

NETTIE DENTON,
COMPLAINANT.

VS.

ALPHONSO DENTON,
RESPONDENT.

NO. 445

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

This cause coming on to be heard on respondent's motion to set aside, annul and vacate the decree entered in said cause on, to-wit, August 11th, 1925, and it appearing to the Court from agreement of counsel that said order should be vacated, annulled and set aside:

It is therefore ordered, adjudged and decreed that the decree of this Court granting alimony to the complainant, entered in said cause on, to-wit, August 11th, 1925, and filed with the Register of this Court, on, to-wit, August 11th, 1925, is vacated, annulled and set aside in toto, and the said decree is of no effect.

Dated, January 12th, 1926

John D. Leigh
JUDGE.

621.
Cal. D.
Dec 15/25

From T. W. Richerson,
Clerk of the Circuit Court,
Bay Minette, Alabama.

REGISTERED.

RETURN RECEIPT REQUESTED

RETURN RECEIPT REQUESTED.

DELIVER TO ADDRESSEE ONLY.



~~019092~~

RETURN TO WRITER

Alphonse Denton,

1171 South 10th Street,

Detroit, Michigan.

No Such Street Number.

~~7650~~

~~40380~~

44-5

Denton

Res.

Denton



3/11/25

3-14

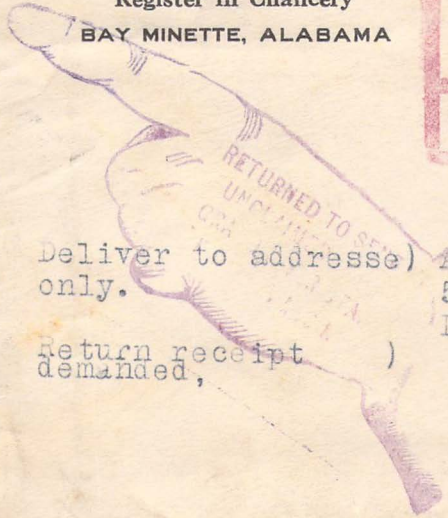
AFTER FIVE DAYS RETURN TO

T. W. RICHESON

Clerk of the Circuit Court and
Register in Chancery

BAY MINETTE, ALABAMA

REGISTERED
NO. **783**



RETURNED TO SENDER
UNCLAIMED

Deliver to addresse
only.

Return receipt
demanded,

Alphonse Denton
5448 Tillman Ave
Detroit Michigan.

Let them add post

RETURN RECEIPT REQUESTED.

*Filed
Nov 25/22
T.M. Richeson
Register*

072900



T. W. RICHERSON
CLERK AND REGISTER CIRCUIT COURT
BALDWIN COUNTY, ALA.

BAY MINETTE, ALA. Mar 7th, 1925.

To Alphonse Denton

5448 Tillman Ave
Detroit Michigan.

Notice is hereby given that under order of Hon. John D. Leigh, Judge of the 21st Judicial Circuit and Judge of the Circuit Court of Baldwin County, Alabama, dated February 4th, 1925, a reference will be held by T. W. Richerson, Register of said Court in the office of Hon. E. G. Rickarby, Van Antwerp Bldg, Mobile Alabama at 4.15 P.M. Saturday March 21st 1925. to ascertain the amount of Solicitor fee's to be taxed against the Defendant Alphonse Denton in cause of Nettie Denton vs Alphonse Denton in Circuit Court Baldwin County Alabama ⁱⁿ Equity
Witness my hand this 7th, day of February, 1925.

T. W. Richerson Register.

NETTIE M. DENTON,
Complainant,
-vs-
ALPHONSE DENTON,
Respondent

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

In this cause the Register reports that pursuant to an order of reference heretofore made on the *4th* day of *February*, 1925, after giving due notice of the time and place of holding the reference heretofore ordered by the decree in said cause, said reference was held at No. 905 Van Antwerp Building in the City of Mobile on the afternoon of Saturday, March 19th, 1925, at which time there was present, the Complainant with D. R. Coley, Jr., Esq., her counsel, the respondent, though having been summoned, being in default.

