(4640)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Willie Lee Owens, Complainant

vs.

William S. Owens, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on answer, and oral testimony 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 Willie Lee Owens is forever divorced from the said William S. Owens for and on account of Cruelty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT, that the Complainant be and she is hereby awarded the care, custody and control of the minor children, Andy Owens, Benjamin Owens, Theress Owens and Kevin Owens, subject to the right of the Respondent to visit the children at reasonable times and to have them visit him at reasonable times and for reasonable periods.

It is futher 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 futher 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 futher ordered that Willie Lee Owens the Complainant pay the cost herein to be taxed, for which executed may issue.

This 18th day of January 1960

Hubert M Hale

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.

Form 112

No._____ Page_____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Willie Lee Owens

Complainant

vs.

William S. Owens

Respondent

DIVORCE DECREE

Filed 1-18-60
[illegible]
Reg

WILLIE LEE OWENS BLACKBURN, Complainant,	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA
WILLIAM S. OWENS, Respondent.	)	IN EQUITY, Case No 4690

This day came Willie Lee Owens Blackburn and filed herein her verified petition praying that William S. Owens be required to appear and show cause, if any he have, why he should not be punished as for a contempt in regard to his failure to pay support and maintenance as heretofore ordered by this Court, and praying the Court to increase the support to be paid by the said William S. Owens for the support and maintenance of the minor children referred to in said petition, and for such other and further or general relief to which she may be entitled, it is therefore

ORDERED, ADJUDGED and DECREED by the Court that the said William S. Owens appear before the Court at 10 o'clock AM, on the 11 day of December, 1963 in the Courtroom of the Circuit Court of Baldwin County in Bay Minette, Alabama, and show cause, if any he have, why he should not be punished as for a contempt, and to show cause, if any he have, why the support paid for the minor children should not be increased. That a copy of said petition and this rule to show cause be served forthwith, personally, upon the said William S. Owens by any sheriff of the State of Alabama in whose jurisdiction the said William S. Owen be found.

DONE this the 21 day of November, 1963.

Hubert M. Hall

H. M. Hall, Judge 28th Judicial Circuit
in Equity Sitting

C. G. C.

BK 13 p. 272-A

WILLIE LEE OWENS BLACKBURN,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS	)	BALDWIN COUNTY, ALABAMA
	)	
WILLIAM S. OWENS,	)	IN EQUITY. Case No. 4690
	)	
Respondent.	)	

Comes your Petitioner, Willie Lee Owens Blackburn, and shows unto his Honorable Court the following:

1. That she is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama; that William S. Owens is over the age of twenty-one years and is presently residing at 1414 Lee Street, Plateau, Mobile County, Alabama.

2. That on, to-wit, the 11th day of October, 1962 in the above styled cause, a decree was rendered by this Honorable Court, requiring the said William S. Owens to pay to your Petitioner the sum of Ten Dollars ($10.00) per week for the support and maintenance of the minor children of their marriage, namely, Andy Owens, Benjamen Owens, Theresa Owens, and Kevin Owens, all of whom are in her care, custody and control.

3. That the said William S. Owens has failed to make said payments in accordance with the said decree, although having sufficient means to comply with said decree and has willfully and contemptuously refused to obey said decree.

4. Petitioner further shows that since the rendition of said decree, Respondent has changed his employment and now receives as compensation for his work, considerably more than he was receiving on the 11th day of October, 1962 when said decree for support was rendered, and that he is now financially able to pay an additional sum for the support and maintenance of the minor children hereinabove named.

5. Petitioner further shows unto the Court that the sum of Ten Dollars ($10.00) per week is an insufficient sum to support and maintain the four children and that it is to the

C. G. C.

BK-33 - p-119-C

best interest of these children that the amount paid for their support and maintenance be increased.

THE PREMISES CONSIDERED, your Petitioner prays that a rule be issued to the said William S. Owens, requiring him, at a time and place therein stated, to appear before the Court and show cause, if any he have, why he should not be punished as for a contempt.

Petitioner further prays that at the time and place of the hearing to show cause; that this Honorable Court consider and fix the proper amount of support to be paid to your Petitioner for the support and maintenance of the minor children of this marriage.

Petitioner further prays for such other, further, different or general relief to which she may be entitled and as in duty bound she will ever pray.

