

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. 425

A. H. Owen
Complainant

vs. *Christina Owen*
Respondent

PLAINTIFF
DEFENDANT

BILL OF COSTS

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$
Filing each bill and other papers 14	1	40		5 65
Issuing each subpoena	50	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	40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Entering each return thereof	15	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	1 00	TOTAL FEES OF REGISTER..	14 15
Entering each appearance	25	25	FEES OF SHERIFF	18 00
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	5 00	Selling property attached	
Receiving and tiling	10	10	Impaneling Jury	75
Endorsing each package	10	10	Executing Writ of possession	2 50
Entering order submitting cause	50	5 00	Collecting execution for costs	1 50
Entering any other order of court	25	25	Serving and returning sci. fa., each	65
Noting all testimony	50	5 00	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	5 65	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..	18 00
Issuing each subpoena	25		RECAPITULATION	
Witness certificate, each	25		Register's Fees	14 15
Issuing execution, each	75		Sheriff's Fees	1 50
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	
Each certificate or affidavit, no seal	25		Trial Tax	3 00
Hearing and passing on application, etc.	3 00		Recording Decree in Probate Court	
Each settlement with Receiver, etc.	3 00		TOTAL	18 65
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				

Received payment this _____ day of _____ 193_____

9.33
1.30
90
11.73

Register.

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

A. G. OWENS, COMPLAINANT - CROSS RESPONDENT

vs.

CHRISTINE E. OWENS, RESPONDENT - CROSS COMPLAINANT

This cause coming on to be heard was submitted upon the Cross Bill; on Answer thereto; and upon the Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Respondent - Cross Complainant is entitled to the relief prayed for in said Cross Bill.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that the bonds of matrimony heretofore existing between the Respondent - Cross Complainant and the Complainant - Cross Respondent be, and the same are hereby dissolved, and that the said Christine E. Owens is forever divorced from the said A. G. Owens for and on account of cruelty.

And also upon consideration of the Cross Bill, Answer thereto, and the testimony as noted by the Register, the Court is of the opinion that the Complainant - Cross Respondent is entitled to the custody and control of Frances Veroline Owens, the minor child of said parties.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED by the Court that A. G. Owens, do have and is entitled to the custody of the said Frances Veroline Owens, a minor, subject however to such other, further, or different order as this Court may make from time to time.

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 shall again marry except to each other during the pendency of said appeal.

IT IS FURTHER ORDERED that the said Christine E. Owens and the said A. G. Owens be, and they are hereby permitted to again contract marriage upon the payment of the costs of this suit.

IT IS FURTHER ORDERED that Christine E. Owens and A. G. Owens each pay half the costs herein to be taxed, for which execution may issue.

Done this 23rd day of December, 1938.

J. M. Hare
Judge of the Circuit Court, In Equity

A. G. Owens,
Complainant,
vs.
Christine E. Owens,
Respondent.

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. 425

Christine E. Owens,
Cross Complainant,
vs.
A. G. Owens,
Cross Defendant.

TO THE HONORABLE F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA, IN EQUITY:

Comes Christine E. Owens and files her Cross Bill against A. G. Owens.

Cross Complainant shows unto your Honor, that she is over the age of twenty-one years, and a resident of Mobile County, State of Alabama, that she is now and has been a bona fide continuous resident of the State of Alabama, for more than three years next preceding the filing of her Cross Bill in this case. That her husband, A. G. Owens, who is Cross Defendant in this cause, is also over the age of twenty-one years and a resident of the State of Alabama.

Cross Complainant shows unto your Honor, that she and her husband, A. G. Owens, were lawfully married on April 25, 1931, in Monroe County, Alabama, and lived together as man and wife until to-wit, January 15, 1938, when she withdrew herself from his bed and board on account of his cruel treatment.

Cross Complainant alleges that on to-wit, January 15, 1938, at the house where they were living, 205 Church Street in Mobile, Alabama, her said husband, A. G. Owens, without fault on her part threatened her life, threatening to commit actual violence on her person which was and is attended with danger to her life or health.

Cross Complainant further alleges that on to-wit, January 15, 1938, at the house where she was living at 205 Church Street in Mobile,

2.

Alabama, and prior thereto at a house about a mile away from Goodway in Monroe County, Alabama, her said husband, A. G. Owens, without fault on her part cruelly beat her, committing actual violence on her person which was and is attended with danger to her life or health and from his conduct she has reason to apprehend, and does now apprehend that he will commit actual violence on her person which was and is attended with danger to her life or health.

Cross Complainant further shows unto your Honor that there is living the issue of her unfortunate marriage a little girl, Frances Veroline Owens, age five years, that it would be to the interest of this child for its custody and control to be awarded to Cross Complainant who is its Mother, free from the interference on the part of its father, Cross Defendant.

Cross Complainant further alleges that the Father of said minor is not the proper one to have the custody and control of said minor child.

Cross Complainant further shows unto your Honor, that she is a frail, delicate woman and does not possess any separate estate, while her husband, A. G. Owens, Cross Defendant, is an able bodied man, and possesses the faculties of making money and does make money out of his labor or his accumulations.

