

The State of Alabama, }  
Baldwin County.

No. 562.

CIRCUIT COURT, IN EQUITY

Myrtle Brewton

Complainant

vs.

Jasper S. Brewton

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of opinion that the Complainant is entitled to the relief prayed for in said bill.

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 the Complainant is forever divorced from the Defendant.

on account of voluntary abandonment,

It is further ordered, that the said Myrtle Brewton

be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Myrtle Brewton pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Jasper S. Brewton,

It is further ordered, adjudged and decreed that said Myrtle Brewton shall not again marry except to said Jasper S. Brewton, until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Jasper S. Brewton, during the pendency of said appeal

This 15<sup>th</sup> day of January 1927.

*John D. Leigh*  
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, \_\_\_\_\_ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_, 1927, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of \_\_\_\_\_, 1927.

Register.

No. 562.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.  
BALDWIN COUNTY, ALA.

Myrtle Brewton

vs.

Jasper S. Brewton

DECREE OF DIVORCE.

Filed in office this

14<sup>th</sup>

day of

February, 1927

D. M. McMillan

Register.

E. O. M.

RECORDED

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL  
EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

*R. B. Vail*

\_\_\_\_\_, being duly sworn, deposes and says that he is  
the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay  
Minette, Baldwin County, Alabama; that the notice hereto attached of \_\_\_\_\_

**NOTICE TO NON-RESIDENT**

State of Alabama, Baldwin County, Circuit Court in Equity. This the 2nd day of February, 1926.

Myrtle Brewton, No. 4562 vs. Jasper Brewton.

In this cause it being made to appear to the Register of this Court by the affidavit of Myrtle Brewton that the Defendant Jasper Brewton is a non-resident of the State of Alabama and being when last heard from at \_\_\_\_\_ and further that \_\_\_\_\_ of said Affiant the Defendant is over the age of 21 years it is therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks requiring the said Jasper Brewton to answer or demur to the Bill of Complaint in this cause by the 6th day of March, 1926, or after thirty days thereafter a decree Pro Confesso may be taken against him.

J. W. RICHMOND, Register  
Stone & Stone, Attorneys for Plaintiff

Was published in said Newspaper for 4 consecutive weeks in the following

issues:

|                            |                      |                |              |
|----------------------------|----------------------|----------------|--------------|
| Date of first publication  | <u>Feb 4 - 1926</u>  | Vol. <u>37</u> | No. <u>1</u> |
| Date of second publication | <u>Feb 11 - 1926</u> | Vol. <u>37</u> | No. <u>2</u> |
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| Date of fourth publication | <u>Feb 25 - 1926</u> | Vol. <u>37</u> | No. <u>4</u> |

Subscribed and sworn to before the undersigned this 7th day of

April 1926  
J. W. Richmond  
Circuit Court

R. B. Vail  
Publisher

562

Grand April 6/1870  
T. W. Williams  
Request

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1177  
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1911

AMASA  
STATE OF VERMONT

VERMONT

BY APPOINTMENT

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THE BOSTONIAN

NO. 100 N. BOSTON ST. BOSTON, MASS.

The State of Alabama, } Circuit Court of Baldwin County, Alabama  
 Baldwin County. } (In Equity.)

Myrtle Brewton ..... Complainant.

VS.

Jasper S. Brewton. .... Respondent.

I, T.W. Richerson, .....

as Register and Commissioner .....

have called and caused to come before me Myrtle Brewton and John Morton, .....

witnesses named in the Requirement for Oral Examination, on the 12th day of January, 1927, at the office of Register, .....

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said witnesses, .....

doth depose and say as follows:

[A large diagonal line is drawn across the remaining dotted lines, indicating that the deposition content is blank or redacted.]