The witnesses, Nettie M. Denton and John M. Allen, Esq., having been sworn, were examined viva voce under oath and their testimony reduced to writing and attached hereto. Upon a careful consideration of the testimony thus adduced and before him the Register finds that the sum of \$100.00 is a reasonable and proper fee to be allowed Complainant as fee for her solicitors in this cause.

The Register further finds that the sum of \$30.00 per month is a reasonable and proper amount to be allowed Complainant for the support of herself and her minor children, she having no means of livelihood except her own labor and her children being of such tender age as to require her constant care and attention.

The Register further finds that Respondent owns a tract of land comprising about four and a half acres near Fairhope, Alabama, but mortgaged for \$400.00, which is approximately its value. Also that Respondent and Complainant own jointly a three room house in Magnolia Beach in Baldwin County valued at about \$900.00 on which there is a mortgage of approximately \$400.00, and which Complainant is using as a home for herself and children, containing about 2 22/100 acres and being described as follows:

From the southwest corner of said Section 19, run north 31 chains; thence north 27 degrees east 6 chains; thence north 8 degrees east 18.44 chains to a point in the center of the county road that is 1.78 chains south of the bridge over Big Head Gully; thence north 70 degrees west twenty feet for a point of beginning:

Thence north 70 degrees west 10 chains more or less to Mobile Bay;
Thence north 8 degrees east 1.60 chains;
Thence south 77 degrees east 10 chains more or less to the west boundary of the county road;
Thence south 10 degrees west 2.85 chains to beginning.

Mer 18/925-

Respectfully submitted,

J. W. Riceman
Register.

The State of Alabama—Mobile County

Nettie M. Denton,
Complainant.

vs.

Alphouse Denton,
Respondent.

No. 445.

The deposition of Lewis Morse, Bernard

Nicolas and Nettie M. Denton, Complainant (Note: The
commission issued to me in this case does not authorize
me to take the deposition of the Complainant, Nettie M. Denton, but
she was nevertheless, examined along with the other witnesses,
and I am attaching her deposition hereto for such consideration as the
Court may see fit to give same.)

witnesses examined on behalf of the Complainant

in the above entitled cause which is pending in the Honorable the Circuit Court of
Baldwin County, Ala.

The said witnesses appeared before me at the times and place hereinafter named, and after
having been first duly sworn by me to speak the truth, the whole truth, and nothing but the truth, did
testify and say as follows. That is to say, each of the following named
witnesses,

being duly sworn testified as follows:

DEPOSITION OF BERNARD NICOLAS.

The said witness, after being sworn to speak the truth, the whole truth, and nothing but the truth, testified as follows:-

My name is Bernard Nicolas. I have known the defendant in this case all of my life. We both lived in Baldwin County and have often worked at the same hotel. In July, 1922, we were working together in remodeling Mr. M. A. Frazer's place at Battles, when I happened to notice him when he was urinating and saw that his penis was very much swollen and inflamed. As I did not want to run any risk of disease, myself, by drinking from the same vessels, I asked him about this and he told me that he had a case of "clapp" and asked what he ought to do. I told him to see a Doctor, and took care not to drink after him after that. Shortly thereafter, he left Baldwin County for the North. He did not say what woman gave him this disease, but he had often spoken to me of going with women other than his wife. In fact, the biggest part of his talk was about women, most of the time.

Bernard Nicolas

DEPOSITION OF NETTIE DENTON.

The said witness, after first being sworn to speak the truth, the whole truth, and nothing but the truth, testified as follows:-

My name is Nettie Denton and I am the complainant in this cause. I am over the age of twenty-one years and am now and have been all of my life a bona fide resident of Baldwin County, Alabama.

I was married on February 16th, 1916, to Alphonse Denton, in Mobile, Alabama. He is now about thirty-five years of age. We lived at Fairhope after our Marriage until June, 1922, when I left him on account of his immoral relations with a girl named Orange (I do not know her given name) who lived at Fairhope and from whom he contracted a venereal disease. I found this out in time to avoid being infected and left him. He then went to Detroit, Michigan, to get employment, and I went back to our home at Fairhope and lived there with my children until June of the following year, when, on my husband's repeated promises of reform and urging, I went up to Detroit and joined him. I did not stay but two weeks for I soon discovered that he was back at his old trick of going with loose women, and I came back home and have been in Fairhope ever since, except on occasional visits to Mobile, where some of my people live. I have not seen my husband since June, 1923.

