

(12'14)

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

Carolyn C. Reed, Complainant

VS.

E. L. Reed, Jr., Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~XXXXXX XXXXXX~~
answer of respondent,

~~XXX~~ 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 Carolyn C. Reed

is forever divorced from the said E. L. Reed, Jr.,

for and on account of voluntary abandonment.

~~It Is Further Ordered, Adjudged and Decreed that the Complainant~~
~~be and here is Granted the right to use her Maiden name,~~
Carolyn Cowden

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 the payment of the cost of this suit.

It is further ordered that complainant

~~XXX~~ pay the cost herein to be taxed, for which execution may issue.

This 2nd day of April, 1945
J. W. 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. 1276 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent

DIVORCE DECREE

Filed this _____ day of

_____, 194_____

Register

Carolyn C. Reed,

Complainant,

BALDWIN
CIRCUIT COURT OF ~~MOBILE~~ COUNTY

No.

VS.

IN EQUITY

E. L. Reed, Jr.,

~~DEFENDANT.~~

Respondent.

DEMAND FOR ORAL EXAMINATION

The State of Alabama,

~~Mobile~~ County

Baldwin

The complainant requests the oral examination of the following named witnesses on her behalf, viz: Carolyn C. Reed and Mrs. A. M. Cowden

said witnesses reside in the County of Mobile, State of Alabama.

Alice Manry who resides at Mobile, Alabama

is suggested as a suitable person to be appointed Commissioner to take depositions of said witnesses on such oral examination.

Filed.....

~~JAMES ACCOBANE, Register~~

James J. Johnston
SolicitorS for Complainant.

No.....

BALDWIN
CIRCUIT COURT OF MOBILE COUNTY

MOBILE, Alabama
Bay Minette,
IN EQUITY

Carolyn C. Reed,

Complainant,

vs.

E. L. Reed, Jr.

Respondent.

DEMAND FOR ORAL EXAMINATION

Filed July 13 1945
Richard Powell

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO Miss Alice Menny

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 Carolyn C Reed, and Mrs A.M. Cowden.

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Carolyn C Reed.

Complainant

and E.L. Reed, Jr.

Defendant,

on oath to be by you administered, upon them

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

Witness 13th day of February, 1945.



REGISTER

Commissioner's Fee \$ 10.00

Witness' Fees, \$

NO. _____

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant _____

vs.

Defendant _____

Commission To Take Deposition

COMMISSIONER:

Witnesses:

CAROLYN C. REED,

Complainant,

-vs-

E. L. REED, JR.,

Respondent.

)
) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA.
) IN EQUITY. NO. _____
)

Depositions of Carolyn C. Reed and Mrs. A. M. Cowden, witnesses examined at the offices of Howell & Johnston, 518-19-20 First National Bank Annex, Mobile, Alabama, at 5:00 P. M., March 5, 1945; said witnesses having been examined on direct examination by Thomas O. Howell, Jr., as one of the solicitors for the complainant.

The respondent having not appeared in court had no representation at said hearing; said hearing being oral examination of the above named witnesses.

Alice Murray

COMMISSIONER

CERTIFICATE

I, Alice Manry, the commissioner named in the commission issued out of the Circuit Court of Baldwin County, Alabama, by R. S. Duck, as Register of said Court, hereby certify that under and by virtue of the power conferred on me by the terms of said commission, I, after having given Howell & Johnston, as solicitors for the complainant, all proper notices of the time and place, called the witnesses named in said commission, that is to say I caused Carolyn C. Reed and Mrs. A. M. Cowden, witnesses on behalf of the complainant in said cause, to come before me at the offices of Howell & Johnston, 518-19-20 First National Bank Annex, Mobile, Alabama, at 5:00 P. M., March 5, 1945, and having had them made known to me as the identical persons named in said commission, they were sworn by me to speak the truth, the whole truth, and nothing but the truth, and in answer to direct interrogatories propounded to them by Thomas O. Howell, Jr., as one of the solicitors for the complainant, they testified as is hereinafter set out, and their testimony was reduced in writing in as nearly as might be the identical language of said witnesses, and I do hereby certify that the attached depositions are true and correct as given by the witnesses.

The respondent having not appeared in court had no representation at said hearing.