Myrtle Brewton, the complainant and a witness for complainant, testifies as follows:-

My name is Myrtle Brewton and I am the complainant in the above styled cause wherein Jasper S. Brewton is the defendant. I was at the time of the filing of the Bill of Complaint over 21 years of age and was and had been for more than three years next immediately preceding the filing of the complaint a bona fide resident of Baldwin County, Alabama, living at Robertsdale where I now live; that at the time of bringing the complaint Jasper S. Brewton was over the age of 21 years and was a non-resident of the State of Alabama residing when last heard from up to that time in the City of Miami, in the State of Florida but his particular address was then unknown and could not be ascertained although I made diligent inquiries as to the same.

I and the said Jasper S. Brewton were married in July, 1921 in Montgomery, Alabama and we lived together for about four years or until around the first of July, 1925. Following our marriage and just prior to our separation Jasper S. Brewton treated me in a cruel and inhuman manner. During the early part of 1925 he struck me with his fist and following this and up to the time of our separation he often abused, cursed and mistreated me making threats against me and his conduct was such that I had reason to apprehend the commission of actual violence on my person attended with danger to life or health. All of this took place at Robertsdale, Baldwin County, Alabama.

I gave him no just cause or excuse to treat me in the manner that he did; following our separation in July, 1925, which was occasioned by his cruel treatment, we have never lived together as man and wife.

*Myrtle H. Brewton*

John Morton, a witness for the complainant, being duly sworn, testifies as follows:-

My name is John Morton and I am 37 years of age and reside at Robertsdale, Baldwin County, Alabama where I have lived all of my life. I know both Myrtle Brewton the complainant in this case and Jasper S. Brewton, her husband, who is the defendant, having known Myrtle Brewton for the past 5 years or more, ever since she has been the wife of Jasper S. Brewton and I have known Jasper S. Brewton all of my life.

Although I was not present at the marriage ceremony I know that in 1921 about the middle of the year sometime in July, I think, Myrtle Brewton and Jasper S. Brewton came to Robertsdale as man and wife and loved together as such until they separated sometime in 1925. Both Myrtle and Jasper Brewton are over 21 years of age and were over such age on January 30th., 1926. Myrtle Brewton was on said date and had been for more than three years next immediately preceding said date, a bona fide resident of Robertsdale in Baldwin County, Alabama. Although Jasper Brewton had lived there for many years he was not a resident of such place on said date, although I do not know of my personal knowledge where he was at such time, it was generally understood that he was in Miami, Florida, but his particular address was not generally known.

During the year 1925 and just shortly prior to their separation I know that these people did not get along together at all. During 1925 and just prior to their separation, I was operating

ORAL EXAMINATION.

I, T.W. Richardson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and Hon. Norborne Stone, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness es; 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 12th day of Jan 1927

T.W. Richardson (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Myrtle Brewton

vs. Complainant

Jasper S. Brewton

Respondent

**Oral Deposition**

Filed January 12th, 1927.

T.W. Richardson, Register.

Recorded in

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register

Largest Weekly Circulation in South Alabama

562

Bay Minette, Ala., 4/1/26

M. J. W. Richerson  
Clerk

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Brewton vs Brewton #562  
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4 1/2

734



NOTICE TO NON-RESIDENT.

Myrtle Brewton

No. 562.

vs.

Jasper Brewton

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

This the 25th day of  
March 1926

In this cause it being made to appear to the Register of this Court by the affidavit of

Myrtle Brewton,

that the Defendant Jasper Brewton

is a non-resident of the State of Alabama and resided when last heard from at  
Miami, Fla.,

and further, that, in the belief of said Affiant the Defendant is over the age of 21  
years; it is, therefore ordered that publication be made in the Baldwin Times,  
a newspaper published in Bay Minette

Baldwin County, Alabama, once a week for four consecutive weeks, requiring

the said Jasper Brewton,

to answer or demur to the Bill of Complaint in this cause by the 24th day of  
~~24th~~ April 1926, or after thirty days therefrom a decree Pro Confesso may  
be taken against him.

J. W. Peterson Register.

Stone & Stone.  
Attorneys for Plaintiff.

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 562.

Vacation

Term, 192 7

Myrtle Brewton, Complainant

vs.

