

3467

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Mildred M. Styron, Complainant vs.

Theo M. Styron, Respondent

answer and waiver

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Confession~~

Stipulation 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 Mildred M. Styron is forever divorced from the said Theo M. Styron for and on account of

Abandonment. Mildred M. Styron is awarded the care, custody and control of Betty Styron and Marvin E. Styron, the minor children of the parties; Theo M. Styron shall have the right to visit said children and have them visit him at reasonable and proper times but such children cannot stay with him overnight without the consent of Mildred M. Styron. Theo M. Styron is ordered to pay Mildred M. Styron as alimony and as support for said children the sum of \$18.75 each Saturday, beginning March 5, 1955, until further order of this Court. He is also ordered to pay Chason & Stone a solicitor's fee of \$100.00 which amount shall be paid on or before June 1, 1955.

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 Theo M. Styron the Respondent pay the cost herein to be taxed, for which executed may issue.

This 1st day of March, 1955.

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

Complainant

vs.

Respondent

DIVORCE DECREE

*Filed 3-1-55
Averis French
Registrar*

MILDRED M. STYRON,
 Complainant,
 vs.
 THEO M. STYRON,
 Respondent.

I
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 IN THE CIRCUIT COURT OF
 I
 BALDWIN COUNTY, ALABAMA
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 IN EQUITY
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S T I P U L A T I O N

Come the parties in the above styled cause and stipulate and agree as follows:

FIRST:

That a proceeding is now pending in the Circuit Court of Baldwin County, In Equity, in which the Complainant is seeking a divorce and custody of the minor children of said parties, Betty Styron and Marvin E. Styron, and she is also seeking alimony and support for said children and seeking to have the Respondent pay her solicitors' fees in said cause. The parties hereto agree that the Complainant, Mildred M. Styron, should have the care, custody and control of said minor children with the right of the Respondent to visit such children or have them visit with him at reasonable and proper times, however, such Respondent shall not have the right to keep the children overnight without the consent of the Complainant.

SECOND:

It is further agreed that Theo M. Styron, the Respondent, shall pay the said Mildred M. Styron, the Complainant, as alimony and support for such children the sum of Eighteen and 75/100 Dollars (\$18.75) each week beginning Saturday, March 5, 1955, and the same amount on Saturday of each week thereafter, until further ordered by this Court. The said Respondent also agrees to pay Chason & Stone as Solicitors for such Complainant the sum of One Hundred Dollars (\$100.00) which amount shall be paid by him to them on or before June 1st, 1955.

Dated this 1st day of March, 1955.

FILED

3-1-55

LISE I. DUCK, Register

Mildred M. Styron (SEAL)

Theo M. Styron (SEAL)

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Theo M. Styron 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 Mildred M. Styron, as Complainant, against Theo M. Styron, as Respondent.

Witness my hand this 14 day of February, 1955.

Alice J. ...
Register.

MILDRED M. STYRON,
Complainant,

vs.

THEO M. STYRON,
Respondent.

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

Comes your Complainant, Mildred M. Styron, and files this her Bill of Complaint for divorce against Theo M. Styron, and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That your Complainant and Respondent are over the age of twenty-one years, and are both resident citizens of Baldwin County, Alabama, residing at Bon Secour, and that they have been such residents for the last twenty years.

SECOND:

That your Complainant and the Respondent were married on heretofore to-wit, October 23, 1936, and lived together as man and wife until July, 1953, when the Respondent voluntarily abandoned the bed and board of your Complainant, without just cause or legal excuse and he has failed and refused to live with her as man and wife since that time.

THIRD:

That there were born to your Complainant and the Respondent two children, Betty Styron a girl who will be twelve years of age on February 28, 1955, and a boy, Marvin E. Styron, who is now ten years of age. That your Complainant is a fit and proper person to have the care, custody and control of such children and the Respondent is not a fit and proper person to have their care, custody and control.

FOURTH:

That the Respondent is an able-bodied man and is able to support your Complainant and said children. That your Complainant owns no property and has no money with which to support such children. That in the last year the Respondent has furnished the groceries but has not bought the clothes for either the Complainant or the children but Complainant has been working at odd jobs, doing field work, in order to get money with which to buy clothes for herself and the children. That your Complainant does not have sufficient money with which to pay a solicitor to represent her in this proceeding but that she has employed Chason & Stone, Attorneys at Bay Minette, as her solicitors to prosecute such proceeding.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Theo M. Styron be made a party Defendant to this cause by the usual writ or process of this Honorable Court 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 that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full custody and control of her minor children fixing an amount to be paid by the Respondent to the Complainant for her support and the support of the children; that your Honor will also decree that the said Respondent pay the solicitors' fees for the Complainant to Chason & Stone as her solicitors; that your Honor will also decree that the parties be allowed to remarry if they see

BOOK 016 PAGE 430.

fit. 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.