We have a little house and lot at Fairhope which stands in our joint names. He and I together worked and paid for this, with some assistance from my father. It is a four room house on a two acre lot. I live there with my two children and support them and myself by my own labor. He has done nothing for my support since we parted the first time. I had to sell some of my household goods to get the money to go to him at Detroit, though he gave me my fare home when I left him there.

I did not see him at any time with this woman, Orange, that he was carrying on with at Fairhope, but others who did know of their own knowledge of his relations with her told me, and then when he contracted the disease he owned up to me that he caught it from her. I

think she left Fairhope later, as I have not seen or heard from her in a long time. I do not know the details of his immoral relations with women in Detroit, but I found some letters in his suit case that he had received from other women that convinced me that he was continuing his improper relations with them, and I did not want to stay with him any longer, so I left him the second time and have been away ever since.

Nettie Denton.

Louis
DEPOSITION OF (LEWIS) A. MORSE. *Sept 27*

The said witness, after being sworn to speak the truth, the whole truth, and nothing but the truth, testified as follows:-

My name is Louis A. Morse. I have known Alphonse Denton all of my life. We were raised together in Baldwin County, Alabama. In the early Summer of 1922, we were working together on the building of the new ice factory in Fairhope, at which time he showed me three chancres on his body, and he showed me ^{bottle of} the medicine that Dr. Godard had given him. He also had other medicines which he showed to me, same being Iodofoam powder and peroxide. He asked me how to get cured. He did not tell me the name of the woman from whom he got said chancres, but I knew that he was intimate with a brown skinned woman at Fairhope before that time.

Louis A. Morse

CERTIFICATE

I, John N. Allen, one of the commissioners named in the foregoing commission which issued out of the Honorable the Circuit Court of Baldwin Co., Ala.

do hereby certify that in a certain cause pending in said court, wherein Nettie M. Deaton is Complainant

and Alphonse Deaton is Defendant, under and by virtue of the power conferred upon me by said commission, I caused the said

Lewis Morse, Bernard Nicolas and the Complainant, Nettie M. Deaton (as before stated the commission issued to me herein does not authorize or direct me to take the deposition of the complainant, Nettie M. Deaton)

who were made known to me and who were made known to me to be the

identical witness named in the foregoing commission (except that complainant, Nettie M. Deaton) to come before me at the times and places hereinafter named, that is to say I caused the said

Bernard Nicolas and Nettie M. Deaton to come before me at 811 Van Antwerp Building at Mobile, Alabama, on the

3rd day of August ~~September~~ A. D. 1924; and the said

Lewis Morse at Room 811 Van Antwerp Bldg. on the 20th day of September A. D. 1924; and the said

at _____ on the _____ day of _____ A. D. 192_____; that said

witnesses were first duly sworn by me as stated; that they were then examined _____

and testified in response thereto as it is herein above written; that their testimony was by me reduced to writing as given by them and as near as might be in the identical language of the said witnesses and that after their testimony had been so reduced to writing, it was by me read over to the said witnesses who assented to and signed the same in my presence, and in the presence of the Solicitors of the parties.

I further certify that I am not of Counsel or of kin to any of the parties to the cause and am not in anywise interested in the result thereof.

WITNESS my hand this the 31st day of January A. D. 1925

John N. Allen Commissioner.

Nettie M. Deaton, is not named in said commission

The State of Alabama, }
Baldwin County

CIRCUIT COURT.

To Hon. John N. Allen, Mobile Ala.

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Lewis Morses, Bernard Nicolas, and Dr. C.G. Godard,

as witnesses in behalf of Complaint, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

Nettie M. Denton

Complainant

and

Alphonse Denton,

Defendant,

on oath to be by you administered, upon interrogatories & Oral examination, to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 10th day of June, 1922.