I do hereby further certify that I am not of counsel nor kin to any of the parties of this cause, and I am not in anywise interested in the result thereof.


COMMISSIONER

CAROLYN C. REED, being a witness on behalf of the complainant in this cause, and after having been first duly sworn by me to speak the truth, the whole truth, and nothing but the truth, testified as follows:

My name is Lois Carolyn Cowden Reed, and I am the complainant in this bill for divorce. I am twenty-two years of age and I am a bona fide resident citizen of Mobile County, State of Alabama, and have been such for more than one year next immediately preceding the filing of this bill of complaint. In fact, I have lived in Mobile almost all of my life. The respondent, E. L. Reed, Jr., is my husband. He is a non-resident of the State of Alabama. To the best of my knowledge, his last known address was Fort Mason, California. He is twenty-seven years of age. We were married in Mobile, Alabama, on the 4th day of September, 1943, and are now wife and husband. There were no children born to our marriage.

When we were married, we were both students at Auburn, Alabama, and went there to live. My husband finished school in November, 1943, and we went to live in Pensacola, Florida. While we were living in Pensacola, my husband obtained a commission in the Army as a Second Lieutenant in the Veterinarian Corps and he left me on January 18, 1944. After he left I came back to Mobile to live. After I had been back in Mobile a short time, I received a letter from him in which he stated that he thought it best that we get a divorce as soon as possible and in which he stated "for some time I have known that I have no longer loved you". He stated that "we are both still young, with a full life still ahead of us and I feel that a divorce now would be of greater benefit to us both now than an attempted married life together". He further stated "I didn't have that deep underlying feeling for you that a husband should have and which you, if anyone, rightly deserve; so before I break your heart further, and ruin your life thoroughly, I think it best that you get a divorce as soon as possible". He stated to me further that I should find a better husband and

informed me that he did not intend to live with me any longer. From his letter, I know that for quite some time, even before leaving me to enter the Army, that he had no intention of our continuing to live as man and wife. He has voluntarily abandoned my bed and board continuously for more than one year next immediately preceding the filing of this bill of complaint. In my opinion, a divorce is the only means for solving our difficulty. I desire the right to re-marry in the event I so desire and I desire that the use of my maiden name, Lois Carolyn Cowden, be restored to me.

I do hereby certify that the above deposition is true and correct as given by Carolyn C. Reed.

Alice Murray
Commissioner.

MRS. A. M. COWDEN, being a witness on behalf of the complainant in this cause, and after having been first duly sworn by me to speak the truth, the whole truth, and nothing but the truth, testified as follows:

My name is Mrs. A. M. Cowden, and I live at 2514 Springhill Avenue, Mobile, Alabama. I am the mother of Lois Carolyn Cowden Reed, the complainant in this suit for divorce. I know that my daughter is twenty-two years of age and that the respondent, E. L. Reed, Jr., is twenty-seven years of age. I know that my daughter, the complainant, is a bona fide resident citizen of Mobile County, State of Alabama, and has been such for more than one year next immediately preceding the filing of this bill of complaint. In fact she was brought up in Mobile from the time she was two years of age. I know that E. L. Reed, Jr., is a non-resident of the State of Alabama, and understand that he is presently at Fort Mason, California. I know that my daughter and the respondent were lawfully married in Mobile, Alabama, on September 4, 1943, and that they are presently wife and husband. They have no children.

After he finished his schooling in Auburn, Alabama, they went to Pensacola temporarily and while there he received his commission in the Army as a Second Lieutenant in the Veterinary Corps. He left my daughter on January 18, 1944, and went to San Antonio, Texas. A few weeks afterward, I know that he wrote my daughter, which letter I have seen and read, and in which letter he stated that it was his wish that they obtain a divorce and that he had, even before he left, known that it was impossible for them to continue living together. I further know by reason of the fact that my daughter has lived with me continually since that time, that he has completely failed to support my daughter in any way, shape or form. He has no intention whatsoever of ever doing so or ever living with her again. I know that he has voluntarily abandoned her bed and board continuously for more than one year next immediately preceding the filing of this bill of complaint. I know that

my daughter made every possible effort to be a good and dutiful wife to him and that their marriage has failed through no cause whatsoever of hers.

I do hereby certify that the above deposition is true and correct as given by Mrs. A. M. Cowden.

