWTON,
Complainant,

vs.

MABEL BREWTON,
Defendant.

AFFIDAVIT AS TO NON-MILITARY
SERVICE OF DEFENDANT

FILED
SEP 14 1951

ALICE J. DUCK, Register

D. R. COLEY, JR.,
SOLICITOR FOR COMPLAINANT

LAW OFFICES OF
D. R. COLEY, JR.

302-6 FIRST FEDERAL SAVINGS BUILDING

106 ST JOSEPH STREET

MOBILE 12, ALABAMA

SYDNEY S. PFLEGER
CHRIS C. DELANEY

July 27, 1951

Clerk, Circuit Court,
Baldwin County,
Bay Minette, Alabama.

RE: John William Brewton vs.
Mabel Brewton.

Dear Madam:

Enclosed herewith is bill of complaint in
the above styled cause.

Please file and acknowledge same.

Thanking you in advance for your courtesy,

I am

Very truly yours,



D. R. Coley, Jr.

C/jd
Encl: 1

26 91

John William Brewster

vs.

Mabel Brewster

divorce

Filed 7-31-51

1 sum & court
del to sher

A. P. Colby Jr.

MABEL BREWTON,
Defe

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA.
IN EQUITY - No. 2691

Comes now the Complainant herein, and respectfully shows unto the Court that service of the complaint herein has been had on the Defendant for more than thirty days, and that no appearance, answer or other pleading has been filed by her herein; that as appears from the affidavit filed herewith in the cause, the Defendant is not in the military service of the United States and has not been in the military service of the United States at any time during the pendency of these proceedings.

WHEREAS, the Complainant prays that a decree pro confesso be entered herein against the Defendant.

SOLICITOR FOR COMPLAINANT

JOHN WILLIAM BREWTON,
Complainant,
VS.
MABEL BREWTON,
Respondent.

Testimony 350

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2691.

TESTIMONY TAKEN ON OCTOBER 2, 1951

APPEARED: For Complainant,

Hon. Chris C. DeLaney

Mr. John William Brewton, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION
By Mr. DeLaney

Q. What is your name, please sir?

A. J. W. Brewton; John William.

Q. John William Brewton?

A. Yes sir.

Q. Are you the Complainant in this case? In other words, you are bringing this suit?

A. Yes sir.

Q. Where do you live, Mr. Brewton?

A. Robertsdale.

Q. You a resident of Baldwin County?

A. Yes sir.

Q. How long have you been living in the State of Alabama?

A. All my life; thirty-one years.

Q. Now, your wife's name is Mabel Brewton?

A. Yes sir.

Q. She is the Respondent in this case?

A. Yes sir.

Q. Where does she live?

A. She lives in Mobile.

Q. She is living in Mobile at the present time?

A. Now.

Q. She is living there now?

A. Yes sir.

Q. Now, Mr. Brewton, you were married on October 18, 1945, is that right?

A. Yes sir.

Q. Now, did you live together as man and wife?

A. Yes sir.

Q. How long did you so live together?

A. We stayed together until 1950. She left me.

Q. Stayed together until 1950; what part of 1950? Spring of 1950?

A. It was the spring of the year.

Q. Spring of 1950? Now, where did you live during that time?

A. We lived part of the time in Mobile County and then we moved to Robertsdale; that was in the fall of the year.

Q. Were you living here in Baldwin County at the time of the separation?

A. Yes sir.

Q. Now, just tell the Court what happened; the reason for the separation?

A. Well, I don't know. She got to where she wouldn't cook me nothing to eat; thowed the mattress off the bed; made me sleep on the springs. I slept on the springs three weeks and to show her I could do it. I got up and went to work every morning without any breakfast; only one meal a day.

Q. Now then, did you do anything to her; did you hit her or abuse her?

A. No sir.

Q. When did she leave?

A. Well, I don't know.

Q. What was the occasion for the separation when you separated?

A. It was along over in the evening when she left. Tucker Still, in Robertsdale, moved her to Mobile; moved her to Crichton.

Q. Did you have an argument that morning?

A. She got the gun; she got the gun and was going to shoot me.

Q. No wait a minute; the day that you separated she got the gun; the day she left?

A. Yeah.

Q. Well, what happened about that?

A. Well, she got the gun and she was going to shoot me that morning before I left to go to work.

Q. That morning she got a gun?

A. That's right.

Q. What kind of gun?

A. Four hundred and ten.

Q. What was the reason for that?

A. I don't know.

Q. Well, what did she tell you?

A. That she was going to shoot me and my oldest brother too.

Q. She tell you to leave or anything like that?

A. No, she never did tell me to leave. She always said she was going to quit me.

Q. Any reason for it at all?

A. Not a bit in the world.

Q. Did you take care of her?

A. Yes sir, I bought groceries all time, every week, at Walter Hammond's.

Q. Where did you buy groceries?

A. At Walter Hammond's.

Q. Did she go with you to buy those groceries?

A. On Saturdays she did.

Q. Went every week?

A. Went every week. I could bring groceries in every night and there wouldn't be nothing there in the morning for breakfast; wouldn't be nothing cooked.