J. W. Peterson
Register.

Commissioners Fee \$

Witness Fee's \$

No. 445.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Nettie M. Denton

Complainant

vs.

Alphonse Denton.

Defendant

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Hon. Jno N. Allen,

*Commissioner's fee
Paid by
Complainant.*

WITNESSES:

Lewis Morse, Bernard Nicolas

Dr. C.G. Godard,

NETTIE M. DENTON,
 Complainant,
 -vs-
 ALPHONSE DENTON,
 Respondent.

)
)
)
)
)
)
)
)

IN EQUITY.
 AT BAY MINETTE.

TO ALPHONSE DENTON, Respondent:

This is to confirm notice sent to your earlier address that a reference will be held in this cause to determine the amount to be allowed as alimony and counsel fees pursuant to Court order heretofore made, at room No. 905 Van Antwerp Building in the City of Mobile on Saturday, March 21st, 1925, at the hour of 4:15 P. M.

T. W. Keenan
 Register, Circuit Court of
 Baldwin County, Alabama.

NETTIE M. DENTON,
Complainant,
-vs-
ALPHONSE DENTON,
Respondent.

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

TESTIMONY ON REFERENCE.

John M. Allen, being duly sworn upon examination by D.R. Coley, Jr., testified in substance as follows:

I am a practicing lawyer of the Mobile Bar and am familiar with the usual and proper charges made by members of my profession in divorce matters. In a suit brought by a wife against her husband which has been successfully prosecuted to decree and in which the question of alimony is involved, it would be my opinion that \$100.00 would be a reasonable and just fee to be allowed Complainant's solicitors in this cause.

Nettie Denton, being sworn, says:

I am the Complainant in this cause and thirty-one years of age. I was married to Alphonse Denton in February, 1916, and we lived together as husband and wife until 1922 when I left him because of his behavior. He is a man of about thirty-nine years of age and is now living in Detroit where he makes good wages. I do not know the exact amount but certainly not less than \$15.00 or \$20.00 per week. He has done nothing for my support or for that of our little children since we separated. My husband owns a lot of about $4\frac{1}{2}$ acres near Fairhope that his father gave him and on which there is a mortgage for \$400.00. We also own a home near Magnolia Beach comprising about $2\frac{1}{2}$ acres, and with three rooms in it, that is worth about \$900.00, and this is also mortgaged for about \$300.00 of his debt. This place we own jointly. We bought the lot out of money that both of us earned and my father furnished me with a large part of the money necessary to put on it the little house that is now there. I have kept it up and

paid the taxes myself by work that I have done as a domestic servant and that is my only means of making a living. When I go out I have to pay some one to look after my children and I should have at least \$30.00 a month to support them and myself and give them proper clothing and schooling. My husband is still working in Detroit and I do not expect him ever to come back to this State. During the time we were married my father used to help me with money and groceries but my father has now been dead for several years.

I, *W. H. Williams*, Clerk & Register of the Circuit Court of Baldwin Co., Ala. hereby certify that the foregoing is a true & correct copy of the evidence taken in reference in case of *Willie M. Denton* vs *Alphona Denton*.

W. H. Williams
Register

LAW OFFICES
RICKARBY, BEEBE & COLEY
903-4-5 VAN ANTWERP BUILDING
MOBILE, ALA.

E. G. RICKARBY
W. C. BEEBE
D. R. COLEY, JR.
H. M. HALL

May 6, 1925.

Hon. John D. Leigh,
Judge of the Circuit Court,
Brewton, Alabama.

Dear Judge:

DENTON vs. DENTON: You will remember that in this case a decree of divorce was rendered and an order of reference made to ascertain suitable alimony and counsel fees. The reference was held and developed that the Respondent is still employed in Chicago where he is making good wages but where he is out of reach of the process of this Court. Also that he owns two pieces of land near Fairhope, one of about four acres mortgaged for close to its value, and the other a small three room house worth about \$900.00 with a mortgage thereon for something over \$300.00, and the title standing in the name of Complainant and Respondent jointly. As this is the home where the Complainant lives with her children and is within a few blocks of the Woman's Club House at Magnolia Beach where Complainant is employed in the summer, it seemed to me entirely proper that this home, built largely with money furnished largely by Complainant's father, should be allotted to her as alimony in gross rather than an allowance that would be practically impossible to collect.