Jasper S. Brewton, Defendant

To T.W. Richerson, Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by

Norborne Stone Atty for Complai

-nant.

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Norborne Stone.

Solicitor for Complainant.

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Myrtle Brewton

vs.

Jasper S. Brewton

REQUEST FOR DECREE IN  
VACATION

January 22nd 1927

FILED

*J. W. Rice*

Register

RECORDED

RECORDED IN ..... RECORD

VOL. .... PAGE .....

Register

8581 NOTE OF TESTIMONY

Myrtle Brewton

vs.

Jasper S. Brewton,

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,  
Answer of Deft and testimony of Myrtle Brewton and John Morton,

and in behalf of Defendant upon

*J. W. Pickens*  
Register.

MYRTLE BREWTON?  
COMPLAINANT.

VS

JASPER BREWTON,  
RESPONDENT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY

Comes the Respondent Jasper Brewton, by his attorneys, Rickarby, Beebe & Hall, and for answer to the Complainant, bill of complaint, and to each count thereof, and says:

He denied each allegation contained in said bill of complaint and demands strict proof thereof,

*Rickarby Beebe & Hall*  
Attorneys for Respondent.

Filed Jan 12/1927  
D W Williams  
Register

RECORDED

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MYRTLE BREWTON,

-vs-

JASPER S. BREWTON.

IN THE CIRCUIT COURT-EQUITY SIDE.  
STATE OF ALABAMA. BALDWIN COUNTY.

TO THE HON. JOHN D. LEIGH, JUDGE OF 21ST. JUDICIAL CIRCUIT  
SITTING IN EQUITY:-

Your Complainant, Myrtle Brewton, shows unto your Honor that she is over the age of 21 years and is now and has been for more than three years next immediately preceding the filing of this complaint for divorce, a bona fide resident of Baldwin County, State of Alabama, living at Robertsdale and brings this her complaint for divorce against Jasper S. Brewton, who is over the age of 21 years and is a non-resident of the State of Alabama, residing when last heard from in the City of Miami, Fla., but at what address she knows not, although she has made diligent inquiries as to the same; Complainant charges, as follows:-

(1). That she and the said Jasper S. Brewton were married during the month of July, 1921, in Montgomery, State of Alabama, and that they resided together until sometime on or about July 1st 1925, when the said Jasper S. Brewton voluntarily deserted and abandoned your complainant.

(2). Complainant alleges that on several occasions, particularly on or about January, 1925, respondent struck her cruelly with his fist and has often abused, cursed and mistreated your complainant, making vile threats which were and are entirely unfounded and conducted himself in such a manner toward the complainant, accompanied by overt acts as makes her fear that she is in danger of her life or limb from the abuse and assault of the said Jasper S. Brewton,

(3). That complainant depends entirely upon her own efforts for her maintainance and support and is possessed of very little property and that the said Jasper S. Brewton is a healthy, able-bodied man amply capable of contributing to the support of your complainant which he has entirely failed to do.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Complainant prays that your Honor will cause such orders and decrees to be made and rendered as will make the said Jasper S. Brewton party respondent to this Bill of Complaint for divorce.

PRAYER FOR RELIEF.

Complainant prays that your Honor upon a final hearing of the issues in this case, will decree to her an absolute decree of divorce from the bonds of matrimony with the said Jasper S. Brewton and that your Honor will permit her to again contract marriage if she sees fit to do.

Further praying, your complainant asks that the said Jasper S. Brewton be compelled by suitable order and decree and that a reference be had to ascertain his financial and physical conditions and that he be compelled upon this said reference when made, to pay counsel fees for the bringing of this complaint and the prosecuting the same and that he be decreed to pay such alimony pendente

(page two)

as to your Honor may seem fit and just and also that if your com-  
plainant is mistaken in the relief prayed for that your Honor  
grant unto her such other or different relief as in equity and  
good conscience may seem meet and in duty bound she will ever pray,  
etc, etc,

*Marylle Brewton*  
*by Stone & Stone*  
*Attys.*

FOOT NOTE:-

Respondent is required to answer each paragraph of the  
foregoing bill of complaint from one to three inclusive but not  
under oath as oath is hereby expressly waived.