Cross Complainant prays your Honor to refer to the Register of this Honorable Court to ascertain by reference and report for confirmation what would be a suitable amount to allow Cross Complainant as alimony pendente lite including attorneys' fees, Court Costs and permanent alimony after decree of divorce.

Cross Complainant prays your Honor to take jurisdiction of this her Cross Bill, making her said husband, A. G. Owens, Cross Defendant, hereto, and that he be required to plead, answer or demur to the allegations of this Cross Bill according to the Rules of Practice of this Honorable Court and within the time required by law.

3.

Cross Complainant further prays your Honor upon the hearing hereof to grant her the custody and control of Frances Veroline Owens, minor child, the issue of her unfortunate marriage, to grant her an absolute divorce from her said husband, A. G. Owens, and to grant her permanent alimony with such other further and different relief as she may in equity be entitled to receive, as she will ever pray, etc.

Christine C. Owens

John W. Humphreys
Robert O. Hall
Solicitors for Cross Complainant.

Footnote:

Cross Defendant is required to answer each and every allegation of the foregoing Cross Bill but not under oath, his oath to the same being expressly waived.

John W. Humphreys
Robert O. Hall
Solicitors for Cross Complainant

A. G. Owens,
Complainant,

vs.

Christine E. Owens,
Respondent.

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 425

Christine E. Owens,
Cross Complainant,

vs.

A. G. Owens,
Cross Defendant.

State of Alabama

Mobile County

Before me, Will Safford, a Notary Public in and for said County and State personally appeared Christine E. Owens, who is known to me and who being by me first duly sworn, deposes and says that she is the Respondent and Cross Complainant in the above entitled cause, that she does not own any separate estate and has not the means to pay her counsel for defending the original suit and prosecuting her Cross Bill, and that she has a meritorious defense to the Bill filed by her in the above entitled cause and a meritorious cause of action against the Complainant and Cross Defendant, A. G. Owens, under her Cross Bill.

Christine E. Owens

Sworn and subscribed to before me
this 23rd day of June, 1938.

Will Safford
Notary Public, Mobile County, State of Ala.

Charles P. ...
...
Solicitors for Respondent and Cross Complainant.

State of Alabama,)
Baldwin County.)

Christine E. Owens,)
Cross Complainant.)
vs.)
A. G. Owens,)
Cross Respondent.)

:- No In the Circuit Court of Baldwin
County, State of Alabama.
In Equity.

The Depositions of Christine E. Owens, Harry Dahlberg and Edna Nutwell witnesses examined on behalf of the Cross Complainant in the above entitled cause which is pending in the Equity Division of the Honorable Circuit Court of Baldwin County.

The said witnesses appeared before me at the time and place hereinafter named, and after having been first duly sworn by me to speak the truth, the whole truth, and nothing but the truth, did testify and say as follows; that is to say 666

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To HELEN P. SMITH:

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 Christine E. Owens, Harry Dahlberg and Edna Nutwell,

as witnesses in behalf of Cross-Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

CHRISTINE E. OWENS,

is Cross-Complainant

and A. G. OWENS,

is Cross-Defendant,

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

Witness 8th day of December 1938

R. S. DUCK

clerk - registrar

REGISTER

BY *Sanford Langston*
Deputy

COMMISSIONER'S FEE, \$ 5.00
Paid by Cross-Complt.
WITNESS' FEES, \$

A. G. OWENS,

Complainant,

VS.

CHRISTINE E. OWENS,

Respondent.

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

)
) IN EQUITY.
)

TO HON. F. W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF ALABAMA.

Your Orator A. G. Owens, humbly complaining of the defendant, Christine E. Owens, in a matter of divorce, shows unto your Honor as follows:

F I R S T:

That he is a resident of the State of Alabama; over the age of twenty-one years and has resided in the State of Alabama for more than ten years last passed; that the defendant, Christine E. Owens, is now residing in Mobile, Alabama, and is over the age of twenty-one years.

S E C O N D:

Your Orator shows further unto your Honor that on April 25, 1931, in Monroe County, Alabama, he and the defendant were married to each other; that they lived together in said Monroe County, Alabama, up until about the middle of the year, 1937, when they went to Fair-Hope for the purpose of doing some work at that place, and that he and the defendant continued to reside at Fair Hope, Baldwin County, Alabama, until December 4, 1937, when the defendant voluntarily abandoned him; that during said marriage there was born to them a girl child whose name is Frances Veroline Owens, and who is now between the ages of five and six years old and who is now in the custody of your Orator.

T H I R D:

Your Orator further shows unto your Honor that since said separation he has ascertained that during the marital state between he and the defendant that the defendant committed divers acts of adultery with one Cecil Cohorn and one Bud Feaster, in Monroe County, Alabama.

F O U R T H:

Your Orator further shows unto your Honor that he is a suitable person to have the custody and control of said Frances Veroline Owens; that he is able to properly support and educate her as she should be; that the said Christine E. Owens is an improper person to have the custody of said child.

