(3756)

DIVORCE DECREE

PRINTED BY MOORE PTG. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

GRACE ELAINE OWEN, Complainant

vs.

WILLIAM DERRELL OWEN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 GRACE ELAINE OWEN is forever divorced from the said WILLIAM DERRELL OWEN ~~for and on account of~~

It is further ORDERED, ADJUDGED AND DECREED that the complainant, GRACE ELAINE OWEN, be, and she is hereby, awarded the care, custody and control of the minor children, ANNETTE, WILLIAM DERRELL, JR., LORRAINE AND JAREN, with rights of reasonable visitation in the respondent, WILLIAM DERRELL OWEN.

JURISDICTION is hereby retained for such further orders or decreesas may become necessary in the future.

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 GRACE ELAINE OWEN the Complainant pay the cost herein to be taxed, for which executed may issue.

This 13th day of June, 1956

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
JUN 13 1956
ALICE L. MUSK, Register

ORAL DEPOSITION

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

GRACE ELAINE OWEN Complainant

VS.

WILLIAM DERRELL OWEN Respondent

I, James R. Owen
as ~~Register and~~ Commissioner
have called and caused to come before me GRACE ELAINE OWEN

witness named in the Requirement for Oral Examination, on the 12TH day of June 1956, at the office of Telfair J. Mashburn, Jr.
in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said GRACE ELAINE OWEN doth depose and say as follows: "My name is Grace Elaine Owen. I am the complainant in this cause and I am over the age of twenty-one years. I live in Baldwin County, Alabama, in Hurricane, and I have been a bona fide resident citizen of this County and State for more than one year next preceding the filing of the bill of complaint in this cause. The respondent, WILLIAM DERRELL OWEN, is over the age of twenty-one years, and is a bona fide resident citizen of Baldwin County, Alabama. The respondent and I were married in Bay Minette, Alabama, on December 25, 1936. After our marriage my husband gradually started drinking alcoholic beverages more and more. At first, he would get drunk occasionally, and would not drink for a while after being drunk, but he gradually got worse, and for the last past six years he been an habitual drunkard, staying drunk weeks at the time. He would spend all of his money on alcoholic drinks and did nothing to help me support our children. Finally, on or about the 10th day of March, 1956, I was forced to leave him because of his drinking. We have four children, ANNETTE OWEN, 16, WILLIAM DERREL OWEN, JR., 15, LORRAINE OWEN, 14, and JAREN OWEN, 6; my husband is not a fit and proper person to have the care, custody and control of these children. For the last three years I have had to work and support the children, and I am a fit and proper person to have the care, custody and control of said children. Because of his drinking my husband has not worked much lately, and, for that reason, I am not going to ask the Court to fix any amount for him to pay for the support of the children. However, I do want the Court to retain jurisdiction of this case for the purpose of making any necessary orders or decrees for the support of said children in the future." Further Deponent says not.

Grace Elaine Owen

ORAL EXAMINATION.

I, James R. Owen, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and read over to her and she signed the same in the presence of myself and Telfair J. Mashburn, Jr.

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 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 12th day of June, 1956.

James R. Owen (L. S.)

NO. PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs.

Complainant

Respondent.

Oral Deposition

Filed 6-12, 1956

Register.

Recorded in Record

Vol. Page

Register

GRACE ELAINE OWEN,
Complainant,

VS.

WILLIAM DERRELL OWEN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
NO. #&% 3756

DEMAND FOR ORAL EXAMINATION.

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from Bay Minette, in the County of Baldwin, Alabama, the place of trial of said cause, to-wit: GRACE ELAINE OWEN;

2. That said complainant requires an oral examination of said witnesses before a commissioner appointed by the Register of this Court.

Telfair J. Mashburn, Jr.
Solicitor for Complainant.

NOTE:

Complainant suggests the name of JAMES R. OWEN, as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Telfair J. Mashburn, Jr.
Solicitor for Complainant.

BT-6-40-500

DEMAND FOR ORAL EXAMINATION.

.....,

Complainant,

Vs.

.....,

Respondent.

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

Filed this 12 day of June, 1956.

Alice Jordan Cole

Register.

COMMISSION TO TAKE DEPOSITIONS B.T.-2-49-200

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: JAMES R. OWEN

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 GRACE ELAINE OWEN

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

is the, Complainant

and WILLIAM DERRELL OWEN

is the Respondent

on oath, to be by you administered, upon her

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 12th day of June, 1956

Alice J. Vinck
Register.

Commissioner's Fee, $

Witness' Fees, $

No._____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

8581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

GRACE ELAINE OWEN

vs.

WILLIAM DERRELL 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, Motion for Decree Pro Confesso on Personal Service, Decree Pro Confesso on Personal Service, and Testimony of Grace Elaine Owen

and in behalf of Defendant upon

Alice J. Wheeler
Register.

Julian J. Madsbury Jr.
Solicitor for Complainant

No. .....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 12th

day of June, 1956

Register.

Printed by the Baldwin Times

CIRCUIT COURT COMPLAINT

Printed by the Baldwin Times, Bay Minette, Alabama.

Grace Elaine Owen
Complainant,
Vs.
William Durrell Owen
Respondent.

