

SHIRLEY TUBERVILLE
COMPLAINANT,
VS
DAVE K. TUBERVILLE
RESPONDENT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.
NO. 6599

On this day came SHIRLEY TUBERVILLE, and presented unto the Court her sworn petition requesting the temporary custody of MONA ALICIA TUBERVILLE, a minor, during the pendency of her action for divorce filed in the cause, and upon consideration thereof the Court is of the opinion that she is entitled to the relief prayed for in said petition:

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that the said SHIRLEY TUBERVILLE, is hereby awarded the custody of the said MONA ALICIA TUBERVILLE, a minor, during the pendency of her cause of action for divorce against the said DAVE K. TUBERVILLE, and subject to the future order of this Court.

The Sheriff is requested to forthwith serve a copy of this decree upon the said DAVE K. TUBERVILLE, the Respondent in this cause.

Dated this 3 day of June, 1959.

Robert M. Hall
CIRCUIT JUDGE

SHIRLEY TUBERVILLE	:	IN THE CIRCUIT COURT OF
	:	
COMPLAINANT	:	BALDWIN COUNTY, ALABAMA
	:	
VS	:	IN EQUITY
	:	
DAVE K. TUBERVILLE	:	NO. _____
	:	
RESPONDENT	:	

PETITION FOR TEMPORARY CUSTODY OF MINOR CHILD.

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

Now comes the Complainant, SHIRLEY TUBERVILLE, and represents and shows unto Your Honor as follows:

(1) That contemporaneously with the filing of this petition she filed in this Honorable Court a Bill of Complaint seeking a divorce from the Respondent Dave K. Tuberville, and asking in said Bill for the custody of the minor child of the parties Mona Alicia Tuberville, as well as other things.

(2) That the Respondent is not a suitable person to be entrusted with the custody of the minor child of the parties on this account.

(3) That the child has been in the custody of the Complainant since birth and that the Respondent has removed the said child from the custody of its mother and has carried it away beyond confines of the State of Alabama, and has threatened the Complainant and complainant feels that the child is not safe in his custody.

NOW THEREFORE Your Petitioner prays that Your Honor will grant to her the custody of the minor child, Mona Alicia Tuberville, during the pendency of her divorce action subject to the further orders of this Honorable Court, and Your Petitioner asks all other, further, additional and equitable relief to which she may be entitled in the premises, etc. etc.



SHIRLEY TUBERVILLE, Petitioner

THE STATE OF ALABAMA

BALDWIN COUNTY

Before me, Walter J. [Signature]

the undersigned authority in and for said County in said State, personally appeared SHIRLEY TUBERVILLE, who is known to me, and who, being by me first duly sworn doth depose and say: that the matters set forth in the foregoing petition are true and correct.

Shirley Tuberville

SHIRLEY TUBERVILLE, Petitioner.

Sworn to and subscribed before me this the 2nd day of May, 1959.

FILED
JUN 2-59
ALICE J. DUCK, CLERK
REGISTER

[Signature]
Notary Public

SHIRLEY TUBERVILLE)	IN THE CIRCUIT COURT OF
COMPLAINANT)	BALDWIN COUNTY, ALABAMA
VS)	IN EQUITY:
DAVE K. TUBERVILLE)	
RESPONDENT)	

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

Now comes the Complainant, Shirley Tuberville, humbly complaining of the Respondent, Dave K. Tuberville, in a matter as will hereinafter appear and represents and shows unto Your Honor as follows:

1. That the Complainant is twenty years of age and the Respondent is over the age of twenty-one years and that both are bona fide resident citizens of Baldwin County, Alabama, and have so resided for more than one year immediately preceding the date of the filing of this Bill of Complaint in this cause.

2. That the Complainant and the Respondent were married to each other April 20, 1957, at Loxley, Alabama, and lived together thereafter as man and wife.

3. That there was born to the union of the Complainant and the Respondent, one child, Namely, Mona Alicia Tuberville, a girl, now about eighteen-months old. That this child has been in the care and custody of the Complainant since birth, until the Respondent removed the said child beyond confines of the State of Alabama. The Respondent is not a fit and proper person for custody of said child. The Respondent has no steady job of any kind and no means of taking care of the said child.