C. G. Chason
Solicitor for Petitioner

STATE OF ALABAMA
BALDWIN COUNTY

Before me, C. G. Chason, a Notary Public in and for said County in said State, personally appeared Willie Lee Owens Blackburn, who is known to me, and who after being by me first duly and legally sworn, deposes and says that she is the Petitioner in the foregoing proceeding and that she has knowledge of the matters and facts stated in the foregoing petition, and that they are true to the best of her knowledge, information and belief.

Willie Lee Owens Blackburn
Willie Lee Owens Blackburn

Sworn to and subscribed before
me on this the 15th day of November,
1963.

C. G. Chason

Respondent can be served at his residence, 1414 Lee St. Plateau, Alabama, or at his place of employment: May Machinery Company, Telegraph Road, Mobile, Alabama

p. 119-D.

WILLIE LEE OWENS BLACKBURN, Complainant,	)	IN THE CIRCUIT COURT OF
vs	)	BALDWIN COUNTY, ALABAMA
WILLIAM S. OWENS, Respondent.	)	IN EQUITY, Case No. 4690

This day Willie Lee Owens Blackburn has requested and petitioned for a hearing, after continuance, on her petition for the Respondent to show cause, if any he have, why he should not be punished for a contempt, it is therefore

ORDERED, ADJUDGED and DECREED by the Court that the said William S. Owens appear before the Court at 10:30 o'clock on the 9th day of September, 1964 in the Courthouse of the Circuit Court of Baldwin County, Alabama in Bay Minette to show cause, if any he may have, why he should not be punished for a contempt, all in accordance with a former order of this Court.

Joseph J. Mullins
Special Judge
28th Judicial Circuit
in Equity Sitting

C. G. C.

BK 12 p. 272-B

WILLIE LEE OWENS BLACKBURN,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
WILLIAM S. OWENS,	)	BALDWIN COUNTY, ALABAMA
	)	
Respondent.	)	IN EQUITY, Case No 4690

Comes the Petitioner in the above styled cause and shows unto this Honorable Court that a continuance has been granted on a petition to show cause why the Respondent should not be punished as for a contempt, and Petitioner further showing that no definite date of hearing hereon has been set following the continuance, therefore prays this Honorable Court to set and fix a date on which said petition may be heard.

Attorney for Petitioner

Respondent may be served at
Robertsdale, Alabama

FILED
AUG 31 1984
ALICE L. DUCK, CLERK REGISTER

BK-33 - P. 119-E-

C. G. C.

WILLIE LEE OWENS BLACKBURN, Complainant,	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA
WILLIAM S. OWENS, Respondent.	)	IN EQUITY, CASE NO. 4690

This matter now coming on to be heard submitted for decision upon a verified petition for a rule to show cause and this being the day set for hearing and the petitioner and the Respondent appearing in open Court with testimony being taken orally before the Court and the Court being of the opinion that the Respondent is delinquent in his payment of support for the minor children of this marriage in accordance with a former decree,

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the Respondent pay to the Complainant for the support of the minor children of this marriage the sum of FIFTEEN DOLLARS ($15.00) per week for forty (40) consecutive weeks, and thereafter, the sum of TEN DOLLARS ($10.00) per week in accordance with the former order.

It is further ORDERED, ADJUDGED and DECREED by the Court that upon Respondent's willful failure or refusal to pay, that he be brought before this Court by appropriate petition to be punished for contempt.

DONE this the 9th day of September, 1964.

Joseph Mullins
Special Judge
28th Judicial Circuit
in Equity Sitting

FILED
SEP 11 1964
ALICE J. DUCK, CLERK REGISTER

C. G. C.

BK 13 P. 272-C.

WILLIE LEE OWENS, Complainant, VS. WILLIAM S. OWENS, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NO. _____

A N S W E R

Comes now the respondent, WILLIAM S. OWENS, and for answer to the bill of complaint heretofore filed in this cause, and to each and every paragraph thereof, says:

1. He admits the allegations contained in paragraph 1 of said bill of complaint.

2. He admits the allegations contained in paragraph 2 of said bill of complaint.

3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.

4. He admits the allegations contained in paragraph 4 with regard to the names and ages of the children born to this union, but denies and demands strict proof of the other allegations contained in said paragraph 4.

5. He admits that he is able-bodied but denies that he earns a substantial salary.

6. He admits the allegations of paragraph 6 with regard to owning a home, but denies specifically that the complainant contributed anything toward payment for the home.

7. He neither admits nor denies the allegations contained in paragraph 7, but says that he has no knowledge thereof and demands strict proof thereof.