In the Circuit Court.
In Equity No. 3756.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent William Durrell Owen

by the Sheriff of Baldwin County, on the 28th day of March, 1956.

And it further appears to the Register, that that the said William Durrell Owen

the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore, on motion of Telfair J. Washburn, Jr. Solicitors for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be, and it hereby is, in all things taken as confessed against the said William Durrell Owen

This 8th day of June, 1956.

Register.

No. 3752

CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

Owen

Complainant,

Vs.

Owen

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

Issued this_____day of _____

194_____.

Register.

THE BALDWIN TIMES

GRACE ELAINE OWEN, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA.
WILLIAM DERREL OWEN, Respondent.	)	IN EQUITY. NO. _____

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Your complainant, GRACE ELAINE OWEN, respectfully represents and shows unto your Honor as follows:

1. That your complainant is over the age of twenty-one years and is a bona fide resident citizen of said State and County and has been so for more than two years next preceding the filing of this bill of complaint; that WILLIAM DERREL OWEN is over the age of twenty-one years and is a resident of Baldwin County, Alabama.

2. That your complainant and the respondent were lawfully married on or about, to-wit: the 25th day of December, 1936, at Bay Minette, Alabama.

3. That the said respondent has, since his marriage with your Complainant, become addicted to habitual drunkeness, and that said habit has continued to the filing of this bill of complaint.

4. That there was born of this marriage four children, namely ANNETTE OWEN, age 16, WILLIAM DERREL OWEN, JR., age 15, LORRAINE OWEN, age 14, and JAREN OWEN, age 6; that your complainant is a fit and proper person to have the care, custody and control of said minor children; that the respondent is not a fit and proper person to have the care, custody and control of said minor children.

5. That your complainant works but that she does not earn a sufficient amount of money to support herself and said minor children; that the respondent is strong and able-bodied and well able to work and contribute to support of your complainant and said minor children; that he is employed by Quinley's Garage, Bay Minette, Alabama; and that, including a pension he receives, he has an income of approximately $250.00 per month; that your complainant does not have a sufficient amount of money out of which to pay her Solicitor for prosecuting this suit and that she has employed Telfair J. Mashburn, Jr.,

8600 Motion for Decree Pro Confesso on Personal Service. 3107 Code MFCO.

THE STATE OF ALABAMA, Baldwin County } No. _____ Circuit Court, In Equity.

Grace Elaine Owen Complainant

Vs.

William Darrell Owen Defendant

Motion is hereby made for a Decree Pro Confesso against William Darrell Owen Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ; and that said summons was duly served according to law, and that said Defendant ha failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 8th day of June 1956

Stefan A. Marbury Jr.
Solicitor.

No. 3756 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Owen

Vs.

Owen

Motion for Decree Pro Confesso on Personal Service

Filed 6-8 1956

Register.

Recorded in Record

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Register.

Attorney at Law, Bay Minette, Alabama, as her Solicitor to prosecute this suit.

6. That your complainant and the respondent own jointly certain furniture and household goods, which they paid for jointly; that some of said household goods are not completely paid for; that, in order to make a proper home for their minor children, it is necessary that your complainant retain possession of said furniture and household effects.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your complainant makes the said WILLIAM DERREL OWEN a party respondent to this bill of complaint, and, in order that she may have the relief hereinafter prayed for, may it please your Honor to cause the State's Writ of Subpoena to be issued, directed to the said WILLIAM DERREL OWEN, commanding him to plead, answer or demur to this bill of complaint within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

PRAYER FOR RELIEF

Your complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree divorcing your complainant from the respondent; granting to your complainant the care, cutody and control of their minor children heretofore named, with right of reasonable visitation in the respondent; fixing a reasonable sum for the respondent to pay to your complainant for the support and maintenance of herself and their minor children; fixing a reasonable sum for the respondent to pay to your complainant's solicitor for his services in this cause; and giving to your complainant the title and possession of their furniture and household effects and ordering the respondent to continue to make the payments of such part of said household goods as was bought on the installment plan; and, if your complainant is mistaken in the relief for which she has asked, or to which she is entitled, then she prays for such other, further, different or general relief as in equity and good conscience she may be entitled to receive, and, as in duty bound, she will ever pray, etc.

Solicitor for Complainant.

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No. 3756

March TERM, 1956

BOOK 021 PAGE 317

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon WILLIAM DERREL OWEN

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

WILLIAM DERREL OWEN, Defendant

by

GRACE ELAINE OWEN, Plaintiff

Witness my hand this 26th day of March 1956

Alice J. Derby Clerk

No. 3756 Page

The State of Alabama
Baldwin County

CIRCUIT COURT

GRACE ELAINE OWEN

Plaintiffs

vs.

WILLIAM DERREL OWEN

Defendants

Summons and Complaint

Filed MARCH 26 1956

ALICE J. DUCK Clerk

T.J. MASHBURN, JR.
Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

March 26 1956

, Sheriff

I have executed this summons

this 3-28 1956

by leaving a copy with

William Derrel Owen

Taylor Wilkins Sheriff

W.A. Tolbert Deputy Sheriff

0 miles