

Ruby Brock Howell,
Complainant,

vs.

Bert Howell,
Respondent.

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, _____
Note of Testimony, and testimony of Ruby Brock Howell and Amos Barrett.

and in behalf of Defendant upon answer & waiver

Register.

State of Alabama)
Baldwin County)

Personally appeared before me, Orvis M. Brown, a
Notary Public in and for said State and County, one RUBY BROCK HOWELL,
who, first being duly sworn states and affirms upon her oath, that
BERT HOWELL, the respondent in a certion Divorce proceeding now pending
in the Circuit Court of Baldwin County, Alabama, in Equity, is not in
the Military Service of the United States of America, and further
affiant sayeth not.

Ruby Brock Howell

Subscribed to and sworn to before me this 26th day of
January 1942.

Orvis M. Brown
Notary Public, Baldwin County, Ala.
My Commission expires April 2nd, 1943.

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The State of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

RUBY BROCK HOWELL

, Complainant

VS.

BERT HOWELL

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the 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 that the said

Ruby Brock Howell

is forever divorced from the said Bert Howell

for and on account of Desertion

It is further ordered, adjudged and decreed by the Court, that Ruby Brock Howell, be permitted to use her maiden name of Ruby Brock if she desires.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that RUBY BROCK HOWELL AND BERT HOWELL be, and is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that BERT HOWELL the Respondent pay the cost herein to be taxed, for which execution may issue.

This 26th day of February, 1942

F. W. Hare

Judge Circuit Court, In Equity.

I, Alice J. Duck

, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 25th day of February August, 1952

Register of Circuit Court, in Equity.

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RUBY BROCK HOWELL

Complainant

VS

BERT HOWELL

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on Answer & Waives, and Testimony as noted by the Register, and upon consideration thereof, the Court is of the 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 that the said RUBY BROCK HOWELL is forever divorced from the said

BERT HOWELL

for and on account of Desertion,

It is further ordered, adjudged and decreed by the Court, that Ruby Brock Howell, be permitted to use her maiden name of Ruby Brock if she desires.

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that RUBY BROCK HOWELL and BERT HOWELL be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that BERT HOWELL, the Respondent pay the cost herein to be taxed, for which execution may issue.

This 26th day of February, 19 42.

J. W. Hare

Judge Circuit Court, in Equity.

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the 26th day of February, 19 42

Register of Circuit Court, in Equity.

No. Page

The State of Alabama
Baldwin County

In Circuit Court, In Equity

.....
vs. Complainant.
.....

.....
Respondent.
.....

DIVORCE DECREE

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Mrs. Minnie Whitfield.

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 Ruby Brock Howell and Amon Garrett,

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

Ruby Brock Howell, is

Complainant

and Bert Howell, is

Defendant,

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

Witness _____ day of February, 19 42.

R. S. Duck

REGISTER

Commissioner's Fee \$ none.

Witness' Fees, \$ none.

PRAYER FOR RELIEF:

A And your Complainant prays that upon the final hearing of this cause that this Honorable Court will grant to her an absolute divorce dissolving forever and entirely the bonds of matrimony now existing between her and the said BERT HOWELL, and granting her the right to use her maiden name if she should so desire and the further right to marry again should she so desire, and your Complainant further prays for such other and further relief as in Equity and good conscience she may be entitled to in the premises, for which she will ever pray, etc.


SOLICITOR FOR COMPLAINANT.

FOOT NOTE:

The respondent is required to answer but not under oath the same being expressly waived, as to each and every paragraph of the foregoing complaint numbering from one to three both inclusive.


SOLICITOR FOR COMPLAINANT.

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

Ruby Brock Howell

COMPLAINANT

VS.

Bert Howell,

RESPONDENT

I, Mrs. Minnie Whitfield,

as Register and Commissioner

have called and caused to come before me Ruby Brock Howell, and Amos Carrett,

witnesses named in the Requirement for Oral Examination, on the 26 day of February

19 42, at the office of Orvis W. Brown, Robertsdale, Ala.

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

truth, the whole truth, and nothing but the truth, the said Ruby Brock Howell and

Amos Carrett

doth depose and say as follows:

Testimony of Ruby Brock Howell:

My name is Ruby Brock Howell, I am a resident of Loxley, Alabama, and have been all of my life, I am the wife of Bert Howell, the respondent in this cause of action. We were married in Loxley, Alabama, September 17th, 1938 and lived together as man and wife until July 2nd, 1939, and we have not lived together since that date. There were no children born to us of this marriage. On July 2nd, 1939, without any fault of mine the respondent Bert Howell, deserted me and has not returned to live with me since that date although I have been willing to accept him back. It has been more than three years since that he deserted me.

We are both over the age of twenty one and residents of this County, and he is not in the Military Service of the United States of America.

It is my desire that if I should so desire to use my maiden name of Ruby Brock that I be given the right to do so and the further right to marry again if I so desired.

Ruby Brock Howell

ORAL EXAMINATION

I, Mrs. Minnie Whitfield., 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 Orvis M. Brown. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witnesses ; 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 26th day of February 19 42.

Mrs Minnie Whitfield (L. S.)

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No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Abby Brook Howell,

COMPLAINANT

vs.

bert Howell,

RESPONDENT

ORAL DEPOSITION

Filed 2-26, 1942

T. S. Sack, Register

RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

Testimony of Amos Garrett;

My name is Amos Garrett, I am a resident of Robertsdale, Alabama, and have been for the past fifteen years. I know both of the parties to this Divorce Proceeding and know that they are residents of this County and that they are of the ages stated in the complaint. I also know that they were married in Loxley, Alabama, on the 17th day of September, 1938, and lived to-gether as man and wife until about the 2nd day of July, 1939, on which date Bert Howell, deserted his wife Ruby Brock Howell and they have not lived to-gether since that date. I am personally acquainted with both of them and I know that it was no fault of Mrs. Howells that they could not get along to-gether.

Amos Garrett.

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RUBY BROCK HOWELL,
COMPLAINANT,

-vs-

BERT HOWELL,
RESPONDENT,

RECORDED

AFFIDAVIT AS TO MILITARY SERVICE:

Filed 2-26-42
R. S. Galt
clerk

ORVIS M. BROWN,
ATTORNEY FOR
COMPLAINANT.

Filed 2-26-42
R. S. Smith
Clerk

ANSWER & WAIVER

Lert Howell,
Resp. defendant.

vs.

Guby Brock Howell,
Complainant.

RECORDED

In Equity No. 804

RECORDED

NO. 504

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

abby Brock Howell,

Complainant

VS.

Bert Howell,

Defendant

Commission To Take Deposition

COMMISSIONER:

Mrs. Minnie Whitfield

Witnesses:

abby Brock Howell,

Mos Garrett.

Filed 2-26-42
R. H. Buck
Clerk

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Suby Brock Howell ,

VS.

Bett Howell,

NOTE OF TESTIMONY

Filed in Open Court this 26

day of Feb. 1942

R. S. Duck

REGISTER

RECORDED

IN EQUITY NO.

RUBY BROCK HOWELL,

Complainant,

-vs-

BERT HOWELL,

Respondent,

BILL OF COMPLAINT:
DIVORCE:

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Filed 2-26-42

R. S. Dush

Clerk

ORVIS M. BROWN,
ATTORNEY FOR COMPLAINANT
ROBERTSDALE, ALA.