*Marylle Brewton*  
*by Stone & Stone*  
*Attys.*



STATE OF ALABAMA.

BALDWIN COUNTY.

Before me Frank S. Stone, a Notary Public in and for said State and County personally appeared Myrtle Brewton who is known to me and who after being by me first duly sworn doth depose and say under oath, that she is over the age of twenty-one years and is now, and has been for more than three years next immediately preceeding the filing of her complaint for divorce against Jasper Brewton.

Further deposing she says that Jasper Brewton is over the age of twenty-one years and is a non-resident of the State of Alabama and resided when last heard from at Miami, Florida, but at what particular address she cannot ascertain and that he gets his mail at general delivery.

She has made deligent inquiry as to his street address but cannot ascertain the same and she says under oath that service by publication is necess ary in order to make the said Jasper Brewton party defendat to her complaint for divorce.

*Myrtle Brewton*

Sworn to and subscribed before  
me a Notary Public, Baldwin  
County, Alabama, this 28th.,  
day of January, 1926.

*Frank S. Stone*

Notary Public Baldwin County,  
Alabama.

(affix seal)

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

Before me, the undersigned authority in and for said County and State, this day personally appeared R. J. Lander who is known to me and who being by me first duly sworn deposes and says that he is one of the complainants in that certain bill of complaint exhibited by J. A. Pilgren, R. J. Lander and State Bank of Foley, against Minnie M. Johnson in the Circuit Court of Baldwin County, Alabama, in equity, that the said Minnie M. Johnson as an inducement to the said complainants to enter into the contract between said complainants and said Minnie M. Johnson, dated August 8th, 1923, copy of which is attached to said bill of complaint, represented that the contract or deed from Baldwin County Colonization Company to John T. Johnson dated September 15th, 1915, and the extension thereof dated May 17th, 1920, was a valid contract or conveyance and conveyed the title to the timbers therein described and that she was the true holder thereof by devise from said John T. Johnson, and that she thereby was the holder of the title to said timbers and the right to cut and remove the same and that she had a good right to sell and convey the same and that her contract to them would and did convey the title to said timbers and the right to enter on the lands therein described and cut and remove said timbers; that they purchased the specific items of personal property described in their contract with said Minnie M. Johnson for use in connection with the cutting and removing of said timbers and that without said timbers the said personal property is without value to them; that in to-wit December, 1922, the Southern States Lumber Company evicted said Pilgren and Lander from said lands and forbid their cutting said timbers and is now holding them in damages for the timbers cut by them thereon to-wit 175,000.00 feet and are demanding from them as such damages the sum of \$800.00; that subsequent to their said

eviction the said Minnie M. Johnson and the said Baldwin Col-  
onization have both admitted to him that the title to said  
timbers was in said Southern States Lumber Company and that  
the said Minnie M. Johnson could not deliver said timbers  
and the right to enter on said lands and cut and remove the same,  
but that the superior title to said timbers was in said Southern  
States Lumber Company.

R. J. Lander

Sworn to and subscribed before me on this the 9<sup>th</sup>  
day of November, 1923.

Miles M. Morris  
Notary Public, Baldwin County,  
Alabama.

