

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF BALDWIN COUNTY
ALABAMA -- IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon David Brice Owen to appear and plead, answer or demur, within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Annie Lois Owen against David Brice Owen as Respondent.

Witness my hand this the ____ day of April, 1957.

REGISTER

ANNIE LOIS OWEN,
Complainant
versus

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DAVID BRICE OWEN,
Respondent

Comes your Complainant, Annie Lois Owen, and files this her Bill of Complaint against David Brice Owen for divorce, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and the Respondent are over the age of twenty-one years and are bona fide residents of Baldwin County, Alabama, residing in Fairhope, Alabama.

SECOND:

That the Complainant and the Respondent were married on, heretofore, to-wit, August 27, 1955 and lived together as husband and wife until on, to-wit, October 24, 1957, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on October 24, 1957 and at times prior thereto, the Complainant states that the Respondent, from his manner and conduct towards her, gave reasonable appre-

hension of committing bodily harm and violence upon her person, and from his manner and conduct toward her, the Complainant is reasonably certain that if she continues to live with Respondent as man and wife, he will commit such violence upon her person, attended with danger to her life and health.

THIRD:

That there was born of this marriage two children: Alice Gwendolyn Owen, age five (5) months, and Terry Patricia Owen, age seventeen (17) months. That the Complainant and the Respondent have previously entered into an agreement wherein the care, custody and control of the said minor children shall be vested in the paternal grandmother, Mrs. Esther M. Owen, of Fairhope, Alabama.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named David Brice Owen be made a party Defendant to this cause by the usual writ or process, requiring him to appear and 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 award the Complainant an absolute divorce from the Respondent and will decree that the parties may remarry if they see fit and that Respondent is not to harass your Complainant in any way or means. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.


SOLICITOR FOR COMPLAINANT

SUMMONS AND COMPLAINT

ANNIE LOIS OWEN,

COMPLAINANT

VERSUS

DAVID BRICE OWEN,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

ANNIE LOIS OWEN,
COMPLAINANT
VERSUS

DAVID BRICE OWEN,
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

STIPULATED AGREEMENT

Whereas, the parties hereto were married on August 27, 1955 and have lived together as man and wife until October 24, 1957, and

Whereas the parties have agreed to separate and no longer live together as man and wife, now, therefore, it is agreed as follows:

1. That there were born of this marriage two children: Alice Gwendolyn Owen, aged five (5) months, and Terry Patricia Owen, aged seventeen (17) months. Since the Complainant does not have the proper means for caring for the said minor children, it is understood and agreed by the Complainant that because the Respondent is subject to being located in the course of his employment in various sections of the country; and that the paternal grandmother of the minor children is a fit and proper person and has the means to support and maintain the children in a proper manner; that the paternal grandmother, Mrs. Esther M. Owen, of Fairhope, Alabama, shall have the care, custody and control of the minor children vested in her.

2. All personal property owned by the parties hereto shall become the property of Complainant and Respondent, respectively.

3. It is further understood and agreed between the parties that in the event a divorce action shall be instituted by either party to this agreement, such stipulated agreement may be admitted as a part of the proceedings and may be confirmed by any Court having jurisdiction of such proceedings.

IN WITNESS WHEREOF, the parties to this agreement have hereunto set their hands and seals on this the 2nd day of November, 1957.

Annie Lois Owen (SEAL)
ANNIE LOIS OWEN

David Brice Owen (SEAL)
DAVID BRICE OWEN

Subscribed and sworn to before me this the 2nd day of November, 1957.

James M. Bailey
NOTARY PUBLIC, STATE OF ALABAMA
AT LARGE

My commission expires July 14, 1958.

4158

BILL OF COMPLAINT

and

STIPULATED AGREEMENT

ANNIE LOIS OWEN,

COMPLAINANT

VERSUS

DAVID BRICE OWEN,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed 11-4-57
Clifford Owen
Register

ANNIE LOIS OWEN,
COMPLAINANT
VERSUS
DAVID BRICE OWEN,
RESPONDENT

1
IN THE CIRCUIT COURT OF
1
BALDWIN COUNTY, ALABAMA
1
IN EQUITY

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and to each and every paragraph thereof, separately and severally, says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.
2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and date of separation, but Respondent denies all other allegations of this Paragraph and demands strict proof of the same.
3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. Respondent also waives notice of taking of testimony in this cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

David Brice Owen
RESPONDENT

Subscribed and sworn to before me this 2d day of November, 1957.

