

MINNIE OWENS

COMPLAINANT

VS

S. W. OWENS

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

NO. 330

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Your Petitioner, Minnie E. Owens respectfully represents unto your Honor as follows:

1.

That on June 15, 1937, a decree of divorce was granted by this Honorable Court in the above styled cause.

2.

That in, by and as a part of said decree the Complainant was awarded the custody and control of the children, Clarence Glenn Owen, Minnie Marie Owen and J. W. Owen and that the Respondent was required to pay to the Complainant \$5.00 per week for support and education of said children until the youngest is 21 years of age, and that said support was to be paid each week.

3.

That the Respondent, S. W. Owen has failed or refused to comply with the decree of the court, and has not made the payments as required thereby.

WHEREFORE the premises considered, the Complainant prays that your Honor will issue a citation direct to the said S. W. Owen requiring him to appear, and show cause why he has not complied with the decree of the court.

her
Minnie Owens
mark

Sworn to and subscribed before me on this the 12 day of August, 1946.

J. C. Beebe
Notary Public, Baldwin County, Alabama.

MINNIE OWENS

COMPLAINANT

VS

S. W. OWENS

RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.
NO. 330

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

Your Petitioner, Minnie E. Owen, respectfully represents unto your Honor as follows:

1.

That on June 15, 1937, a decree of divorce was granted by this Honorable Court in the above styled cause.

2.

That in, by and as a part of said decree the Complainant was awarded the custody and control of the children, Clarence Glenn Owen, Minnie Marie Owen and J. W. Owen and that the Respondent was required to pay to the Complainant \$5.00 per week for support and education of said children until the youngest is 21 years of age, and that said support was to be paid each week.

3.

That the Respondent, S. W. Owen has failed or refused to comply with the decree of the court, and has not made the payments as required thereby.

WHEREFORE the premises considered, the Complainant prays that your Honor will issue citation direct to the said S. W. Owen requiring him to appear, and show cause why he has not complied with the decree of the court.

Sworn to and subscribed before me on this the ___ day of August, 1946.

Notary Public, Baldwin County, Alabama.

TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA

F. W. HARE, JUDGE

A. H. ELLIOTT, CIRCUIT SOLICITOR

LOUISE J. DUSENBURY, COURT REPORTER

MONROEVILLE, ALABAMA

Dear Bob:

You may issue citation
for this party to appear at 2 P.M.
Sept. 30th -

Have Beube prepare citation and
you sign my name thereto - Mrs.
Dusenbury out of town

F. W. Hare

MINNIE OWENS.

COMPLAINANT.

VS

S. W. OWENS.

RESPONDANT.

X
X
Y
Y
Y
Y
Y
Y

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

NO 330.

TO THE SHERIFF OF BALDWIN COUNTY, ALABAMA.

YOU ARE HEREBY COMMANDED to cite the Respondant, S.W. Owens to be and appear before me at Bay Minette Alabama, on the 30th day of September, 1946. at 2. P.M. and show cause as to why he should not be adjudged in contempt of Court and punished accordingly for an alleged violation of a Decree of this Court, made and entered on June 15th 1937.

You will serve a copy of this order on S.W. Owens and make your return on the Original. order.

This 24th day of August 1946.