My Commission Expires June 30, 1927

4

**RECORDED**

Filed Nov 10, 1923  
D.W. Richardson  
Register

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

Before me, the undersigned authority in and for said County and State, this day personally appeared W. A. Stoddard, who is known to me and who being by me first duly sworn, deposes and says that he is Cashier of the State Bank of Foley, Complainant in that certain bill of complaint exhibited by said State Bank of Foley, J.A.Pilgrem and R.J.Lauder against Minnie M. Johnson, in the Circuit Court of Baldwin County, Alabama, in equity, and that he was Cashier of said State Bank of Foley on August 5th, 1922, and for several months prior thereto; that while the negotiations were pending between said J.A.Pilgrem and R. J. Lauder for the purchase of those certain timbers described in the Contract or deed from Baldwin County Colonization Company to John T. Johnson, dated September 15th, 1915, from Minnie M. Johnson, and for the purchase of items of personal property described in the contract of Minnie M. Johnson to said Pilgrem and Lauder and State Bank of Foley dated August 5th, 1922, the said Minnie M. Johnson, as an inducement to said Pilgrem and Lauder to purchase said property including said timbers and as an inducement to guarantee the payment of the notes given in payment therefor to the State Bank of Foley, / represented to said J.A.Pilgrem and R.J.Lauder and to him as Cashier of said State Bank of Foley, that the said Baldwin County Colonization Company contract was a valid outstanding contract and conveyed the title to the timbers therein described together with the right to enter on said lands and cut and remove the same, that she was the holder of said contract and the owner of said timbers by devise from said John T. Johnson and that she had a right to sell and convey the same and that the same was clear of all encumbrances and claims and that her conveyance or contract would convey to said J.A.Pilgrem and R.J. Lauder the title to said timbers with the right to enter on said lands and cut and remove the same; that since the closing of said contract / said Minnie M. Johnson has admitted in his presence that the Southern States Lumber Company has a superior

RECORDED

title to said timbers and that she cannot deliver said timbers under her said contract.

A. A. Stoddard

Sworn to and subscribed before me this the 9<sup>th</sup> day of November, 1923.

Wiley M. Morris  
Notary Public, Baldwin County,  
Alabama.

My Commission Expires June 30, 1927

STATE OF ALABAMA, )  
BALDWIN COUNTY. )

Before me, the undersigned authority in and for said County and State, this day personally appeared J. A. Pilgren who is known to me and who being by me first duly sworn deposes and says that he is one of the complainants in that certain bill of complaint exhibited by J. A. Pilgren, R. J. Lauder and State Bank of Foley, against Minnie M. Johnson in the Circuit Court of Baldwin County, Alabama, in equity, that the said Minnie M. Johnson as an inducement to the said complainants to enter into the contract between said complainants and said Minnie M. Johnson, dated August 5th, 1923, copy of which is attached to said bill of complaint, represented that the contract or deed from Baldwin County Colonization Company to John T. Johnson dated September 15th, 1915, and the extension thereof dated May 17th, 1920, was a valid contract or conveyance and conveyed the title to the timbers therein described and that she was the true holder thereof by devise from said John T. Johnson, and that she thereby was the holder of the title to said timbers and the right to cut and remove the same and that she had a good right to sell and convey the same and that her contract to them would and did convey the title to said timbers and the right to enter on the lands therein described and cut and remove said timbers; that they purchased the specific items of personal property described in their contract with said Minnie M. Johnson for use in connection with the cutting and removing of said timbers and that without said timbers the said personal property is without value to them; that in to-wit December, 1922, the Southern States Lumber Company evicted said Pilgren and Lauder from said lands and forbid their cutting said timbers and is now holding them in damages for the timbers cut by them thereon to-wit 175,000.00 feet and are demanding from them as such damages the sum of \$800.00; that subsequent to their said

eviction the said Minnie M. Johnson and the said Baldwin Colonization have both admitted to him that the title to said timbers was in said Southern States Lumber Company and that the said Minnie M. Johnson could not deliver said timbers and the right to enter on said lands and cut and remove the same, but that the superior title to said timbers was in said Southern States Lumber Company.

J. A. Pilgrim

Sworn to and subscribed before me on this the 9<sup>th</sup>  
day of November, 1923.

Miles M. Morris  
Notary Public, Baldwin County,  
Alabama.  
My Commission Expires June 30, 1927



Faint, mostly illegible text, possibly bleed-through from the reverse side of the page.

**RECORDED**

Filed Nov 10 - 1923  
J.W. Richmond  
Register

Faint vertical text on the right side of the page.