Curran K. Dail
NOTARY PUBLIC, STATE OF ALABAMA
AT LARGE
My commission expires July 14, 1958.

4158

ANSWER AND WAIVER

ANNIE LOIS OWEN,

COMPLAINANT

VERSUS

DAVID BRICE OWEN,

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed 11-4-57
Aerie J. H. H. H.
Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNIE LOIS OWEN, Complainant
vs.
DAVID BRICE OWEN, 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 ANNIE LOIS OWEN is forever divorced from the said DAVID BRICE OWEN for and on account of Cruelty. It is further ordered, adjudged and decreed that the stipulated agreement heretofore agreed to by the parties is hereby ratified and confirmed and the custody, care and control of the minor children, Alice Gwendolyn and Terry Patricia Owen, is placed in the paternal grandmother, Mrs. Esther M. Owen.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Complainant, Annie Lois Owen, the Complainant pay the cost herein to be taxed, for which executed may issue.

This 4th day of November, 1957

Hubert M. Hall
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

ANNIE LOIS OWEN

Complainant

vs.

DAVID BRICE OWEN

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

ANNIE LOIS OWEN COMPLAINANT

vs.

DAVID BRICE OWEN RESPONDENT

I, Betty Clark

as Register and Commissioner

have called and caused to come before me Annie Lois Owen

witness named in the requirement for Oral Examination, on the 2nd day of November 1957, at the office of Ernest M. Bailey

in Fairhope, Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Annie Lois Owen

doth depose and say as follows:

STATEMENT OF ANNIE LOIS OWEN:

My name is Annie Lois Owen. I am the Complainant in the above styled cause. I am over the age of twenty-one years and the Respondent is over the age of twenty-one years. The Respondent and I were married on August 27, 1955 and lived together until on October 24, 1957.

On October 24, 1957 and on many occasions prior thereto, the Respondent threatened to do bodily harm to me and from his conduct and manner toward me, I am certain that if I continue to live with him as his wife, he will commit actual violence upon my person, attended with danger to my life and health.

Annie Lois Owen

I, Betty Clark 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 _____ and read over to her and she signed the same in the presence of myself and Ernest M. Bailey at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proof made before me of the identity of said witness _____; 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 2nd day of November, 1957.

Betty Clark (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

ANNIE LOIS OWEN

COMPLAINANT

VS.

DAVID BRICHE OWEN

RESPONDENT

ORAL DEPOSITION

Filed 11-4, 1957

Ernest M. Bailey
RECORDED IN Register.

Record _____

Vol. _____ Page _____

Register _____

3581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

Annie Lois Owen

vs.

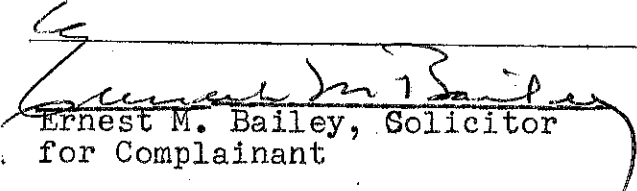
David Brice Owen

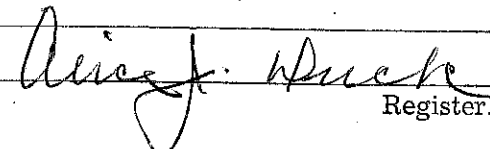
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and Oral Testimony

and in behalf of Defendant upon Answer and Waiver


Ernest M. Bailey, Solicitor
for Complainant


Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Annie Lois Owen

vs.

David Brice Owen

NOTE OF TESTIMONY

Filed in Open Court this 4

day of Nov, 1947

Brice Owen
Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Betty Clark

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Annie Lois Owen

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Annie Lois Owen

_____, Complainant

and David Brice Owen

_____ Respondent

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

Witness 1st day of November, 1957

[Handwritten Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Annie Lois Owen

Complainant

VS.

David Brice Owen

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Betty Clark

WITNESSES:

Annie Lois Owen

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