F. W. Hare
F. W. Hare.
Judge.

**CIRCUIT COURT, BALDWIN COUNTY, ALA.
IN EQUITY**

W. E. Owen vs. S. E. Owen

PLAINTIFF

DEFENDANT

BILL OF COSTS

FEES OF REGISTER		Dollars	Cents	Brought Forward	
Filing each bill and other papers	\$ 10		100		36 50
Issuing each subpoena	50			For Receiving, keeping and paying out or distributing money, etc.: 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each copy thereof	40			Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Entering each return thereof	15			Each notice sent by mail to creditor	15
For each order of publication	1 00			Filing receipting for and docketing each claim, etc.	25
Issuing Writ of injunction	1 50			For all entries on subpoena docket, etc.	50
For each copy thereof	50			For all entries on commission docket, etc.	50
Entering each return thereof	15			Making final record. per 100 words	15
Issuing Writ of Attachment	1 00			Certified copy of decree	1 00
Entering each return thereof	15			Report of divorce to State Health Office (Acts 1915)	50
Docketing each case	1 00			TOTAL FEES OF REGISTER	
Entering each appearance	25			FEES OF SHERIFF	13 20
Issuing each decree pro confesso on per ser.	1 00			Serving and returning subpoena on deft.	\$1 50
Issuing each decree pro confesso on publica	1 00			Serving and returning subpoena for witness	65
Each order appointing guardian	1 00			Levying attachment	1 50
Any other order by Register	50			Entering and returning same	25
Issuing Commission to take testimony	50			Selling property attached	
Receiving and filing	10			Impaneling Jury	75
Endorsing each package	10			Executing Writ of possession	2 50
Entering order submitting cause	50			Collecting execution for costs	1 50
Entering any other order of court	25			Serving and returning sci. fa., each	65
Noting all testimony	50			Serving and returning notice	65
Abstract of cause, etc.	1 00			Serving and returning writ of injunction	1 50
Entering each decree	75			Serving and returning writ of exeat	1 50
For every 100 words over 500	15			Taking and approving bonds, each	75
Taking account, etc.	3 00			Collecting money on execution	
Taking testimony, etc	15			Making Deed	2 50
Each report, 500 words or less	2 50			Serving and returning application, etc.	1 00
For every 100 words over 500	15			Serving attachment, contempt of court	1 50
Amount claimed less than \$500, etc	2 00			TOTAL FEES OF SHERIFF	
Issuing each subpoena	25			RECAPITULATION	
Witness certificate, each	25			Register's Fees	12 20
Issuing execution, each	75			Sheriff's Fees	5 00
Entering each return	15			Commissioner's Fees	
Taking and approving bond, each	1 00			Solicitor's Fees	
Making copy of bill, etc	15			Witness Fees	
Each notice not otherwise provided for	50			Guardian Ad Litem	
Each certificate or affidavit, with seal	50			Printer's Fees	3 00
Each certificate or affidavit, no seal	25			Trial Tax	
Hearing and passing on application, etc.	3 00			Recording Decree in Probate Court	
Each settlement with Receiver, etc.	3 00			TOTAL	20 20
Examining each voucher of Receiver, etc	10				
Examining each answer, etc.	3 00				
Recording resignation, etc	75				
Entering each certificate to Supreme Court	50				
Taking questions and answers, etc	25				
For all other ser relating to such proceedings	1 00				
For services in proceeding to relieve minors, etc., same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per cent; all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward					

MINNIE E. OWEN,

Complainant,

Vs.

S. W. OWEN,

Respondent.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

No.

TO THE HONORABLE JUDGE F. W. HARE, CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Now comes your Complainant MINNIE E. OWEN and presents this her bill of complaint against S. W. OWEN and shows unto your Honor as follows:

FIRST: That your Complainant and the Respondent, S. W. Owen are both over the age of twenty one years and that your Complainant and the Respondent are both bona fide residents of the State of Alabama, County of Baldwin and have been for a period of over a year next prior to the filing of this complaint; that your Complainant is a resident of Baldwin County, Alabama and has been for a year proceeding the filing of this complaint and that your Respondent is a resident of Robertsdale and has been for the past several years.

SECOND: Your Complainant and the said S. W. Owen were lawfully married at Evergreen, Alabama on or about September 30th, 1915 and lived together as man and wife until about April 5th, 1935 and further that there was born to the said Complainant and the said Respondent three children, the oldest being about eleven years of age named Clarence Glenn Owen, a boy, and the next being about eight years of age named Minnie Marie Owen, a girl, and the next and youngest child being about six years of age being named J. W. Owen, a boy, and your Complainant further shows unto this Honorable Court that all three of these children are now with your Complainant.

THIRD: Your Complainant further shows unto your Honor that during the months of January, February and March, 1935 and previous thereto while your Complainant and Respondent were living together as man and wife in Alabama, Baldwin County, the said Respondent S. W. Owen committed actual violence upon your Complainant by

striking her and which violence was attended with danger to her life and/or health and your Complainant further shows unto this Honorable Court that the said Respondent has not ^{properly} contributed to her support or maintainance and that she has to earn a livelihood by her own efforts; and your Complainant further avers that since the last assault and battery she has not lived with the Respondent as his wife and that she cannot and will not condone the said assault.

FOURTH: Your Complainant further shows unto your Honor that the children named Clarence Glenn Owen, Minnie Marie Owen and J. W. Owen are now with your Complainant and your Complainant shows unto your Honor that she is the proper person to care for these children due to their ages and farther that the father of these children is an unsuitable person to rear these children due to their ages and sexes and that he is not able and capable of caring for and educating them in the manner in which they should be cared for and educated and your Complainant asks that this Honorable Court in its Honorable decree will give her the right to have the care, control and custody of all three of these children until they become the legal age.

PRAYER FOR PROCESS

THE PREMISES CONSIDERED, your Complainant prays that your Honor will take jurisdiction of the cause made by this bill of Complaint and will cause notice thereof to be served on the Respondent S. W. Owen according to the rules of this Honorable Court and the laws of the State in which such matters pertaining and make him respondent to the said bill of complaint requiring him to answer, plead or demur to the same within the time allowed by law.