I have therefore prepared decree assigning this to her under the authority of the case of Jeter vs. Jeter, 36 Ala. 392, and Coffey vs. Cross, 185 Ala. at page 93, in which last case the following language is used:

"It was, of course, competent for the Chancellor, in rendering his decree for permanent alimony, to vest the fee simple title to the land set apart as permanent alimony in the said Mary Cross."

I submit that this is a very reasonable allowance as not only does the wife own one-half of the property already but she will have to pay off the mortgage on it. As Respondent's half interest in the equity would only be worth about \$300.00 you can see that this is but the equivalent of an allowance for permanent alimony

#2. Hon. John D. Leigh.

of \$30.00 per month for ten months.

I trust that this decree will meet with your approval and that you can find time to sign it at an early date so that Nettie Denton, a very estimable colored woman, can with safety proceed to pay off the mortgage.

With personal regards,

R:S

Sincerely,

Elliott S. Riskarby

Bay Minette, Ala., *Aug 18* 192*5*

Handl. M. Reardon

IN ACCOUNT WITH
W. D. STAPLETON
JUDGE OF PROBATE, BALDWIN COUNTY

Please Return this Bill With Remittance

Privilege

Mortgage Tax Recording Fee Total

<i>To</i>	Deed Recording Mortgage from <i>M. M. Danton by Rep. to A. Danton</i>	Mortgage Tax	Recording Fee	Total
		50		
		<i>Stamp</i> 50		
			100	200

*Paid 8/18/25
W. D. Stapleton Judge
by J. Keesh, Cash*

RECEIPT FOR REGISTERED ARTICLE NO. 7833-7, 1925

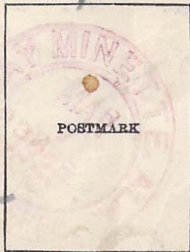
From Jew 10 fee 1 class postage paid.

Addressed to Alphonse Denton

Return receipt desired yes

Delivery restricted { To addressee in person -----
To addressee or order ----- Postmaster, per

c5-6809



~~Mr. Robert~~

Robert W. Chapman

April 17th 1824

Mr. Jacob S. Frost.

Dear Sir: It gives pleasure

to see the names concerning

Mr. W. W. Weston on hand.

I am glad to see that you

are in the way of a few

days every thing will be

done and been long with

other men in that the

more I am away to day

and I can give it. But

I am perfect willing for

you to have an office

I am glad to see that

a answer

but open her eye
 thing else is a mother
 question as you know
 The answer is she don't hate
 to be on me or get it
 I am glad to get it
 cant get there

Very yours

Flora Gordon

#2284 Market St.

Weston Mass.

NETTIE M. DENTON
Complainant,

vs

ALPHONSE DENTON
Defendant

IN EQUITY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

The Complainant requests the oral examination of the following witnesses on her behalf, namely: Lewis Morse, Bernard Nicolas and Dr. C. G. Godard, all of Baldwin County, Alabama. John N. Allen, who resides in the City of Mobile is suggested as a suitable person to be appointed Commissioner to take the depositions of the witnesses on said oral examination.

Rickaby Beebe & Hall
Solicitors for Complainant.

The State of Alabama }
BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Alphonse Denton, 5448. Detroit Michigan, 7th Bellman Ave,

of Detroit Michigan & Co. Co., to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Nettie M. Denton,

against said

Alphonse Denton,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 9th day of April

192 4.

T. W. Richerson
Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

Serve on.....

Circuit Court of Baldwin County
In Equity

No.

SUMMONS
Nettie M. Denton,

Alphonse Denton.
vs.

Rickarby & Beebe.

Solicitor for Complainant.

Recorded in Vol. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this 9th,
April,
day of 192

4.

Sheriff.

Executed this day of
..... 192
by leaving a copy of the within summons with

Defendant.

Sheriff.

By
Deputy Sheriff.

