

2968

ISHMEAL COOK,
Complainant

VS.

MINNIE LEE COOK,
Respondent.

IN THE
CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.
IN EQUITY

This cause coming on to be heard is submitted for decree upon the original bill of complaint of the complainant and answer and cross bill of the respondent and testimony of the witnesses taken ore tenus, and the court, after considering the pleadings and the testimony, is of the opinion that neither the complainant, under his original bill of complaint, nor the respondent under her cross bill, are entitled to the relief prayed for; it is

THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that the bill of complainant of the Complainant be and the same is dismissed;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the cross bill of respondent be, and the same is hereby dismissed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the cost in this proceeding, for which let execution issue.

Dated at Bay Minette, Alabama, this 21st day of May, 1953.


JUDGE

m 70 2968

Ismael Cook

VS

Minnie Lee Cook

FILED
MAY 21 1953

ALICE J. DUCK, Register

file

CLERK OF DISTRICT COURT

MEMPHIS, TENNESSEE

1953

FILED
MAY 21 1953
CLERK OF DISTRICT COURT
MEMPHIS, TENNESSEE

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FILED
MAY 21 1953

CLERK OF DISTRICT COURT

MEMPHIS, TENNESSEE

ANSWER TO CROSS-BILL

ISHERAL COOK,

Complainant and Cross-respondent,

VS.

MINNIE LEE COOK,

Respondent and Cross-complainant.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2968.

Comes now the Complainant and Cross-respondent in the above styled cause and for answer to the Respondent and Cross-complainant's cross-bill says:

1.

That he denies each and every allegation contained therein.

WILKERS & BRANTLEY

By:

Albert M Brantley

~~Attorney~~ for Complainant and Cross-respondent.

I, Albert M Brantley, hereby certify that I have this day handed Honorable C. LeNai Thompson, Attorney for Respondent, a per copy of this answer.

Albert M Brantley
March 31, 1953

ANSWER TO CROSS-BILL

RECORDED

ISIDOREL COOK,

Complainant and Cross-
respondent,

VS.

MONIE LEE COOK,

Respondent and Cross-
complainant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY

CASE NO. 2968

FILED

4-1-53

ALICE J. DUCK, Register

ISHMEAL COOK,	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
VS	Ø	IN EQUITY.
MINNIE LEE COOK,	Ø	
RESPONDENT.	Ø	

TO THE HONORABLE H. M. HALL, JUDGE OF THE TWENTY-EIGHTH JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, IN EQUITY SITTING:

Comes the Respondent, Minnie Lee Cook, and for answer to the allegations in said cause says:

1.

As to Count One the respondent admits the allegations therein.

2.

As to Count Two the Respondent admits the allegations therein.

3.

As to Count Three the Respondent denies allegations therein.

4.

~~As to Count Four the Respondent admits that there was born as fruits~~
of the marriage of the parties to this cause: Clarence Eugene Cook, Henry Lee Cook, Albert Carl Cook and Charles William Cook, these children are under the age of five years and are residing with their maternal grandmother, by the consent of the parties to this cause and by an order of the Juvenile Court of Baldwin County. That the maternal grandmother referred to is Mrs. Lucy Greek, residing in the Community of Stockton, Alabama. The Respondent expressly denies the allegations concerning the home of Mrs. Lucy Greek. As to Complainant's mother and her home your Respondent denies the allegations thereof.

Having answered the allegations of said bill of complaint your Respondent respectfully prays that the following be taken as a cross-bill and the Complainant, Ishmeal Cook, be made a party Respondent thereto by service of same upon him under the rules of this Honorable Court and the status be applicable in such case.

That on, to-wit, September 17, 1952, the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would do actual violence to her person which would necessarily

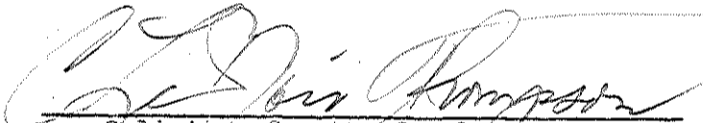
endanger her life and health.