And having fully answered the bill of complaint in this cause respondent prays that said bill of complaint be dismissed and that he be permitted to go hence with his costs.

Filed 10-3-59

Julian H. Madsbury
SOLICITOR FOR RESPONDENT.

WILLIE LEE OWENS COMPLAINANT	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
WILLIAM S. OWENS	)	NO. 4690
RESPONDENT	)	

Comes now the Complainant and Cross Respondent and for answer to the Respondent and Cross Complainant's Complaint and says:

1.

That she admits the allegations contained in Section 1.

2.

She admits the allegations contained in Section2.

3.

She denies the allegations contained in Section 3.

4.

She denies the allegations contained in Section 4, except as to the names and ages of the children.

Wilters & Brantley

BY: Tom L. Wilters Jr.

Solicitors forthe Complainant

WILLIE LEE OWENS
vs
WILLIAM S. OWENS
COMPLAINANT
RESPONDENT
ANSWER

CECIL G. CHASON
ATTORNEY-AT-LAW
FOLEY, ALABAMA

May 4, 1962

Mrs. Alice J. Duck
Registrar
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith Petition for Amendment of Decree in the divorce case of Willie Lee Owens vs Wm. S. Owens, which was granted on the 18th day of January, 1960, and I believe to be numbered 4690.

Yours very truly,

C. G. Chason

CGC:dc

Encl.

4690

Deft 20
Sher 5-7-62

CECIL G. CHASON
ATTORNEY-AT-LAW
FOLEY, ALABAMA

October 15, 1962

Mrs. Alice J. Duck
Registrar
Bay Minette, Alabama

Dear Mrs. Duck:

I am enclosing herewith a suggested order for Judge Hall in the case of Willie Lee Owens Blackburn vs William S. Owens, if the Judge finds it satisfactory, please send one copy to Telfair Mashburn and one copy to me.

Yours very truly,

C. G. Chason

CGC/rc

Enclosure

cc: Telfair Mashburn
Attorney at Law
Bay Minette, Alabama

WILLIE LEE OWENS BLACKBURN Complainant vs WILLIAM S. OWENS Respondent	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY Case No. 4690

This being the day set for the hearing on the Petition of Willie Lee Owens Blackburn for support and maintenance of the minor children of the marriage of these parties, namely, Andy Owens, Benjamin Owens, Theresa Owens, and Kevin Owens, and the parties being present in open Court with their Attorneys, represented to the Court, that they had reached an Agreement in this matter and the said Agreement being satisfactory to the Court, it is therefore,

ORDERED, ADJUDGED, AND DECREED BY THE COURT, that the Respondent William S. Owens pay to the Complainant Willie Lee Owens Blackburn the sum of Ten Dollars ($10.00) per week for the support and maintenance of the minor children hereinabove named.

It is further ORDERED, ADJUDGED AND DECREED by the Court that the Respondent William S. Owens, be allowed to visit the said children and have them visit him in the afternoon of the first and third Sundays in each month.

Done this the 11th day of October, 1962.

Hubert M Stone
Judge, 28th Judicial Circuit

FILED

C. G. C.

WILLIE LEE OWENS BLACKBURN, Complainant,	)	IN THE CIRCUIT COURT OF
Vs.	)	BALDWIN COUNTY, ALABAMA,
WILLIAM S. OWENS, Respondent.	)	IN EQUITY No. 4690

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

Comes the Complainant, Willie Lee Owens Blackburn and shows unto this Honorable Court the following:

1. That she is over the age of twenty-one (21) years, and a bona fide resident citizen of Baldwin County, Alabama. That the Respondent is over the age of twenty-one years, and a bona fide resident citizen of Baldwin County, Alabama.

2. That on to-wit, the 18th day of January, 1960, a Decree of Divorce was rendered by this Honorable Court, wherein the Complainant was forever divorced from the Respondent herein and by which she was granted custody of the minor children of this marriage, namely, Andy Owens, Benjamin Owens, Theresa Owens and Kevin Owens with right of visitation to the Respondent.

3. Complainant further shows that on January 16, 1960, immediately prior to the rendition of the Decree of Divorce an agreement was made and entered into by and between the Complainant and the Respondent a copy of which is attached hereto marked Exhibit "A" and specifically made a part hereof, and wherein it was agreed that the Respondent should make all effort to lend as much support as his financial conditions allowed at that time.

4. Complainant further alleges that she still has custody of the children and that the Respondent to this date has paid nothing for their support and maintenance.