Alice Marry
COMMISSIONER.

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Denton

Carolyn C. Reed,
Complainant,
No. _____ VS.
E. E. Reed, Jr.,

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

ORDER OF SUBMISSION

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

FILED, March 31 1945
[Signature] Register

For Complainant

Bill of complaint,
Answer of respondent,
Depositions of Carolyn C. Reed and
Mrs. A. M. Cowden, witnesses on
behalf of the complainant.

[Signature]
Solicitor S for Complainant.

For Respondent

Solicitor ___ for Respondent.

No. _____

Carolyn C. Reed,

Complainant,

VS.

E. L. Reed, Jr.,

Respondent.

ORDER OF SUBMISSION

NOTE OF EVIDENCE

Term, 19__

, 19__

Ent. Min. No. _____ Page _____

Handwritten: E. L. Reed, Jr. 31 1945

Handwritten: Reed Jr. Reed

Handwritten: Date of filing

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CAROLYN C. REED,

Complainant,

-vs-

E. L. REED, JR.,

Respondent,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. _____

ANSWER OF RESPONDENT

Now comes the undersigned, E. L. REED, JR., the respondent in the above styled cause, and for answer to the bill of complaint therein filed, admits the allegations of the bill as to the marriage between the complainant and respondent, the date of the marriage, the date of the separation, the ages of the parties, the residences of the parties, and the length of time of such residences, but denies the remaining allegations of this bill.

Respondent accepts service of notice of the filing of said bill, and waives any further notice of the same. Respondent agrees that the testimony in this cause may be taken by deposition or oral examination, that anyone may act as Commissioner, waives notice of the making of demand by complainant for the taking of oral testimony, and also notice from and by the Commissioner hereafter appointed to take testimony of complainant's witnesses, of the time and place of the taking of such testimony, and of the names of the witnesses to be examined. Respondent waives all notice to which he may be entitled by law in this cause. Respondent waives all venue requirements and agrees that this cause be heard and finally determined in the Circuit Court of Baldwin County or the Circuit Court of any other county of the State of Alabama. Respondent agrees for the cause to be submitted for the final decree at any time on the original bill of complaint, this answer, and testimony taken on complainant's behalf

X E. L. Reed Jr.
RESPONDENT.

WITNESS:
Jack Gray
Winnie L. Kiskelle

Answer

Reed

2

Reed

Reed Feb 13/94
Reed
Reed

CAROLYN C. REED,
Complainant,
-vs-
E. L. REED, JR.,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. _____

TO THE HONORABLE JUDGE OF SAID COURT IN EQUITY SITTING:

Now comes your complainant, CAROLYN C. REED, in the above styled cause, and shows unto Your Honor and this Honorable Court as follows:

FIRST

That your complainant is over the age of twenty-one years and the respondent is also over the age of twenty-one years; that your complainant is a bona fide resident citizen of Mobile County, State of Alabama, and has been such for a period of more than one year next immediately preceding the filing of this bill of complaint; that the respondent is a non-resident of the State of Alabama.

SECOND

Your complainant alleges and avers that she and the respondent were lawfully married in Mobile, Alabama, on, to-wit, September 4, 1943, and that the complainant and the respondent are now wife and husband, and that no children were born to their marriage.

THIRD

Complainant avers that respondent has voluntarily abandoned the bed and board of complainant continuously for more than one year next immediately preceding the filing of this bill of complaint.

PRAYER FOR PROCESS

Wherefore, the complainant prays that the said E. L. REED, JR. be made a party respondent to this bill of complaint, and that he be served with the process of this court and be commanded to plead, answer or demur to this bill of complaint

within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon a final hearing of this cause, Your Honor will enter a decree dissolving the bonds of matrimony now existing between the complainant and the respondent, and grant unto her the right to remarry in the event she so cares; complainant prays that Your Honor will also grant her the right to use her maiden name, viz: Carolyn Cowden; and complainant prays for such other further and different relief as in equity and good conscience she is entitled to receive, the premises considered.

Carolyn C. Read
Complainant.

Howe & Dunton
SOLICITORS FOR COMPLAINANT

James O. Howe
OF COUNSEL

1276
complaint

Reed
v

Reed

~~Filed~~ Jul 9 1945
P. S. [unclear]
[unclear]