*Copy of Summons
& Copy of Complaint
sent by Reg mail
to Dept A 5448
Allen Ave -
Detroit Michigan
J. McIlwain
Clerk.*

[Faint, illegible text on the reverse side of the document, possibly bleed-through or a separate page.]

LAW OFFICES
RICKARBY, BEEBE & COLEY
903-4-5 VAN ANTWERP BUILDING
MOBILE, ALA.

E. G. RICKARBY
W. C. BEEBE
D. R. COLEY, JR.
H. M. HALL

August 17, 1925.

Thomas W. Richerson, Esq.,
Register Circuit Court,
Bay Minette, Alabama.

Dear Sir:

DENTON vs. DENTON: Herewith find check for \$11.05 to cover costs in this case. I think Mr. Kessler's charge of \$1.00 for recording this short decree is a little steep but then you fellows are accustomed to season a little heavily on fees up there and I guess its all right. Our people do it down here when they think they can get by with it. Please send me the certified copy of the decree after it has been recorded as I want to use it in the case.

I am sending you receipt for \$10.00 in the Lewis E. Turner case though you omitted the trifling detail of enclosing the check as stated in your letter. Please look this up and send it along as we need it in our business.

Sincerely,

E. G. R.

R:S

P. S: On second thought I do not see Mr. Kessler's authority for charging either for a revenue stamp or for a deed tax on the Denton decree. The act reads: "No deed, bill of sale or other instrument of like character which conveys any real or personal property". This does not convey the property but simply is the recitation of the Court as to where the title really exists. You will remember that the evidence showed that Nettie Denton owned a half interest in the lot and that her father furnished the money that built the house. Please deposit the money with Kessler under protest and let him get a ruling from Montgomery on this subject.

E.G.R.

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

X *Alfonso A. Whenton*
(Signature or name of addressee.)

5447 *Tehran ave*
(Signature of addressee's agent.)

Date of delivery, *April 15th*, 1924

Form 3811

*Filed
Apr 18/92
Whenton
Registered*

05-8116

Post Office Department
OFFICIAL BUSINESS

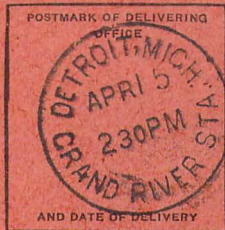
REGISTERED ARTICLE

No. _____

INSURED PARCEL

No. _____

PENALTY FOR PRIVATE USE
TO AVOID PAYMENT OF
POSTAGE, \$300.



Return to T. W. Richardson
(NAME OF SENDER)

Street and Number, }
or Post Office Box, } Box 124

Post Office at Bayminette

State Ala.

The State of Alabama, }
Baldwin County.

No. 445. CIRCUIT COURT, IN EQUITY

Nettie M. Denton Complainant

vs.

Alphonse Denton, 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 adultery committed by Alphonse Denton,

It is further ordered that the Register of this Court hold a Reference to ascertain the amount of Solicitor fees to be taxed against defendant in this cause.

It is further ordered, that the said Nettie M. Denton 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 Nettie M. Denton 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 Alphonse Denton.

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

This 4th day of February, 1925.

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 _____, 192____, 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 _____, 192____

Register.

No. 445.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Nettie M. Denton

vs.

Alphonse Denton.

DECREE OF DIVORCE.

Filed in office this

5th

day of

February, 192*5*

D. M. Rice
Register.

E. O. M.

Recorded substitute Page 197.

45

James D. [Signature]
Judge of the Circuit Court of Baldwin County.

BALDWIN COUNTY,
STATE OF ALABAMA.

CIRCUIT COURT IN EQUITY.

Witness my hand and the seal of said Court this 1st day of

day of

192*5*

Comptroller

Deputy

in the case of

NETTIE DENTON,
COMPLAINANT.

VS.

ALPHONSO DENTON,
RESPONDENT.

NO. _____

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

Comes the respondent and moves the Court to set aside its decree rendered in said cause on, to-wit, the 11th day of August, 1925, on the following grounds, each of which is separately assigned.

- 1.- No proper order of reference for such alimony was made.
- 2.- No competent evidence was offered proving complainant's right to alimony or the amount thereof.
- 3.- Respondent had no notice of any reference in said cause or of the holding of same.