THE PREMISES CONSIDERED, the Complainant prays that the Respondent be made a party to this cause by the usual process of this Honorable Court requiring him to plead, answer or demur within the time allowed by law and the statutes in such cases made and provided and that upon a hearing hereof that the Honorable Court fix and determine an amount to be paid by the Re-

C. G. C.

spondent to the Complainant for the support and maintenance of these minor children and that she be granted a proper and adequate sum for the past support and maintenance of these minor children, and that she be granted such other, further, different or general relief to which she is entitled and as in duty bound she will ever pray.

Solicitor for Complainant

C. G. C.

(second and last page)

"EXHIBIT A"

WILLIE LEE OWENS	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA
WILLIAM S. OWENS	)	IN EQUITY
RESPONDENT	)	

WHEREAS the above litigants have submitted by oral testimony evidence substantiating their complaints filed heretofore and whereas, now the cause of action has been taken under submission by the Hon. Hubert M. Hall, Circuit Judge, and whereas, the parties have entered into this agreement and request the court to render a decree in accordance with the same if the court feels that the evidence is in accordance.

If the court is of the opinion that there is evidence upon which it can render a legal decree of divorce in this action and the court enters such a decree, then it is our wish and our request to the court that the custody of our children by awarded to the Complainant subject to her good behavior and her diligent attention to the children. The Complainant has agreed that she will have her hours of work during the day and not at night and that she will devote her nights to the care and proper raising of the children. We have agreed that the Respondent shall have the right to visit the children at all reasonable times and that he shall have the right to have the children visit him and go with him at reasonable times and for reasonable periods.

We have further agreed that it is not necessary at this time to have a property settlement since the home will be used by the Complainant and the children and its close proximity to the children's grandparents.

We agree that at this time that it is not necessary to set a specific amount for the support of the children and that the Respondent should make all effort to lend as much support as his financial conditions allows at this time.

Witness our hands and seals on this 16th day of January, 1960.

WITNESSES:

(Signed) Harry J. Wilters, Jr

(Signed) Telfair J. Mashburn

(Signed) Willie Lee Owens (SEAL)
(Signed) William S. Owens (SEAL)

Exhibit A

C. G. C.

FILED
MAY 7 1962
ALICE J. DUCK, CLERK REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You arehereby commanded to summon WILLIAM S. OWENS 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 WILLIE LEE OWENS as Complainant and against William S. Owens, as Respondent.

WITNESS my hand this the 31 day of August, 1959

Alice D. Shuck
Register

Exp. 9-2-59

WILLIE LEE OWENS COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS	)	BALDWIN COUNTY, ALABAMA,
WILLIAM S. OWENS	)	IN EQUITY
RESPONDENT	)	

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

Comes now your Complainant and respectfully shows unto Your Honor as follows:

1.

That your Complainant and the Respondent are both over twenty-one years of age and bona fide resident citizens of Baldwin County, Alabama, and have been for more than one year next preceding the filing of the complaint.

2.

That your Complainant and Respondent were married on July 16, 1950, in Pascagoula, Mississippi, and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, August 26, 1959.

3.

That on,to-wit, August 26, 1959, the Respondent threatened to kill the Complainant and slapped her about the body; that on various occasions prior thereto, the Respondent cursed, threatened and abused your Complainant and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Respondent was such

as to give your Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats which would necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent four children, Andy Owens, age 8, Benjamin Owens, age 6; Theresa Owens, age 4; and Kevin Owens, age 2; that said children are now and have been all of their lives with your Complainant, who is a suitable, fit and proper person to have their care, custody and control.

5.

That the Respondent is an able bodied man and is presently earning a substantial salary.

6.

That your Complainant and the Respondent jointly own a home in Baldwin County, Alabama; that the said home was acquired through the mutual efforts of the Complainant and the Respondent.

7.

That the Complainant has employed the firm of Wilters & Brantley to represent her in this matter of divorce and has no means of paying them for their services.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said William S. Owens party Respondent to this cause of action requiring him to plead, answer or demur to the same within the time and under thepenalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that on a final hearing of this cause, Your Honor will enter a decree granting your Complainant a divorce from the Respondent and granting her the right to remarry; that your Complainant be awarded the custody, care and control of the minor children, Andy, Benjamin, Theresa, and Kevin Owens; that your Honor will order a reference to determine a reasonable amount to be paid by the Respondent to the

Complainant for the support of the minor children; your Complainant further prays that the court will ascertain a reasonable attorneys fee to be paid the firm of Wilters & Brantley for representing the Complainant in this cause and cause the Respondent to pay the same, together with the cost of this proceeding; that your Honor determine and establish the rights of your Complainant to the home place. That your Honor will award to the Complainant such other, further, different or general relief as she may be in eq uity and good conscience entitled to receive.

