

4042

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

CIRCUIT COURT, BALDWIN COUNTY

BALDWIN COUNTY

No. ....

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Liston Flowers  
Summon

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 \_\_\_\_\_

Liston Flowers, Defendant .....

by Mattie Mae Flowers

....., Plaintiff.....

Witness my hand this 1st day of June 1957.....

Alice J. [Signature], Clerk

**THE STATE OF ALABAMA  
BALDWIN COUNTY**

**CIRCUIT COURT**

Plaintiffs

vs.

Defendants

**SUMMONS and COMPLAINT**

Filed ....., 19.....

....., Clerk

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

MATTIE MAE FLOWERS,	0	
	0	
Complainant,	0	IN THE CIRCUIT COURT OF
	0	
VS.	0	BALDWIN COUNTY, ALABAMA.
	0	
LISTON FLOWERS,	0	IN EQUITY. NO. _____
	0	
Respondent.	0	

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

Your complainant, MATTIE MAE FLOWERS, respectfully represents and shows unto your Honor the following facts as a basis for the relief hereinafter prayed:

1. That your complainant is over the age of twenty-one years and is a resident of said State and County; that LISTON FLOWERS 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: January 28, 1938, at Perdido, Baldwin County, Alabama;

3. Your complainant avers and charges that the respondent has been guilty of adultery with one Norah Ganey of Baldwin County, Alabama; that he carried a picture of one of the said Nora Ganey's children and told your complainant and his own children that said child was his; that on or about, to-wit: the 15th day of September, 1956, and many times prior thereto, the respondent did assault, beat, hit and strike complainant; that respondent has committed actual violence on her person attended with danger to her life or health; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit further actual violence upon her person attended with danger to her life or health.

4. That there was born of this marriage six children, all girls, five of whom are still at home. Their names and ages are as follows:

- |                 |        |
|-----------------|--------|
| SHELBY FLOWERS  | age 17 |
| HAZEL FLOWERS   | age 15 |
| Janice Flowers  | age 10 |
| Bonnie Flowers  | age 7  |
| Glennis Flowers | age 4  |

that your complainant is a fit and proper person to have the care,

custody and control of the minor children above named; and that the respondent is not a fit and proper person to have the care, custody and control of said children;

5. That the respondent works at Brookley Field in Mobile, Alabama, and earns \$1.95 per hour; that about the only support he has provided for your complainant and their little girls is to pay the grocery bill; that your complainant works at the Pants Factory in Bay Minette, Alabama, and earns about \$35.00 per week; and that all of the money she has earned has gone toward the support of herself and their five little girls; and that she has been unable to save ~~xxxx~~ any money.

6. 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.

7. That the respondent owns the house in which they live, which is situated in Section 11, Township 2 South, Range 4 East, in Baldwin County, Alabama; that there is a farm in connection with said house; that your complainant and the children need the home but do not need the farm in connection therewith.

#### PRAYER FOR PROCESS

THE PREMISES CONSIDERED, Your complainant makes the said LISTON FLOWERS a party respondent to this bill of complaint and in order that complainant may have the relief hereinafter prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said LISTON FLOWERS, 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 their minor children, whose names and ages are set forth in paragraph 4 hereof.

3. Fixing a reasonable sum for the respondent to pay to your complainant as alimony and for the support and maintenance of their minor children.

4. Ordering the respondent to deed to complainant and their children the home, with a sufficient amount of ground for a garden;

5. Fixing a reasonable sum for respondent to pay to complainant's Solicitor, Telfair J. Mashburn, Jr., for his services in this cause.

And if your complainant be mistaken in the relief to which she is entitled in the premises, then she prays for such other, further, different or general relief as in equity and good conscience she may be entitled to receive; and, as in duty bound, she will ever pray, etc.

Telfair J. Mashburn, Jr.  
SOLICITOR FOR COMPLAINANT.