Q. She say anything about why she was going to leave?

A. No; she never did give me no reason.

Q. She tell you that morning when you went to work that she was going to leave?

A. No, she never told me; she run me off.

Q. What do you mean, run you off; with a gun?

A. Yes sir.

Q. That morning?

A. Yes sir.

Q. That afternoon when you came home was she gone?

A. She was gone that evening.

THE COURT: When was that?

A. That was the day she left, in March, 1950.

Q. Have you lived together as man and wife since that time?

A. No sir, I haven't seen her only the time we went to Court. She come to Bay Minette and got a warrant for me up here.

Q. What happened to that?

A. I went to Judge Hand's. She got a warrant up here for assault and battery. When trial day come up well, I come on up here and she caught the mail bus. My brother, he brought me up here and so we come on up here and she didn't come. She called up and said that she'd come on the mail bus so we waited till it was after dinner and Judge Hand had the case and he went and eat dinner and come back and when he come back she was there and he started the case and she had the warrant for assault and battery; that I'd assault and battered with her.

Q. Well, what happened about the case?

A. Well, she brings the two girls up here-

Q. Did they convict you or let you go, or what?

A. They let me go.

Q. Well now, was that after she left you?

A. No, that was before; the next day she left me.

Q. Now, did she make any statement, or any threats about going to have you arrested, or was going to kill you, have you arrested in Mobile?

A. She told Judge Hand if you can't do nothing with him; says I'll go to Mobile.

Q. There was a case in Mobile, was there not?

A. Yes.

Q. Brought you in Court over there? What was the results of that case?

A. I don't just remembär; been so long now.

Q. Were you convicted?

A. No sir.

- Q. Now, there was one child born in the marriage between you and Mabel, was there not?
- A. Yes sir.
- Q. What was the name of the child?
- A. Geraldine.
- Q. How old is Geraldine?
- A. She was six years old the fifteenth of June, this year.
- Q. Where does she live?
- A. She's with her mother.
- Q. With Mabel Brewton in Mobile?
- A. Yes sir.
- Q. Is that the only child born to you and Mabel?
- A. Yes sir.
- Q. Now, did Mabel have any other children?
- A. She had three before I married her, two girls and a boy.
- Q. Has she had any children since that time?
- A. Her neighbors told me she did.
- Q. You don't know?
- A. I aint seen her.
- Q. You know where she's living, who she's living with at this time?
- A. No sir. Only time I've seen her since we quit was in Court.
- Q. Now, have you tried to see your child?
- A. Yes sir.
- Q. What attempts have you made?
- A. After we separated I went to see her and she wouldn't let me see her and she told me the next time I come back she was going to kill me.
- Q. That was after the separation?
- A. Yeah. That was after we separated.
- Q. She ever come back to you, talk to you?
- A. No sir.
- Q. You ever ask her to come back?
- A. No sir, only time I've seen her was in Court.
- Q. Now, would she talk to you when you would go to see the child?
- A. I don't never see her.
- Q. You say you went after you separated?
- A. Yeah, but she wouldn't let me see the kid; that was shortly

after we separated; that was when she lived at Crichton.

Are

Q. /You willing to take care of your child?

A. Yes sir.

Q. Have you tried to?

A. Well, I wanted to but she wont; see, she made her brags that she was going to quit me and she was going to make me support her through Court, but she wasn't going to let me see the baby and she was going to tell the baby that some other man was giving her the money. I wouldn't get credit for it neither way.

Q. Now, Mr. Brewton, how long have you been working; do you work regularly?

A. Yes sir.

Q. You always worked regular?

A. I'm plowing 450 acres this year, working with Howard Vaughn, Robertsdale.

Q. Are you on a salary or do you just get part of the crop?

A. I get part of the crop. Well, we started off, I was on salary. I had some machinery, I put my machinery with his machinery and his boy got burnt and so it took what he had to pay the boy's expenses.

Q. You don't make a regular salary?

A. No. So I took the salary off on my own accord. I'm not on no salary.

Q. You say again you know of no reason why your wife left you?

A. No sir.

Q. You haven't lived together as man and wife since March, 1950?

Or two years and a half?

A. No sir.

THE COURT: Have you sent your child support, any money since your wife left you?

A. No sir.

THE COURT: Well, how much do you think would be reasonable amount for you to send the child each week; how much can you afford to send?

A. Well, I'd love to do something for the kid; being that she is going to school, I would love to see that she's got plenty of

clothes, plenty of shoes and something to eat and plenty of something in school.

