

Divorce Decree

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

W. E. HOWELL Complainant

VS

MILDRED HOWELL Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decrees-Pro-Confesso-~~  
~~on Answer of Respondent~~ 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,  
and that the said W. E. Howell  
is forever divorced from the said

Mildred Howell

for and on account of

Abandonment.

It is further ordered, adjudged and decreed that Mildred Howell, the  
Respondent in said cause be awarded the care, custody and control  
of William Earl Howell, Annie Octavia Howell and James Theodore  
Howell, her minor children.

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 W. E. Howell and Mildred Howell  
be, and ~~they are~~ hereby permitted to again contract marriage upon the payment of the cost of  
this suit.

It is further ordered that W. E. Howell  
the Complainant pay the cost herein to be taxed, for which execution may issue.

This 15<sup>th</sup> day of January, 1944.  
J. M. Hare  
Judge Circuit Court, in Equity.

I, \_\_\_\_\_, 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 \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_\_\_

Register of Circuit Court, in Equity.

No. .... Page .....

**The State Of Alabama**

**Baldwin County**

**In Circuit Court, In Equity**

vs. Complainant.

Respondent.

**DIVORCE DECREE**

W. E. Howell, Complainant

In the Circuit Court of Baldwin County.

vs.

In Equity.

Mildred Howell, Respondent.

Comes the respondent in the above entitled cause and as answer to the Complaint filed in this cause, alleges and states.

First.

Respondent denies each and every allegation of the complaint and each paragraph and demands strict proof thereof.

Second.

Respondent requests that she be granted and allowed to retain the custody of the following children viz.:-

William Earl Howell, 12 years of age; Annie Octavia Howell-5 years of age and James Theodore Howell 3 years of age, as on account of their age they need a mother's care, and complainant is not a fit and proper person to raise and look after these children, and respondent is the proper person to raise and care for these minor children.

Mildred Howell.  
Respondent.  
Solicitor for Respondent.

W. E. HOWELL

VS.

MILDRED HOWELL

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, and  
upon the Testimony of W. E. Howell and Mrs. Gladys Wilson

and in behalf of Defendant upon Answer and Testimony of Mildred Howell

*R. L. Huch*

Register.

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

FIRST:

SECOND:

PRAYER FOR PROCESS AND RELIEF.

The premises considered your Complainant prays that the above named Mildred Howell be made party defendant to this Bill of Complaint by the usual Writ of process of this Honorable Court, requiring her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause your Honor will grant unto your Complainant

an absolute divorce from said respondent and that your Honor will also decree that your Complainant be allowed to remarry if he sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to him such other, further, different and general relief to which he may be entitled and as in duty bound he will ever pray.

W. E. Russell  
Complainant.

THE STATE OF ALABAMA, }  
Baldwin County

CIRCUIT COURT

TO ERIN STUART:

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 W. E. Howell and Mrs. Gladys Wilson as witnesses in  
behalf of Complainant and Mildred Howell

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

W. E. Howell is Complainant  
and

Mildred Howell is Defendant,  
on oath to be by you administered, upon them

to take and certify the depositions of the witness es and return the same to our Court, with all Convenient speed, under your hand.

Witness 14th day of January, 19 44.

W. E. Howell  
REGISTER

Commissioner's Fee \$

Witness' Fees, \$

1033

RECORDED

Handwritten signature  
1943



NO. 10333

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

W. E. HOWELL

Complainant

VS.

MILDRED HOWELL

Defendant

Commission To Take Deposition

COMMISSIONER:

ERIN STUART

Witnesses:

THE STATE OF ALABAMA }  
Baldwin County }

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

W. E. HOWELL

COMPLAINANT

vs.

MILDRED HOWELL

RESPONDENT

I, ERIN STUART

as Register and Commissioner

have called and caused to come before me W. E. Howell and Mrs. Gladys

Wilson as witnesses for Complainant and Mildred Howell

as witness for Respondent,

witnesses named in the requirement for Oral Examination, on the 14th day of January,

1944, at the office of HYBART & CHASON

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

truth, the whole truth, and nothing but the truth, the said W. E. Howell, Mrs. Gladys

Wilson and Mildred Howell doth depose and say as follows:

I, Erin Stuart 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 John Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses es 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 14th day of January 194 4.

Erin Stuart (L. S.)

No.

Page

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

W. E. HOWELL,

COMPLAINANT

VS.

MILDRED HOWELL

RESPONDENT

ORAL DEPOSITION

Filed

194

John Chason, Register.

RECORDED IN

Record

Vol. Page

, Register

TESTIMONY OF W. E. HOWELL.