Stoue & Stoue
SOLICITORS FOR RESPONDENT.

We hereby acknowledge notice of the filing of the foregoing motion, and agree that the order setting aside the said decree in toto shall be entered.

Riskaby Beck & Levey
SOLICITORS FOR COMPLAINANT.

Nettie M. Denton

vs.

Alphonse Denton.

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,
Decree pro confesso and testimony of Bernard Nicholas,

Dr. C. G. Godard, &&& and Lewis Morse

and in behalf of Defendant upon

T. W. Richardson

Register

3 —
No. 445.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Nettie M. Denton

vs.

Alphonse Denton.

NOTE OF TESTIMONY.

Filed in Open Court this 5th
day of February, 1915

W. R. [Signature]
Register

RECORDED

RECORDED

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 468.

Term, 192 5

Nettie M. Denton

, Complainant

vs.

Alphonee Denton.

, 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 Rickarby & Beebe.

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.

Rickarby & Beebe.

Solicitor for Complainant.

~~4~~ 4

No. 468

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Nettie M. Denton

vs.

Alphonse Denton.

REQUEST FOR DECREE IN
VACATION

February 3rd, 1925

FILED

J. W. [Signature]

Register

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

RECORDED

Mattie M. Denton

vs.

Alphrose Denton

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

In this cause it being made to appear to the Register that on the 4th day of

Apr 1925, a copy of the Bill of Complaint filed in this cause was sent to

Alphrose Denton

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed,"

and return receipt demanded addressed to the Register of this Court; and that on the 18 day of

Apr 1925, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

Alphrose Denton

Defendant....

This the 15th day of Jan 1925

J. W. Keenan
Register.

3

No. 445

CIRCUIT COURT OF

Beechwin COUNTY,

IN EQUITY.

Nellie In Denton

vs.

Rebecca Denton

DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL.

Filed in office this 5th day of

Jan 1925

F. M. [Signature]
Register.

Entered in O. B. Page

RECORDED

RECORDED

Nellie M Denton

vs.
Rephouse Denton

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

I, *T W Rice*, Register of said Court, do hereby certify that I

did, on the *11* day of *Apr* 192*4*, send to

Rephouse Denton Defendant

whose address was *Detroit Michigan*

by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," a copy of the Bill

of Complaint filed in this cause; that I demanded a return receipt addressed to the Register of this Court; and that such

receipt was duly received and filed by me in this cause, on the *18* day of *Apr* 192*4*

Witness my hand, this *19* day of *Apr* 192*4*

T W Rice
Register.



2

No. 445

CIRCUIT COURT OF
BALDWIN COUNTY.
IN EQUITY.

Nellie M Denton

vs.

Rephose Denton

CERTIFICATE OF REGISTER AS TO NOTICE
BY REGISTERED MAIL.

Filed in office on this 19
day of April 1925

J. M. Williams
Register

RECORDED

RECORDED

NETTIE M. DENTON,
Complainant,

-vs-

ALPHONSE DENTON,
Respondent.

)
)
)
)
)
)

IN EQUITY.

IN THE CIRCUIT COURT OF
MOBILE COUNTY, ALABAMA.

This cause coming on to be heard upon motion to confirm the Register's report as to permanent alimony and Solicitors' fees, and it appearing to the Court that said report has been filed and laid over for ten days and that no exceptions have been filed thereto, upon consideration it is ordered that same be and it is hereby confirmed.

It is further ordered that the Respondent forthwith pay to the Complainant the sum of One Hundred Dollars as fee for her Solicitors for their services in her behalf in this cause.