4. That on many occasions during the married life of the parties, the Respondent has been cruel to the Complainant, and has struck, mistreated and beat her on occasions. That on, to-wit, the 22nd day of May, 1959, the Respondent struck the Complainant above the face and body with his hands. That this cruelty was of a grave nature and attended with danger to the life or health of the Complainant, and that she can no longer with any degree of comfort or safety live with the Respondent.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, the Complainant prays that the said Dave K. Tuberville, be made party Respondent to this Bill of Complaint and that a summons be issued and together with a copy of the Bill of Complaint in this cause be served upon him, and that he be required to plead, answer or demur to the within Bill within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

The premises considered, the Complainant prays that upon a final hearing of this cause your Honor will make and enter a decree divorcing her forever from the said Dave K. Tuberville and granting her the right to again contract marriage. The Complainant also prays that in and by virtue of said decree she will be awarded the custody of the said Mona Alicia Tuberville, child of the parties, subject to the future orders of this Honorable Court. The Complainant prays all other, further, and additional relief to which she may be entitled in equity and in good conscience, and she will ever pray, etc., etc.

FILED

Jan. 2-5-9

ALICE J. DUCK, CLERK
REGISTER

WILTERS & BRANTLEY,

BY: W. Wilters
Solicitors for Complainant,

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. 4599

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon DAVE K. TUBERVILLE

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

DAVE K. TUBERVILLE

Defendant

by SHIRLEY TUBERVILLE

Plaintiff

Witness my hand this 2nd day of June 1959

Ed 9-21-59

Archie J. - [Signature] Clerk

The State of Alabama
Baldwin County

CIRCUIT COURT

SHIRLEY TUBERVILLE

Plaintiffs

vs.

DAVE K. TUBERVILLE

Defendants

Summons and Complaint

filed June 2nd 1959

Alfred. Duck

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

I have executed this summons

this 21 Sept. 1959
by leaving a copy with

Bro. Tuberville

Returned 6 day of July 1959
Not found in my county after diligent search and
guilty.

Saylor Watkins Sher

By Shedden Deputy Sheriff

Saylor Watkins Sheriff

Shedden Deputy Sheriff

D. M. Mink

SHIRLEY TUBERVILLE,)
 Complainant,)
 Vs.)
 DAVE K. TUBERVILLE,)
 Respondent.)

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

ANSWER AND CROSS-BILL

Come now the Respondent in the above styled cause and for answer to the Bill of Complaint heretofore filed against him to each aspect thereof, separately and severally, says as follows:

1. The Respondent admits the allegations of paragraph "1" of the Bill of Complaint.
2. The Respondent admits the allegations of paragraph "2" of the Bill of Complaint.
3. The Respondent admits that one child, to-wit, Mona Alicia Tuberville, was born to the union of the Complainant and the Respondent, and that said child is approximately eighteen months old. The Respondent also admits that he was outside of the State of Alabama with the said child for a period of approximately four weeks, monstly during the month of June, 1959, but alleges that the said child has been back in Baldwin County, Alabama, ever since about 1 July, 1959. The Respondent denies each and every other allegation contained in paragraph "3" of the Bill of Complaint.
4. The Respondent denies each and every allegation contained in paragraph "4" of the Bill of Complaint.

And NOW COMES your Respondent, Dzve K. Tuberville, for further answer to the Complainant's Bill of Complaint, praying that this be taken as his Cross-Bill, says;

A. He adopts all the allegations contained in his above answers, and further says that the Complainant, and Cross-Respondent, Shirley Tuberville, is not a fit and proper person for the custody of Mona Alicia Tuberville, that your Respondent,

and Cross-Complainant, has a fit and proper home to care for the said Mona Alicia Tuberville, and that the best interest of the said child would be served if your Respondent and Cross-Complainant, were given custody of said child.

WHEREFORE THE PREMISES CONSIDERED, the Respondent and Cross-Complainant prays that this be taken as his Answer and Cross-Bill, and that by proper process, the Complainant be made Cross-Respondent hereto; that he be required to plead, answer or demur to this Cross-Bill within the time and under the penalties prescribed by law and the practice of this Honorable Court.

THE PREMISES CONSIDERED, your Respondent and Cross-Complainant, prays that upon a final hearing of this cause your Honor will award him custody of Mona Alicia Tuberville, subject to any further ordered of this Honorable Court in the said cause. The Respondent and Cross-Complainant prays for such other, further and additional relief to which he may be entitled to in equity and good conscience.

FILED

SEP 28 1959

ALICE J. DUCK, Register

Kenneth Cooper
Solicitor for Respondent
and Cross-Complainant.

CASE NO. 11549

IN EQUITY

SHIRLEY TUBERVILLE,

Complainant,

Vs.

DAVE K. TUBERVILLE,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

ANSWER and
CROSS-BILL

FILED

SEP 28 1959

ALICE J. DUCK, Registrar