PRAYER FOR RELIEF

And your Complainant further prays that upon a final hearing of this cause your Honor will grant her a decree dissolving the bonds of matrimony now existing between your Complainant and the Respondent, S. W. Owen, and granting her an absolute decree giving her the right of marriage again and giving her the right to use her maiden name of Minnie E. Loe and giving her the care,

custody and control of these three children Clarence Glenn Owen, Minnie Marie Owen and J. W. Owen for all time until they become of legal age and that the Court costs and attorney fee of the Complainant be taxes against the Respondent, and further that this Honorable Court hold a reference and determine what would be the proper amount for the support and maintenance and education of these three children and that this Honorable Court will decree that an amount of not less than Five Dollars per week be granted to your Complainant for the support and education of these three children until they become of age, and that this Honorable Court will decree that your Respondent S. W. Owen be required to contribute the amount determined for the care, support and education of these three children, he being a able bodied man capable of earning funds for their maintenance and education and that your Complainant prays for such other and further relief as in equity and good conscience she may be entitled to in the premises for which she will ever pray.

^{Hu}
Minnie E. (x) Owen
Complainant
^{mark}
Wm. M. Brown
Solicitor for Complainant.

FOOTNOTE

The Respondent is required to answer but not under oath the same being hereby expressly waived as to each and every paragraph of the foregoing Complaint numbered from one to four both inclusive.

^{Hu}
Minnie E. (x) Owen
Complainant
^{mark}
Wm. M. Brown
Solicitor for Complainant.

The State of Alabama }
Baldwin County }

Circuit Court of Baldwin County, Alabama,
(In Equity)

Minnie E. Owen

COMPLAINANT

VS.

S. W. Owen

RESPONDENT

I, Joyce Ganus,

as Register and Commissioner

have called and caused to come before me Minnie E. Owen, Emma Armstrong
and Mrs. Mildred Gill,

witnesses named in the requirement for Oral Examination, on the 11th day of June
1937, at the office of Orvis M. Brown,

in Robertsdale, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Minnie E. Owen, and Emma
Armstrong, & Mildred Gill.

doth depose and say as follows:

Testimony of Minnie E. Owen.

My name is Minnie E. Owen, I am the Complainant in this cause of action, I have lived here in Baldwin County, for the past 15 years, and have lived here at Robertsdale, for the past 15 years also. I am 43 years of age and my husband the respondent in this cause of action is 41 years of age, he also is a resident of Robertsdale, and has lived here ever since that we moved here together.

We were married at Evergreen, Alabama, on September 30th, 1915, and have lived together as man and wife until about the middle of the Spring of 1935. There was born to us of this marriage three children whom are now with me, they are, Clarence Glenn Owen, a boy about eleven years of age, and Minnie Marie Owen, a girl about eight years of age, and J. W. Owen, a boy about six years of age, all who are now with me.

While we were living together as man and wife in the Spring of 1935, he committed actual violence upon me by striking me on the shoulder and back, and cursing me, and made other threats to me, and since that time he has not lived with me, I have at all times been willing to live with him and to make the best of things, but he always abuses me and says that he will never live with me again and he has not lived with me since.

He has at all times since this refused to support me and the children, and he has always had work and made sufficient money with which to give us a good living. He owns real estate here in Robertsdale, on the main road or street, in the center of town and owns a truck which is about three years old and makes from \$100. to \$150. a month with his truck, which is sufficient to give support to me and the children of five Dollars a week. The children need to have an education, and I feel that it is his duty from his property and his income to educate or contribute to the education of these children. I have been doing outside work with the children's help in the fields in order to earn a living for my self and the children.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To Joyce Ganus.

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 Minnie E. Owen, and Emma Armstrong

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Minnie E Owen.

Complainant

and S W Owen.

Defendant,

on oath to be by you administered, upon Them. to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 12 th day of May 19 7.

R. D. Dees
REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESS' FEES, \$ _____

ANSWER AND WAIVER.

MINNIE E. OWEN,

Complainant,

vs

S. W. OWEN,

Respondent.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

No.

Comes the Respondent in the above styled cause and for answer to the Complaint filed therein says as follows:

FIRST: Respondent admits the allegations contained in paragraph One.

SECOND: The Respondent admits the allegations contained in Paragraph Two.

THIRD: The Respondent denies each and every allegation contained in paragraph Three.

FOURTH: The Respondent denies each and every allegation contained in paragraph Four.

The Respondent waives notice of the time of and the taking of testimony of this cause as well as the other proceedings.

The Respondent asks that he be given the right to marry again on the final decree of this cause.

Witnesses:

Amos Garrett

Wm. A. Aron

S W Owen
Respondent.

N O T E

I hereby accept service of the bill of complaint in the above styled cause and dated July 7, 1937 A. D.

S W Owen
Respondent.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MINNIE E. OWEN, Complainant

vs.