My name is W. E. Howell. I am the Complainant in the Bill for Divorce filed by me in the Circuit Court of Baldwin County, Alabama, in Equity, against Mildred Howell. I am over the age of twenty-one years and am a resident of Mobile, Alabama. I have been a resident citizen of Mobile, Alabama, for more than three years next immediately preceding the filing of this bill of Complaint. Mildred Howell is over the age of twenty-one years and resides at Bay Minette, Alabama. I married Mildred Howell on May 23, 1917 and we lived together as man and wife until December 27, 1940 when the said Mildred Howell voluntarily abandoned me. We were living near Anniston, Alabama, and she left me and returned to Baldwin County. We have not lived together since that time. SHE has failed and refused to live with me for more than two years next immediately preceding the filing of the Bill of Complaint in this cause.

W. E. Howell

TESTIMONY OF MRS. GLADYS WILSON

My name is Mrs. Gladys Wilson; I am over the age of twenty-one years and a resident of Bay Minette, Alabama, having lived here all my life; I am personally acquainted with W. E. Howell and Mildred Howell and have known them for many years; Both W. E. Howell and Mildred Howell are over the age of twenty-one years. He is a resident of Mobile, Alabama, and she is a resident of Bay Minette, Alabama. W. E. Howell has lived in Mobile for more than three years next immediately preceding the filing of the Bill of Complaint in his suit for divorce against Mildred Howell. I was about ten years of age when they married and I remember the occasion. I do not remember the exact date that they married, but in my best judgment it was in 1917. Mildred Howell voluntarily abandoned W. E. Howell about Christmas of 1940 and she has not lived with him as man and wife since that time. They were living at Munford, Alabama, at that time and she left him up there and she came to Bay Minette and has lived in Bay Minette ever since that time. About the time that she left Munford he returned to Mobile and has been working in the Police Department down there for some time. She has not lived with him as man and wife since about Christmas, 1940.

Mrs Gladys Wilson

W. E. Howell, Complainant.

vs.

Mildred Howell, Respondent.

In the Circuit Court of Baldwin  
County, Ala. in Equity.

Testimony of Mildred Howell, respondent.

Mildred Howell being duly sworn doth depose and say:

My name is Mildred Howell, and I am over the age of 21 years, and  
reside in Baldwin County, Alabama.

W. E. Howell and I were married in Bay Minette, Ala. May 23, 1917,  
and we lived together until December 27, 1940.

I have the custody of the following minor children:- William Earl  
Howell 12 years of age; Annie Octavia Howell, 5 years of age and  
James Theodore Howell, 3 years of age and I am entitled to the cus-  
tody of said minor children, as I can care for and look after these  
children and W. E. Howell is not a proper person to care for said  
children, as he is working in Mobile, Ala., and I understand that  
he has only a room in Mobile and could not keep the children.

Mildred Howell-----

Mildred Howell.

THE STATE OF ALABAMA }  
Baldwin County }

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

W. E. HOWELL

COMPLAINANT

VS.

MILDRED HOWELL

RESPONDENT

I, ERIN STUART

as ~~Register and~~ Commissioner

have called and caused to come before me W. E. Howell and Mrs. Gladys

Wilson as witnesses for Complainant and Mildred Howell

as witness for Respondent,

witnesses named in the requirement for Oral Examination, on the 14th day of January,

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

truth, the whole truth, and nothing but the truth, the said W. E. Howell, Mrs. Gladys

Wilson and Mildred Howell doth depose and say as follows:

I, Erin Stuart 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 John Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses es 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.

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Given under my hand and seal, this 14th day of January 194 4.

Erin Stuart (L. S.)

No. _____		Page _____	
<b>THE STATE OF ALABAMA,</b>			
<b>BALDWIN COUNTY</b>			
<b>IN CIRCUIT COURT, IN EQUITY</b>			
_____		_____	
W. E. HOWELL,			
_____		_____	
COMPLAINANT			
_____		_____	
VS.			
_____		_____	
MILDRED HOWELL			
_____		_____	
RESPONDENT			
<b>ORAL DEPOSITION</b>			
Filed <u>Jan 4</u> , 19 <u>44</u>			
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Record			
Vol. _____		Page _____	
_____		_____	
Register			



W. E. HOWELL

VS.

MILDRED HOWELL

THE STATE OF ALABAMA,  
BALDWIN COUNTYIN EQUITY  
CIRCUIT COURT OF BALDWIN COUNTYThis cause is submitted in behalf of Complainant upon the original Bill of Complaint, ~~and~~~~upon the Testimony of W. E. Howell and Mrs. Gladys Wilson~~and in behalf of Defendant upon ~~Answer and Testimony of Mildred Howell~~

Register.

RECORDED

No. \_\_\_\_\_

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

W. E. HOWELL

VS.

MILDRED HOWELL

NOTE OF TESTIMONY

Filed in Open Court this 14<sup>th</sup>

day of January 1944

Register.

IN EQUITY.

The premises considered your Complainant prays that the above named Mildred Howell be made party defendant to this Bill of Complaint by the usual Writ of process of this Honorable Court, requiring her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause your Honor will grant unto your Complainant

an absolute divorce from said respondent and that your Honor will also decree that your Complainant be allowed to remarry if he sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to him such other, further, different and general relief to which he may be entitled and as in duty bound he will ever pray.

W. E. Russell  
Complainant.