FILED
AUG 31 1959
ALICE J. DUCK, Register

Wilters & Brantley
BY: Harry J Wilters Jr
Solicitors for the Complainant

4690

ceived 31 day of Aug 1959
d on 2 day of Sept 1959
served a copy of the within Lpc
Wm. R. Owens

service on

TAYLOR WILKINS, Sheriff
By Edleigh Steadham S.

Loxley, Ala

Sheriff claims 40 miles at
Ten Cents per mile Total $ 4.00
TAYLOR WILKINS, Sheriff
BY Steadham
DEPUTY SHERIFF

WILLIE LEE OWENS

COMPLAINANT

VS

WILLIAM S. OWENS

RESPONDENTS

BILL OF COMPLAINT

FILED
AUG 31 1959
ALICE J. DUCK, Register

WILLIE LEE OWENS, Complainant,	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA.
VS.	IN EQUITY. NO. 4690
WILLIAM S. OWENS, Respondent.	

ANSWER AND CROSS-BILL

Comes now WILLIAM S. OWENS, the respondent in the above styled cause, and amends his answer heretofore filed in said cause so that, as amended, said answer shall read as follows:

"1. He admits the allegations contained in paragraph 1 of said bill of complaint.

2. He admits the allegations contained in paragraph 2 of said bill of complaint.

3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof of the same.

4. He admits the allegations contained in paragraph 4 of said bill of complaint with regard to the names and ages of the children born to this union, but denies and demands strict proof of the other allegations contained in said paragraph 4.

5. He admits that he is able-bodied but denies that he earns a substantial salary.

6. He admits the allegations of paragraph 6 with regard to owning a home, but denies specifically that the complainant contributed anything toward payment for the home.

7. He neither admits nor denies the allegations contained in paragraph 7, but says that he has no knowledge thereof and demands strict proof thereof.

And now, having answered the allegations of the bill of complaint filed in this cause by WILLIE LEE OWENS, WILLIAM S. OWENS, the respondent, prays that this, his answer, be made and taken as a cross-bill, and she avers:

1. That he is over the age of twenty-one years and is a bona fide resident citizen of the State of Alabama, and has been such for more than one year next preceding the filing of this cross-bill; and that WILLIE LEE OWENS is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama;

2. That your cross-complainant and the cross-respondent are

husband and wife, having intermarried in Pascagoula, Mississippi, on, to-wit: July 16, 1950;

3. That your cross-complainant and the cross-respondent lived together as husband and wife at Loxley, in Baldwin County, Alabama, and got along fine for several years; that in November, 1958, the cross-respondent took a job in a cafe in Loxley, Alabama, and that shortly thereafter she began to stay away from home at night, with no satisfactory explanation of her absences; that she got off work at 8:30 P. M., and that, on the nights your cross-complainant went to pick her up she was always ready to come home at that time, but that, when he did not go to get her, it would be anywhere from 9:30 P. M. to 12:30 A. M. on many nights before she came home; that when your cross-complainant would question her as to where she had been, or who she was with, she would become angry and would hit him with any object she could get hold of; that on several ocdasions she struck him with soft drink bottles; that she struck him about his head and in his face; that such blows were attended with danger to his life or health; that on several occasions, when your cross-complainant was absent from their home, a man named "Bud" Black has been in your cross-complainant's home with the cross-respondent; and that, on many occasions when the cross-respondent was away from home late at night and refused to explain her absence, your cross-complainant is informed and believes and so avers that she was in the company of the said "Bud" Black;

4. That there was born to this marriage four children, ANDY OWENS, age 8, BENJAMIN OWENS, age 6, THERESA OWENS, age 4; and KEVIN OWENS, age 2; that said children are presently living with your cross-complainant and that he is a fit and proper person to have the care, custody and control of said children; that the cross-respondent is not a fit and proper person to have the care, custody and control of said children; and that it would be to the best interest of said children that they be left in the care and custody of your cross-complainant;

WHEREFORE, THE PREMISES CONSIDERED, your cross-complainant makes the said WILLIE LEE OWENS a party respondent to this his cross-bill and prays that the process of this Court may be directed to her according to law, commanding her to appear in this cause within the time and in the manner prescribed by law and the rules of this

Honorable Court and plead, answer or demur to this his cross-bill of complaint.