It further appearing from said report that the sum of Thirty Dollars per month is a reasonable and proper amount to be allowed Complainant for the support of herself and her infant children, but that the Respondent is now residing outside of the jurisdiction of this Court so that payment of any allowance cannot be enforced by the process of this Court, but it further appearing that said Respondent is the owner of certain real property in Baldwin County, including the house and lot now occupied by Complainant as a home, and in which Complainant herself owns a half interest, a description of which lot is embodied in the Register's report;

IT IS HEREBY ORDERED AND DECREED that the interest of Respondent Alphonse Denton be hereby divested from said property and title to same, subject to encumbrances thereon, vested in Complainant as alimony in gross, and that the said Nettie Denton is hereby granted and invested with all the title which the said Alphonse Denton had in and to that property at Magnolia Beach in Baldwin County, Alabama, described as follows:

From the southwest corner of said Section 19, run north 31 chains; thence north 27 degrees east 6 chains; thence north 8 degrees east 18.44 chains to a point in the center of the county road that is 1.78 chains south of the bridge over Big Head Gully; thence north 70 degrees west twenty feet for a point of beginning:

Thence north 70 degrees west 10 chains more or less to Mobile Bay;
Thence north 8 degrees east 1:60 chains;
Thence south 77 degrees east 10 chains more or less to the west boundary of the county road;
Thence south 10 degrees west 2.85 chains to beginning.

It is further ordered that a certified copy of this decree be filed in the Probate Court of Baldwin County as evidence of the title of Nettie Denton to said realty by virtue of this decree.

It is further ordered that Respondent pay the costs of this cause for which execution may issue.

Done at Brewton, Alabama, this the 28th day of May, Nineteen Hundred and Twenty-five.

John A. Leigh
Judge.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT
COURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Complainant NETTIE M. DENTON, by this her bill of complaint against ALPHONSE DENTON shows:

First: That she is over the age of twenty-one years and is now and has been for more than three years next prior to this date a bona fide resident of the County of Baldwin, that Alphonse Denton is also over the age of twenty-one years and until within the last two or three years, was also a bona fide resident of the County of Baldwin but has recently departed.

Second: That complainant and defendant were lawfully married at Mobile on the 16th day of February, 1916 and lived together as husband and wife in Mobile and Baldwin Counties until the year 1922 when complainant left defendant upon discovering his immoral behavior. Defendant then went to Atlantic City, New Jersey to secure employment and in June 1923 complainant visited him at that place but left him very shortly thereafter upon discovery that he was continuing his infidelity and has lived separate and apart from defendant ever since.

Third: Complainant specifically charges defendant with adultery committed at Fairhope, Alabama in the spring and summer of 1922, among others, with a woman whose last name is Orange, living at that place. Upon discovery of this she immediately left him but upon defendant's promises of reform returned to him as aforesaid at Atlantic City but soon learned that he was still maintaining improper relations with other women and further charges adultery with women at that place in June 1923, the names and details being to her unknown. These subsequent acts she has at no time condoned.

Fourth: That defendant has removed from Atlantic City to Detroit, Michigan where his address is 5448 Tillman Avenue and where he resides and although said defendant has not abandoned his Alabama residence he is now outside of the State of Alabama so that personal service cannot be had upon him.

THE PREMISES CONSIDERED Complainant prays that Your

Honor take cognizance of the matters here alleged, that Alphonse Denton be made party defendant to this bill and that service be had upon him by registered mail requiring him to answer this bill within the time prescribed by law.

Complainant further prays that upon the hearing of this cause a decree be rendered divorcing her from the said Alphonse Denton, granting her the right to marry again should she so desire and a proper allowance for allimony and solicitors' fees and such other, further or different relief as to Equity may seem meet.

Richardby & Beebe
Solicitors for Complainant.

NOTE: The defendant is required to answer each paragraph of the foregoing bill but not under oath.

Richardby & Beebe
Solicitors for Complainant.

STATE OF ALABAMA

MOBILE COUNTY

Before me, the undersigned Notary Public, personally appeared this day, Nettie M. Denton, who being sworn, says that she is the complainant in the foregoing cause and that she and the defendant are both over the age of twenty-one years and that personal service cannot be had on said defendant, Alphonse Denton, as he is at present outside of the State of Alabama and his Post Office address is No. 5448 Tillman Avenue, Detroit, Michigan, wherefore she prays that service of notice be had upon said Alphonse Denton by registered mail.

NETTIE M. DENTON

Sworn and subscribed to before
me this the 23rd day of March, 1924.

D. R. COLEY, JR.
Notary Public, Mobile County, Alabama.