

(4001)

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

No. 4001

Circuit Court, Baldwin County

----- TERM, 19-----

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Gordon Wilson Deese

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

----- Gordon Wilson Deese -----, Defendant

by Edith J. Deese -----

-----, Plaintiff

Witness my hand this 28th day of March 1957

Beice J. Newcomb, Clerk

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The State of Alabama

Baldwin County

CIRCUIT COURT

EDITH J. DEESE

Plaintiffs

vs.

GORDON WILSON DEESE

Defendants

Summons and Complaint

Filed 3/28/57 19____

Alice J. Duck Clerk

Telfair J. Mashburn

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

EDITH J. DEESE,

Complainant,

VS.

GORDON WILSON DEESE,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your complainant, EDITH J. DEESE, respectfully represents and shows unto your Honor the following facts as a basis for the relief hereinafter prayed:

1. That complainant is over the age of twenty-one years and is a resident of said State and County; that GORDON WILSON DEESE is over the age of twenty-one years and resides in Baldwin County, Alabama;

2. That your complainant and respondent were lawfully married on or about, to-wit: the 8th day of February, 1947, at Whistler, Mobile County, Alabama;

3. Your complainant avers and charges that the said respondent did on or about, to-wit: the 27th day of March, 1957, assault, beat, hit and strike your complainant; that said respondent has committed actual violence on her person attended with danger to her life or health; that on numerous occasions he has threatened to kill your complainant; and that from his manner and conduct toward her she is reasonably convinced that he will commit further actual violence to her person, attended with danger to her life or health.

4. That there is on child born of this marriage, a little boy, GORDON WILSON DEESE, JR., who will be six years of age in May of this year; that the respondent has, on numerous occasions, beat this child cruelly; that respondent is not a fit and proper person to have the care, custody and control of this said child; and that your complainant is a fit and proper person to have the care, custody and control of said child;

5. That because of the age of this child and the condition of your complainant's nerves, caused by respondent's mistreatment of her, your complainant is unable to work and earn a living for her and her child; that the respondent is an able-bodied man who is able to work

and support your complainant and their child; that for the past year, or two, the respondent has been working for the General Electric Company in the Far North and has been earning a salary in excess of One Thousand (\$1,000.00) Dollars per month;

6. That your complainant and the respondent own jointly the following described real property in Baldwin County, Alabama, viz:

Lot 4, Block 1, Spanish Fort Estates;

with a house thereon; that your complainant and their child need this house for a residence for themselves;

7. That your complainant is without funds with which to pay her Solicitor in the premises and that it has been necessary for her to employ Telfair J. Mashburn, Jr., to represent her in this cause.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your complainant makes the said GORDON WILSON DEESE a party respondent to this bill of complaint, and in order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said GORDON WILSON DEESE, commanding him to plead, answer or demur to this bill of complaint, within the time required by law.

PRAYER FOR RELIEF

Your complainant further prays that on a final hearing of this cause your Honor will make and enter a decree granting her the following separate and several relief:

1. Forever divorcing her from said respondent.
2. Giving her the care, custody and control of the minor child, GORDON WILSON DEESE, JR.
3. Fixing a reasonable sum for the respondent to pay to your complainant monthly as alimony and for the support of their child.
4. Ordering the respondent to deed to complainant his interest in their home.
5. Fixing a reasonable sum for respondent to pay to complainant's Solicitor, Telfair J. Mashburn, Jr., for his services in this cause.

EDITH J. DEESE,
Complainant,
vs.
GORDON WILSON DEESE,
Respondent.

Y
Y
Y
Y
Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 4001

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and says:

1. That he admits the allegation of the first paragraph of the Bill of Complaint.
2. That he admits the allegations of the second paragraph of the Bill of Complaint.
3. That he denies the allegations of the third paragraph of the Bill of Complaint and demands strict proof thereof.
4. That he admits the allegation of the fourth paragraph as to the name and age of their child but he denies all other allegations of this paragraph and demands strict proof thereof.
5. That he denies the allegations of the fifth paragraph of the Bill of Complaint and demands strict proof thereof.
6. That he admits the allegation of the sixth paragraph of the Bill of Complaint as to the ownership of the property but he alleges that he also needs this home in which to live when he is in Baldwin County.
7. The Respondent is not informed as to the facts alleged in the seventh paragraph of the Bill of Complaint as to the funds of the Complainant and therefore neither admits nor denies such allegation.

CHASON & STONE

By: *John Chason*
Solicitors for Respondent