PRAYER FOR RELIEF

Your cross-complainant further prays that, on a final hearing of this cause, your Honor will make and enter a decree giving and granting unto your cross-complainant the following separate and several relief:

1. Denying the complainant and cross-respondent the relief sought in her bill of complaint and dismissing said bill of complaint;

2. Granting him an absolute divorce from the said WILLIE LEE OWENS;

3. Granting him permanent custody of the minor children named in paragraph 4 of this cross-bill, with reasonable rights of visitation in the cross-respondent, WILLIE LEE OWENS;

And cross-complainant prays for such other, further, different or general relief as in equity and good conscience he may be entitled to receive, and, as in duty bound, he will ever pray, etc.

Jessie A. Mallisure
SOLICITOR FOR RESPONDENT AND CROSS-COMPLAINANT.

I hereby accept service of a copy of this answer and cross-bill on behalf of the complainant and cross-respondent and expressly waive further notice hereof.

Gary J. Walters Jr.
SOLICITOR FOR ~~RESPONDENT~~ AND CROSS COMPLAINANT
RESPONDENT.

FILED
DEC 1 1959
ALICE J. DUCK, Register

WILLIE LEE OWENS	)	
		IN THE CIRCUIT COURT OF
COMPLAINANT	)	
		BALDWIN COUNTY, ALABAMA,
VS	)	
		IN EQUITY
WILLIAM S. OWENS	)	
		NO. 4690
RESPONDENT	)	

Comes now the Complainant and Cross Respondent and for answer to the Respondent and Cross Complainant's Complaint and says:

1.

That she admits the allegations contained in Section 1.

2.

She admits the allegations contained in Section2.

3.

She denies the allegations contained in Section 3.

4.

She denies the allegations contained in Section 4, except as to the names and ages of the children.

Filed 12-2-59

Wilters & Brantley

BY: Gary L. Wilters Jr.

Solicitors forthe Complainant

WILLIE LEE OWENS	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA,
VS	)	IN EQUITY
WILLIAM S. OWENS	)	
RESPONDENT	)	

WHEREAS the above litigants have submitted by oral testimony evidence substantiating their complaints filed heretofore and whereas, now the cause of action has been taken under submission by the Honorable Hubert M. Hall, Circuit Judge, and whereas, the parties have entered into this agreement and request the court to render a decree in accordance with the same if the court feels that the evidence is in accordance.

If the court is of the opinion that there is evidence upon which it can render a legal decree of divorce in this action and the court enters such a decree, then it is our wish and our request to the court that the custody of our children be awarded to the Complainant subject to her good behavior and her diligent attention to the children. The Complainant has agreed that she will have her hours of work during the day and not at night and that she will devote her nights to the care and proper raising of the children. We have agreed that the Respondent shall have the right to visit the children at all reasonable times and that he shall have the right to have the children visit him and go with him at reasonable times and for reasonable periods.

We have further agreed that it is not necessary at this time to have a property settlement since the home will be used bythe Complainant and the children and its close proximity to the children's grand parents.

We agree that at this time that it is not necessary to set a specific amount for the support of the children and that the Respondent should make all effort to lend as much support as his financial conditions allows at this time.

Witness our hands and seals this 16th day of January, 1960.

Willie Lee Owens (SEAL)

William S. Owens (SEAL)

WITNESSES

Harry J. Walters Jr.

Hughes G. Maddox

WILLIE LEE OWENS,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA.
WILLIAM S. OWENS,	)	IN EQUITY. NO. 4690½
Respondent.	)	

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

Your Petitioner, WILLIAM S. OWENS, the respondent in the above styled cause, respectfully shows unto your Honor and this Honorable Court as follows:

1. That your ~~COMPLAINANT~~ Petitioner is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, residing at Loxley, Alabama; that the complainant in the above styled cause, whose name is now WILLIE LEE OWENS BLACKBURN, is over the age of twenty-one years and is presently a non-resident of the State of Alabama, and that he place of residence is unknown and cannot be ascertained after diligent effort;