S. W. OWEN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ^{Answer & Waiver} ~~Decree Pro Confesso~~

on 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 MINNIE E. OWEN, is forever divorced from the said

S. W. OWEN,

for and on account of Cruelty and Non-support, and complainant is given the right to use her maiden name of Minnie E. Ioe, and given the absolute custody and controll of the children, Clarence Glenn Owen, Minnie Marie Owen and J. W. Owen, and is hereby granted to the said Minnie E. Owen, Five (\$5.00) Dollars, per week for support and education of the said children until the youngest is twenty-one years of age, and said support shall be paid each and every week.

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.

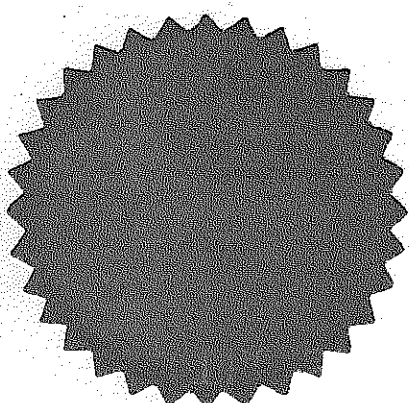
It is further ordered that MINNIE E. OWEN, and S. W. OWEN, be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that S. W. Owen, the Respondent pay the cost herein to be taxed, for which execution may issue.

This 15th day of June 1937.

J. W. Hare

Judge Circuit Court, in Equity.



I,, Register of the Circuit Court for 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, 1937.

Register of Circuit Court, in Equity.

Circuit Court, Baldwin County, Ala.
In Equity.

No. 330

Burton

VS.

Paul

Burton

10/25/37

COST BILL

Paid June 25, 1937

R. B. Paul

Register.

1
~~no settlement~~

Quinn

Q.

Quinn

Quinn

Quinn
Quinn
Quinn

Quinn
Quinn
Quinn

Entered by running
copy on S.W. Owens
Sept 1, 1946

C. E. Bennett Sheriff
H. F. Wall D. P.

330

MINNIE OWENS

VS

S. W. OWENS.

CITATION.

ISSUED Aug, 24th 1946

Paul Reich
Register.

Bill of Complaint

Diets
7-125
RECORDED

Reserve Fund
to Japan Service

Filed May 12, 1937.

R. S. Diets
Register

ORAL EXAMINATION

I, Joyce Ganus, _____ as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and of each other, _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es. or had proof made before me of the identity of said witness es.; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof. I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 11th day of June, 1937.

Joyce Ganus (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Winde E. Owen
COMPLAINANT

vs.

S. W. Owen,

RESPONDENT

ORAL DEPOSITION

Filed 6/14, 1937

Charles D. Owen, Register.

RECORDED IN

Record _____

Vol. _____ Page _____

Register _____

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Minnie E. Owen,

Complainant

vs.

S. W. Owen

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Joyce Gains.

WITNESSES:

Answer & Waiver

RECORDED

Subek

7-126

Filed May 12, 1937.

R. S. Sherris, Register.

RECORDED
Book

No. **330** *Minor 2*
Page **281**

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Minnie E. Duren,

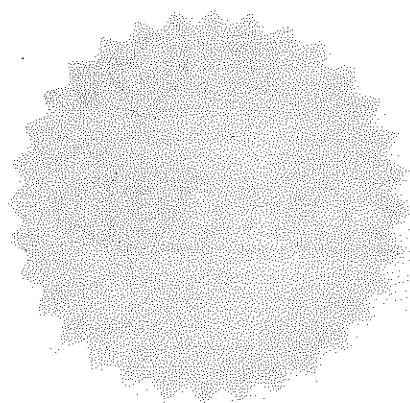
vs. Complainant.

J. W. Duren,

Respondent.

DIVORCE DECREE

*Filed June 17, 1937
Paul Street
Bryson*



MINNIE E. OWEN

VS.

S. W. OWEN

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
 Answer & Waiver by Defendant, and Testimony, of Minnie E. Owen,
 and, Emma Armstrong

and in behalf of Defendant upon Answer & Waiver, _____

R. L. Duck

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Spring Term, 1937

MINNIE E. OWEN, Complainant

Vs.

S. W. OWEN, Defendant

To Hon. Robert S. Duck, Register :

In the above stated cause a ~~Decree Pro Confesso~~ ^{Answer & Waiver} having been ~~taken~~ ^{filed by} against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Orvis M. Brown,

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Orvis M. Brown
Solicitor for Complainant.

Duck
RECORDED 7-191

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Minnie E. Owen

Vs.

S. W. Owen

**REQUEST FOR DECREE IN
VACATION**

Filed May 18th, _____, 1937

R. S. Duck,

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

Owen
2 - 280

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Minnie E. Owen

vs.

S. W. Owen

NOTE OF TESTIMONY

Filed in Open Court this 18th

day of May 1937.

R. S. Owen

REGISTER



June 12th 1932
Received from Clara M. Brown
Five and 00/100 Dollars
Payment Commission fee
Almanus vs. Brown