THE COURT: I say, how much do you think is right? Here's the thing; I don't feel inclined to give you the right to visit the child which I can do, in this order, unless I am also at the same time making you pay something to support the child in bringing it up and I want to know what you think you can reasonably pay. You know if I order you; order her to let you see the child at reasonable intervals and let you; her visit you occasionally, I got to order you to help pay some of the expenses in rearing that child.

A. Well, like I say, I'd love to but I'd love to give it to the child.

MR. DeLANEY: Well, you're going to be in the position, Mr. Brewton, where you can't give it to the child. In other words, I realize the situation-

THE COURT: You didn't answer the question. How much do you think you could pay to support the child; ten dollars a week?

A. I don't know where I could pay that much or not.

THE COURT: Well, that isn't very much, but regular, every week; how much can you pay?

A. If I was making a regular salary it would be all right.

MR. DeLANEY: When do you get it? In other words, when do you expect to get any money? How long before you get your money?

A. Well, we're fixing to cut beans now.

Q. Well, what do you think you will get out of it?

A. That's hard to say and that wont last always.

Q. We just want an idea.

Q. That'll just come in a lump.

THE COURT: Well, the whole thing; I'm not going to order her to let you come and visit the child if I'm not at the same time ordering you to pay something toward supporting it. You Might as well get that straight in your mind and give me a straight answer. If she's got to pay all the support in rearing the child there's no need to recognize you as her father and no need for me to order her to do it.

MR. DeLANEY: In other words, you're going to have to make some weekly payments, specific weekly payments and you'll have to arrange your money so that it can be paid that way. Can you pay eight dollars a week?

A. I will as long as I can.

Q. What do you mean?

A. Well now, for the next two months I won't have nothing.

Q. Will you get any money at all; will you draw any money?

A. No, what I get I'll have to borrow it.

THE COURT: Didn't you all have a potato crop this spring?

A. No sir; corn neither.

THE COURT: Well, how about making her regular monthly payments then?

MR. DeLANEY: In other words, you can borrow enough to make a monthly payment, can't you?

THE COURT: Say Twenty-five Dollars a month; that isn't enough, but that's something; that's better than she's getting now.

MR. DeLANEY: You can do that can't you?

A. I'll try to do it.

MR. DeLANEY: You will have to do it. Now, in other words, when this order is made-

THE COURT: If I put it in the order, you'll pay or I'll stick you in jail.

MR. DeLANEY: Other words, regardless of your wife, regardless of what the relations may be, you've got an obligation to support your child and you told me you wanted to support her.

A. Well, I do. You see, what makes me not want to give her the money she made her brags when she left me that she was going to make me support her in court, and that way I wouldn't get credit for it.

THE COURT: If I let you visit the child regularly, you're going to be able to tell the child that you are supporting her, but I can't order the money paid to a child six years old. They wouldn't know how to spend it.

MR. DeLANEY: Of course, if she squanders the money, and anything comes up, the Court retains jurisdiction as far as the

child is concerned, and you can^{always}/come in and show that to the Court. The thing we've got to do; we have to agree to that because that's fair and right and when that order is made you will have to make those payments and it will take that to support the child; now, can you do that?

A. I think I can. I'll do my best.

Q. Well, you'll have to do it. (I'll see that he does, Judge).

THE COURT: All right.

Mr. Clark Sunday, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. DeLaney

Q. What is your name, please, sir?

A. Clark Sunday.

Q. Where do you live, Mr. Sunday?

A. Robertsdale.

Q. How long have you been living there?

A. Fifty-two years.

Q. How long have you known Mr. Brewton?

A. Known him ever since he was born, about thirty or thirty-one years.

Q. What kind of a man is he?

A. He's a hard working man.

Q. Does he work regularly?

A. Yes.

Q. Does he work all the time?

A. Yes, he's a hard working man.

Q. Now, do you see him regularly?

A. I see him, well, at least once a week.

Q. Once a week?

A. Once a week and sometimes I see him more often than that.

Q. Now, he's been a hard working man for the last five or ten years?

A. As long as I knowed him, ever since he's been big enough.

Q. You knew when he was living there with Mrs. Brewton, Mabel Brewton, didn't you?

A. I know when they were living but I never visited them or nothing; I don't know a thing about the family. Yeah, I know when they were living there.

Q. Do you recall the time that they stopped living together?

A. No, I couldn't cause I never paid much attention to it, you know, but I know him and I know her but what I mean I didn't visit around with them.

Q. I see. I'm not asking you now if you know anything about their domestic affairs, but do you remember the time she left him, or the day they separated?