2. That on, to-wit: the 18th day of January, 1960, by decree of this Honorable Court, the complainant, WILLIE LEE OWENS BLACKBURN, was granted a divorce from your petitioner, and, by agreement between the parties, she was awarded the care, custody and control of their minor children, ANDY OWENS, BENJAMIN OWENS, THERESA OWENS AND KEVIN OWENS;

3. That, on, to-wit: the 25th day of July, 1960, the complainant was married to one FLETCHER BLACKBURN at Bay Minette, Alabama; that she almost immediately left the State of Alabama, without making any provisions for the maintenance and care of the said minor children;

4. That BEN BARLOW AND MAGGIE BARLOW, who are the parents of the said complainant, WILLIE LEE OWENS BLACKBURN, are fit and proper persons to have the care, custody and control of said minor children; that it will be to the best interest of the said children if the care, custody and control of them is taken from the said WILLIE LEE OWENS BLACKBURN and given to the said BEN BARLOW AND MAGGIE BARLOW.

PRAYER FOR PROCESS

WHEREFORE, THE PREMISES CONSIDERED, your Petitioner prays that this Honorable Court will take jurisdiction of this his Petition; and that your Honor will make the said WILLIE LEE OWENS BLACKBURN a party to this proceedings and will order the Register of this Honorable

Court to give notice by publication to the said WILLIE LEE OWENS BLACKBURN of the pendency of this Petition, requiring her to answer, plead to or demur to this Petition within the time prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Petitioner prays that this Honorable Court will fortwith issue an Order or Decree giving temporary care and custody of said minor children to the said BEN BARLOW AND MAGGIE BARLOW and forbidding the said WILLIE LEE OWENS BLACKBURN to interfere therewith until a final hearing of this cause.

Your Petitioner further prays that, on a final hearing of this cause, your Honor will make and enter a Decree, amending or changing the decree issued out of this Honorable Court on the 18th day of January, 1960, taking the care, custody and control of the minor children of the parties hereto from the complainant, WILLIE LEE OWENS BLACKBURN and giving said care, custody and control, permanently, to BEN BLACKBURN AND MAGGIE BLACKBURN.

And your Petitioner prays for such other, further, different or general relief as in equity and good conscience he may be entitled to receive, and, as in duty bound, he will ever pray, etc.

William S. Owens

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

Before me, the undersigned authority, personally appeared WILLIAM S. OWENS, whose name is signed to the foregoing petition and who is known to me, and who, being by me first duly sworn, deposes and says, on oath, that the allegations contained in the petition are true and correct.

William S. Owens

Sworn to and subscribed before me this the 6th day of September, 1960.

J. F. Mashburn Jr.
NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA

FILED
SEP 7 1960
ALICE I. DUCK, CLERK REGISTER

WILLIE LEE OWENS,	I	
Complainant,	I	IN THE CIRCUIT COURT OF
VS.	I	BALDWIN COUNTY, ALABAMA.
WILLIAM S. OWENS,	I	IN EQUITY. NO. 4690½
Respondent.	I	

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

Your Petitioner, WILLIAM S. OWENS, the respondent in the above styled cause, respectfully shows unto your Honor and this Honorable Court as follows:

1. That your ~~XXXXXXXXX~~ Petitioner is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, residing at Loxley, Alabama; that the complainant in the above styled cause, whose name is now WILLIE LEE OWENS BLACKBURN, is over the age of twenty-one years and is presently a non-resident of the State of Alabama, and that he place of residence is unknown and cannot be ascertained after diligent effort;

2. That on, to-wit: the 18th day of January, 1960, by decree of this Honorable Court, the complainant, WILLIE LEE OWENS BLACKBURN, was granted a divorce from your petitioner, and, by agreement between the parties, she was awarded the care, custody and control of their minor children, ANDY OWENS, BENJAMIN OWENS, THERESA OWENS AND KEVIN OWENS;

3. That, on, to-wit: the 25th day of July, 1960, the complainant was married to one FLETCHER BLACKBURN at Bay Minette, Alabama; that she almost immediately left the State of Alabama, without making any provisions for the maintenance and care of the said minor children;

4. That BEN BARLOW AND MAGGIE BARLOW, who are the parents of the said complainant, WILLIE LEE OWENS BLACKBURN, are fit and proper persons to have the care, custody and control of said minor children; that it will be to the best interest of the said children if the care, custody and control of them is taken from the said WILLIE LEE OWENS BLACKBURN and given to the said BEN BARLOW AND MAGGIE BARLOW.