Mildred M. Stinson.
Complainant.

CHASON & STONE

By: [Signature]
Solicitors for Complainant.

FILED

2-14-55

ALICE J. DUCK, Register

BOOK 016 PAGE 421

MILDRED M. STYRON,
Complainant,
vs.
THEO M. STYRON,
Respondent.

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IN THE CIRCUIT COURT OF
I
BALDWIN COUNTY, ALABAMA
I
IN EQUITY.
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Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and each and every paragraph thereof, says:

1. That he admits the allegations of the First Paragraph of the Bill of Complaint.

2. That he admits the allegation of the Second Paragraph of the Bill of Complaint as to the date of marriage but denies all of the other allegations of said Paragraph and demands strict proof thereof.

3. That he admits the allegations of the Third Paragraph of the Bill of Complaint except he denies the allegation that he is not a fit and proper person to have the care, custody and control of the children.

4. The Respondent denies the allegations of the Fourth Paragraph of the Bill of Complaint.

The Respondent hereby waives notice of the taking of testimony in said 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.

Theo M Styron
Respondent

WITNESS:

Mrs. A. E. Vines

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3-1-55

WACE I. DUCK, Register

Q. At that time did he voluntarily abandon your bed and board without just cause and legal excuse?

a. Yes, sir.

Q. Has he failed and refused to live with you as man and wife since July, 1953?

A. Yes, sir.

Q. Do you have two minor children - you and Theo M. Styron?

A. Yes, sir.

Q. What are their names?

A. Betty Styron and Marvin E. Styron.

Q. How old is Betty?

A. 12.

Q. How old is Marvin?

A. 10.

Q. Are you a fit and proper person to have the care, custody and control of such children?

a. Yes, sir; I think I am. I've tried to be.

Q. Do you think Theo M. Styron would be a proper person to have their custody?

A. No, sir, not under the circumstances.

Q. Is Theo M. Styron an abled bodied man, able to support you and the children?

A. Yes, sir.

Q. Do you own any property, or have any money with which to support yourself and the children?

A. No, sir.

Q. Did you employ Chason & Stone, as your Solicitors to prosecute this suit for you?

A. Yes, sir.

Q. Have you been able to pay them their full Attorney's fee?

A. No, sir.

Q. Anything to be paid in the future is to be paid by your husband?

A. Yes, sir.

Q. You have entered into a stipulation with Theo M. Styron which we are filing in this cause, by which it has been agreed that you are the proper person to have the children, and that he agrees to pay you as alimony and support for the children the sum of \$18.75 a week?

A. Yes, sir.

Q. And he agrees to pay us an Attorney's fee of \$100.00?

A. Yes, sir.

Q. You signed that stipulation?

A. Yes, sir.

Q. Theo signed it in your presence?

A. Yes, sir.

Q. And in my presence?

A. Yes, sir.

MRS. SUSIE CARVER, A WITNESS FOR THE COMPLAINANT, BEING
FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Chason.

Q. Is this Mrs. Susie Carver?

A. Yes, sir.

Q. Mrs. Carver, do you know Mildred and Theo M. Styron?

A. Yes, sir.

Q. How long have you known them?

A. 14 years.

Q. Have they lived together as man and wife since July, 1953?

A. No, she says not.

Q. Do you live near them?

A. Yes, sir.

Q. They lived under the same roof?

A. Yes, sir.

Q. You have not seen any indication of them living in the same room, or anything?

A. No, sir.

Q. Do you visit with the family from time to time?

A. Yes, sir.

Q. You have been in the house?

A. Yes, sir.

Q. In your opinion is Mrs. Styron a fit and proper person to have the care, custody and control of those children?

A. Yes, sir.

I hereby certify that the foregoing is a true and correct transcript of the testimony as taken by me in the above styled cause, before Hon. Hubert M. Hall, Judge of the Circuit Court of Baldwin County, Alabama, on the 1st day of March, 1955.

This 1st day of March, 1955/

Court Reporter

3470

BOOK 221 PAGE 66

W. H. DRIVER,
COMPLAINANT

IN THE CIRCUIT COURT OF

VS.

NORTHEAST QUARTER (NE $\frac{1}{4}$) OF THE
NORTHEAST QUARTER (NE $\frac{1}{4}$) OF SEC-
TION 11, TOWNSHIP 5 SOUTH, RANGE
3 EAST, CONTAINING 40 ACRES, MORE
OR LESS; EXCEPTING THEREFROM 20
FEET ON THE NORTH SIDE; AND
AGAINST THE FOLLOWING NAMED PER-
SONS: WILLIAM H. STAUBE, THERESA
M. STAUBE, MARTIN CUSHING AND
WILLIAM H. STRAUBE, IF LIVING OR
IF DECEASED AGAINST THE UNKNOWN
HEIRS, DEVISEES, PERSONAL REPRESENTATIVES AND ASSIGNS OF SUCH
OF THEM AS ARE DECEASED; AND ANY
AND ALL OTHER PERSONS, FIRMS,
ASSOCIATIONS OR CORPORATIONS
CLAIMING ANY TITLE TO, INTEREST
IN, CLAIM, LIEN OR ENCUMBRANCE
ON SAID LANDS OR ON ANY PART
THEREOF,