A. Yeah; he told me about it.

Q. Well, have you seen her since that time?

A. No.

Q. You've just seen him?

A. Just seen him.

Q. How long ago has that been?

A. Well, it's been a pretty good--

A. A year; two years?

A. Well, it's been two years or better; it's been a good long time. Now, I even know the man that moved her; Tucker Steele is the man that moved her.

Q. You knew the man that moved her?

A. Yeah, I live about two or three blocks of them.

THE COURT: She hasn't been back there and lived with this man since that time?

A. No.

THE COURT: Has he been living there in the same place all the time now?

A. Well, he did live there after she left^{for} awhile but now he's living down there with a man that he's farming with.

THE COURT: Well, has he lived here in Baldwin County all the time?

A. Oh, yes, yes. He's lived here practically all of the time.

THE COURT: To Mr. DeLaney: All right, write up a decree on abandonment and give him the right to reasonable visitation and order him to pay Twenty-five Dollars a month for the

support of the child.

- - - - -

I, Ora S. Nelson, Official 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 testimony given on a hearing of the above styled cause on October 2, 1952, before Honorable Telfair J. Mashburn, Jr., Judge of said Court.

Transcribed and filed this 4th day of October, 1952.

Ora S. Nelson
Reporter

FILED
SEP 14 1951
AUG 7 1951, REGISTER

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA.
IN EQUITY - No. 2691

JOHN WILLIAM BREWTON,
Complainant,

vs.

MABEL BREWTON,
Defendant.

MOTION THAT DECREE PRO CON-
FESSO BE ENTERED AGAINST
DEFENDANT.

D. R. COLEY, JR.,
SOLICITOR FOR COMPLAINANT

ALICE L. DICK, Register

SEP 14 1951

FILED

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA.
IN EQUITY - No. 2691

JOHN WILLIAM BREWTON,
Complainant,

vs.

MABEL BREWTON,
Defendant.

MOTION THAT DECREE PRO CON-
FESSO BE ENTERED AGAINST
DEFENDANT.

D. R. COLEY, JR.,
SOLICITOR FOR COMPLAINANT

JOHN WILLIAM BREWTON,	¶	
Complainant,	:	IN THE CIRCUIT COURT OF
-vs-	¶	BALDWIN COUNTY, ALABAMA
MABEL BREWTON,	:	IN EQUITY
Respondent.	¶	NO. <u>2691</u>

ANSWER

Comes the Respondent in the above styled cause and for answer to the bill of complaint herein says as follows:

1.- She admits the age of the parties and their residences as alleged in said complaint. She admits that there is one minor child as issue of their marriage, Geraldine Annette Brewton and that said child is in her custody and control.

2.- Respondent denies that the Complainant is a fit and proper person to be granted the custody and control of the said minor child and on the contrary, Respondent avers that she is a white lady of good moral character and she is a fit and proper person to be granted the custody and control of the said minor child.

3.- Respondent denies that she abandoned the bed and board of the Complainant.

4.- Respondent denies that she and the Complainant have not lived together for one year next preceding the filing of the bill of complaint herein and states to the contrary that the Complainant has lived with her since that time and she is now pregnant with child through his agency.

CROSS-BILL

ONE

Respondent shows unto this Honorable Court that both she and the Respondent are each over the age of twenty-one years and that both of them are residents of the State of Alabama. Complainant is an able-bodied man who is capable of earning

money with which he can provide alimony for the Complainant and support and maintenance for their minor child. Respondent avers that she is a fit and proper person to be granted the custody and control of the minor child born to their marriage.

TWO

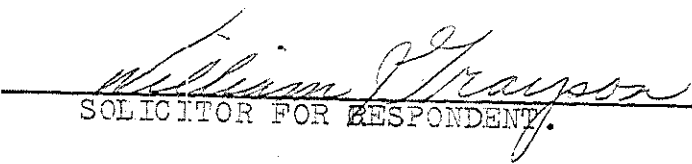
Respondent has no money or funds on hand with which to pay her Solicitor-of-Record a reasonable Solicitor's fee for his services herein in her behalf and in behalf of the said minor child. Complainant has committed actual violence upon the person of the Respondent, attended with danger to her life or health, or from his conduct there is reasonable apprehension of such violence.

PRAYER FOR PROCESS

Respondent prays that Your Honors will take jurisdiction of this cause, will make the said John William Brewton, party cross-respondent hereto, and will cause him to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Respondent further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Complainant, that she be awarded the custody and control of the minor child born to their marriage, that the Complainant be required to pay her such sums of money periodically as alimony and support and as support and maintenance for the said minor child as to Your Honors may appear meet and just, and Respondent further prays that Your Honors will see fit to grant her Solicitor-of-Record a reasonable Solicitor's fee for his services herein in her behalf and in behalf of the said minor child, and Respondent further prays for such other further and different relief as in equity she may be due; and as in duty bound she will ever pray, etc.


SOLICITOR FOR RESPONDENT.