PRAYER FOR PROCESS

WHEREFORE, THE PREMISES CONSIDERED, your Petitioner prays that this Honorable Court will take jurisdiction of this his Petition; and that your Honor will make the said WILLIE LEE OWENS BLACKBURN a party to this proceedings and will order the Register of this Honorable

Court to give notice by publication to the said WILLIE LEE OWENS BLACKBURN of the pendency of this Petition, requiring her to answer, plead to or demur to this Petition within the time prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Petitioner prays that this Honorable Court will fortwith issue an Order or Decree giving temporary care and custody of said minor children to the said BEN BARLOW AND MAGGIE BARLOW and forbidding the said WILLIE LEE OWENS BLACKBURN to interfere therewith until a final hearing of this cause.

Your Petitioner further prays that, on a final hearing of this cause, your Honor will make and enter a Decree, amending or changing the decree issued out of this Honorable Court on the 18th day of January, 1960, taking the care, custody and control of the minor children of the parties hereto from the complainant, WILLIE LEE OWENS BLACKBURN and giving said care, custody and control, permanently, to BEN BLACKBURN AND MAGGIE BLACKBURN.

And your Petitioner prays for such other, further, different or general relief as in equity and good conscience he may be entitled to receive, and, as in duty bound, he will ever pray, etc.

William S. Owens

STATE OF ALABAMA,
COUNTY OF BALDWIN.

Beford me, the undersigned authority, personally appeared WILLIAM S. OWENS, whose name is signed to the foregoing petition and who is known to me, and who, being by me first duly sworn, deposes and says, on oath, that the allegations contained in the petition are true and correct.

William S. Owens

Sworn to and subscribed before me this the 6th day of September, 1960.

J. A. Mashburn Jr.
NOTARY PUBLIC, BALDWIN COUNTY, ALABAMA

WILLIE LEE OWENS(BLACKBURN), Complainant, VS. WILLIAM S. OWENS, Respondent.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. NO. 4690½

DECREE

This cause coming on to be heard is submitted on the verified petition of WILLIAM S. OWENS, the respondent in the above styled cause, praying this Court to change its Decree in the above styled cause, dated 18th day of January, 1960, awarding the care, custody and control of the minor children of the parties hereto to the complainant, WILLIE LEE OWENS (BLACKBURN), because of the neglect of said children by said complainant, and praying for notice of said petition to be given to said complainant by publication; all of which being considered and understood by the Court, and the Court being of the opinion that said Petition should be set down for hearing and the complainant be given notice by publication, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That this petition be, and it is hereby, set down for hearing at 1:30 o'clock, P. M., on Tuesday, the 15th day of November, 1960;

2. That Alice J. Duck, the Register of this Court, be, and she is hereby, directed to give notice to WILLIE LEE OWENS (BLACKBURN), the complainant in this cause, of this hearing by publication in the Baldwin Times, a newspaper published in Bay Minette, Alabama, in accordance with Chancery Rules;

3. That, pending a hearing in this cause, the temporary care, custody and control of ANDY OWENS, BEJAMIN OWENS, THERESA OWENS AND KEVIN OWENS, the minor children of the parties to this cause, be, and it is hereby, awarded to BEN BARLOW AND MAGGIE BARLOW, the parents of WILLIE LEE OWENS (BLACKBURN), and, that, pending a hearing of this Petition, all persons are hereby expressly forbidden to interfere with the custody of said children by the said BEN BARLOW AND MAGGIE BARLOW.

DONE AND ORDERED this the 7th day of September, 1960.

FILED

SEP 7 1960

ALICE J. DUCK, CLERK REGISTER

Hubert M. Stacy

JUDGE.

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

WILLIE LEE OWENS (BLACKBURN)

No. 4690½

vs.

WILLIAM S. OWENS

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 7th day of September, 19~~x~~60

In this cause it being made to appear to the Clerk of this Court by the affidavit of William S. Owens

that the ~~Defendant~~ ~~X~~ Complainant, Willie Lee Owens (Blackburn)

is a non-resident of the State of Alabama and that her place of residence is unknown and cannot be ascertained after diligent ~~xx~~ effort;

and further, that, in the belief of said Affiant the ~~Defendant~~ Complainant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Willie Lee Owens (Blackburn) the said Complainant

to answer or demur to the Bill of Complaint in this cause by the 7th day of October 19~~x~~60 or after thirty days therefrom a decree Pro Confesso may be taken against her.

Register.

Telfair J. Mashburn, Jr.
Solicitor for Respondent.