BALDWIN COUNTY, ALABAMA,

IN EQUITY

DEFENDANTS

DECREE

This cause coming on to be heard is submitted for final decree upon behalf of the complainant, upon the original bill of complaint and upon the service, decree pro confesso, appointment, acceptance and answer of guardian ad litem, pleading and proof as noted by the register; and the same being considered by the Court, the Court is of the opinion, does find, ascertain and decree, that due and proper notice of the pendency of the said bill of complaint against the said lands and the said defendants, William H. Staube, Theresa M. Staube, Martin Cushing and William H. Straube, if living or if dead, the unknown heirs, devisees and personal representatives; and any and all other persons, firms, associations or corporations, claiming any title to, interest in, claim, lien or encumbrance on said lands or any part thereof, has been given in the manner required by law, and that the complainant is entitled to the relief as prayed for in the bill of complaint.

IT IS THEREFORE FOUND, ASCERTAINED, ORDERED, ADJUDGED AND DECREED by the Court that the said complainant, W. H. Driver, who is over the age of twenty-one years, at the time of the filing of the said bill of complaint and at the time of the submission of this cause for final

decree, the complainant was and is in the actual and peaceable possession, claiming to own the same absolutely, and in fee simple of all that certain tract of land situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

The Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 11, Township 5 South, Range 3 East, containing 40 acres, more or less; excepting therefrom 20 feet on the North side;

That the title to said lands on the Records of Baldwin County stand in the name of your complainant; that the complainant obtained title to the land by deed of Mrs. M. L. Walthall, a widow, dated June 23, 1937, and recorded the 13th day of November, 1939 in the Office of the Judge of Probate of Baldwin County, Alabama, in Deed Book 70 at page 501; the said Mrs. M. L. Walthall acquired title to the land by deed of A. B. McCorvey, unmarried, dated November 2, 1928, recorded the 17th day of November, 1928 in Deed Book 46 at page 225; the said A. B. McCorvey acquired title to the land by tax deed from the State of Alabama, dated June 25, 1938, recorded the 17th day of November, 1928 in Deed Book 46 at page 232, and said lands were acquired by the State of Alabama by sale for delinquent taxes on the 13th day of April, 1925, under assessment to one William H. Straube; that for more than ten years next preceding the filing of this bill of complaint no other persons other than the complainant and those through whom they claim title to the said lands or any part thereof have assessed or paid taxes thereon and that they and those through whom they claim title have been in actual, peaceable, notorious, exclusive, continuous, hostile, adverse possession of the same for more than ten years next preceding the filing of this bill of complaint.

IT IS THEREFORE FURTHER ORDERED, ADJUDGED AND DECREED, that the said W. H. Driver, at the time of the filing of the bill of complaint in this cause and at this time had and has the fee simple to the above described lands, and to each and every part and parcel thereof, that none of the defendants, William H. Staube, Theresa M. Staube, Martin Cushing and William H. Straube, if living or if dead, the unknown heirs, devisees, and personal representatives, nor any and all persons, firms,

associations or corporations have any title to, interest in, claim, lien or encumbrance on said lands or any part thereof.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the title hereby quieted and established in and declared to be in the said W. H. Driver, shall inure to the benefit of all persons deriving title to said lands or any part therein, from or through the said W. H. Driver, and the said title so quieted and established in him shall be treated and considered as established in favor of the said W. H. Driver, and all persons deriving title through him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a certified copy of this decree be, by the register of this Court, recorded in the office of the Judge of Probate of Baldwin County, Alabama, in which County the said land lies, within thirty days from the date of this decree, and that the cost thereof be taxed as a part of the cost in this proceeding.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said W. H. Driver, be and he is hereby taxes with the cost of this proceeding for which let execution issue.

Done at Bay Minette, Alabama, this the 29 day of April, 1955.

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 above stated cause, which said decree is true and enrolled in my office.
WITNESS MY HAND AND SEAL THIS 29 day of Apr 1955

Alice J. Duck
Register of Circuit Court, in Equity

Hubert M. Hall

Judge

RECEIVED
MAY 11 1955
CLERK OF THE COURT
W. H. DRIVER
MAY 11 1955
CLERK OF THE COURT
W. H. DRIVER
MAY 11 1955
CLERK OF THE COURT
W. H. DRIVER

STATE OF ALABAMA, BALDWIN COUNTY

Filed 5-4-55 10 A. M

Recorded Dud book 221 page 66-8

W. H. Driver
Judge of Probate

[Handwritten notes and scribbles in the bottom left corner]