Your respondent and cross-complainant alleges that she is a fit, suitable and proper person to have the care, custody and control of the four children born as fruits of this marriage and that she be granted the permanent care, custody and control of said children:

Clarence Eugene Cook, Henry Lee Cook, Albert Carl Cook and Charles William Cook, and with the further permission of this Honorable Court that the children aforesaid be placed with Lucy Creek their maternal grandmother, who shall have joint care, custody, and control with your petitioner.

The Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your cross-complainant and the cross-respondent.

That the care, custody and control of the children be awarded to the Complainant, and that upon a final hearing of this cause, that your Complainant be awarded as maintenance for the children named herein the sum of Twenty Five Dollars (\$25.00) per week, and your Complainant prays for such other further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for the Complainant.

I hereby certify that I have this the 30th day of March, served a copy of the foregoing answer and cross-bill on Wilters & Brantley, Attorneys for the Complainant and Cross-Respondent.



2968

ISHMEAL COOK,

COMPLAINANT

VS

MINNIE LEE COOK,

RESPONDENT.

RECORDED

Answer & Cross-Bill

Handwritten signature

FILED

3-30-52

Register

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting :

You are hereby commanded to summon _____ Minnie Lee Cook

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Com-
plaint filed in said Circuit Court, in equity, for said County of said State _____ Ishmeal Cook _____

against _____ Minnie Lee Cook

Herein fail not. Due return make of this writ as the law directs.

Witness this _____ 26th _____ day of _____ February _____, 1953 _____

Alvin J. ... _____, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

BILL OF COMPLAINT

ISHMEAL COOK,	¶	
Complainant,	¶	IN THE CIRCUIT COURT OF
VS.	¶	BALDWIN COUNTY, ALABAMA.
MINNIE LEE COOK,	¶	IN EQUITY
Respondent.	¶	CASE NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE TWENTY-EIGHTH JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, IN EQUITY SITTING:

Comes now the Complainant, Ishmeal Cook, humbly complaining of the Respondent, Minnie Lee Cook, in a matter of divorce and represents and shows unto Your Honor as follows:

1.

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

2.

That the Complainant and Respondent were married to each other at Pensacola, Escambia County, Florida, on the 5th day of July, 1946.

3.

Respondent since marriage with Complainant, ^{to-wit,} and on/the 21st day of September, 1952, committed adultery with one Lambert Quinley.

4.

Complainant represents and shows unto Your Honor that there was born to the union of Complainant and Respondent four children, namely, Clarence Eugene Cook, a boy now about five years old, Henry Lee Cook, a boy now about three years old, Albert Carl Cook, a boy now about two years old, and Charles William Cook, a boy now about eight months old. That the children are now in the custody of their maternal grandmother, Mrs. Luan Greek, who resides in the Town of Perdido, Alabama. Complainant further shows unto Your Honor that her home is in no wise suitable for the rearing of small children, for that the home is not a Christian home; that Mrs. Luan Greek is in the opinion of your Complainant unable to support and maintain the said children in a manner suitable to their station in life. That Your Complainant is now living with his mother at

Milton, Florida, Route 4, who has a large and comfortable home; that your Complainant is a suitable person to be entrusted with the custody and control of said children; that the home he lives in is a Christian one, that the Complainant is able to support and maintain the said children in a manner suitable with their station in life.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, the Complainant prays that Minnie Lee Cook be made a party Respondent to this Bill of Complaint and that service be perfected on her and that she be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Premises considered Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever divorcing him from the said Minnie Lee Cook for and on account of her adultery and that he will be awarded a full and absolute divorce. Complainant prays that in and by virtue of said decree he will be awarded the right to again contract marriage should he so desire. Complainant prays that in and by virtue of said decree he will be awarded custody of the minor children born to their union, namely, Clarence Eugene Cook, Henry Lee Cook, Albert Carl Cook and Charles Williams Cook.

Complainant prays all other, further and different relief to which he may be entitled, premises considered.

WILKINS & BRANTLEY

By: Albert M Brantley
Solicitors for Complainant