PRAYER FOR PROCESS:

PREMISES CONSIDERED: Orator prays that your Honor will cause the usual writ of process to issue to the said Christine E. Owens, making her a party defendant to this bill of complaint and requiring her to plead answer or demur to the same within the time as prescribed by law.

PRAYER FOR RELIEF:

Premises considered: Your Orator prays that your Honor, upon a final hearing of this cause, will grant to him an absolute divorce from the said Christine E. Owens and that your Honor will award him the custody of said child and that your Honor will permit him to marry again if he sees fit.

Your Orator prays for such other, further, different and general relief as in equity may seem just and meet and your Orator will ever pray, etc.

Hyslop & Chason
Solicitors for Complainant.

FOOTNOTE: Defendant is required to answer paragraphs one, two three and four of the foregoing bill of complaint, but not under oath; answer under oath being hereby expressly waived.

Hyslop & Chason
Solicitor for Complainant.

A. G. OWENS,

Complainant-Cross Respondent

VS.

CHRISTINE E. OWENS,

Respondent-Cross Complainant

) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA

) IN EQUITY

) _____ DAY OF _____,
) 1938

This cause coming on to be heard on this day on the motion of Respondent-Cross Complainant for a Reference to the Register to ascertain by reference and report for confirmation by this Court what would be a suitable amount to allow Respondent-Cross Complainant as alimony pendente lite, attorneys' fees and Court costs;

It is ordered and decreed by the Court that said matters are hereby referred to the Register of this Court to ascertain as follows,

1. To ascertain and report for confirmation what would be a suitable amount to allow Respondent-Cross Complainant as alimony pendente lite;

2. To ascertain and report for confirmation what would be a suitable amount to allow Respondent-Cross Complainant as attorneys' fees;

3. To ascertain and report for confirmation what would be a suitable amount to allow Respondent-Cross Complainant as Court costs.

And this cause is reserved by the Court for further orders.

This Oct 8, 1938.

F. W. Hare

Chancellor of the Circuit Court of
Baldwin County Alabama

A. G. OWENS,

Complainant-Cross Respondent

vs.

CHRISTINE E. OWENS,

Respondent-Cross Complainant

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

TO MESSRS. HYBART & CHASON, SOLICITORS FOR THE COMPLAINANT-CROSS
RESPONDENT:

Take notice, that the undersigned, R. S. Duck, Register of our said Circuit Court, by Nan Alice Thompson, his duly appointed Deputy Register, will execute the decree of reference in this cause rendered on the eighth day of October, 1938, by said Court, at the office of the said Register in Bay Minette, Alabama, on the 31st day of October, 1938, at two o'clock P. M., at which time and place you will attend if you choose so to do.

Witness R. S. Duck, Register of said Court, by Nan Alice Thompson, Deputy Register, this the 27th day of October, 1938.

R. S. Duck, Register

By Nan Alice Thompson
Deputy Register

A. G. Owens,
Complainant,

vs.

Christine E. Owens,
Respondent.

Christine E. Owens,
Cross Complainant,

vs.

A. G. Owens,
Cross Defendant.

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 425

Comes the Respondent and Cross Complainant in the above entitled cause and moves the Court to refer to the Register of this Honorable Court to ascertain by reference and report for confirmation by this Honorable Court what would be a suitable amount to allow Respondent and Cross Complainant as alimony pendente lite, attorneys' fees and Court costs, and Respondent and Cross Complainant herewith files her affidavit in support of said motion.

Christine E. Owens
Respondent and Cross
Complainant.

Thomas W. Dancy, Jr.
Debra B. Hill
Solicitors for Respondent and
Cross Complainant.

The State of Alabama, { Circuit Court of Baldwin County, In Equity.
Baldwin County. }

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon _____

CHRISTINE E. OWENS,

of Mobile County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

A. G. OWENS,

against said CHRISTINE E. OWENS,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, M. A. Stone, Register of said Circuit Court, this 1st day of June 1938

Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Christine E. Owens,)
Cross Complainant.)
vs)
A. G. Owens,)
Cross Defendant.)

: - No 425 In the Circuit Court of Baldwin County,
State of Alabama- In Equity.

The Cross Complainant in the above entitled cause, requests the oral examination of the following named witnesses on her behalf- Christine E. Owens, Harry Dahlberg and Edna Nutwell, said witnesses reside in the County of Mobile, State of Alabama. Helen P. Smith who resides in Mobile, Alabama, is suggested as a suitable person to be appointed Commissioner to take the depositions of said witnesses on such oral examination.

Filed Dec. 8, 1935

Leslie Hall & *Chas W. Tompkins*
Solicitors for Cross Complainant.

R. S. Duch Register.

We the undersign Leslie Hall and Chas W. Tompkins, Solicitors for Cross Complainant and Hybart & Chason Solicitors for Cross Defendant, hereby waive notice of the time and place of the taking of the Depositions of said witnesses, and agree that said commission issue immediately.

Leslie Hall
Chas W. Tompkins
Solicitors for Cross Compl't.

Hybart & Chason
Solicitors for Cross Defendant.

A. G. Owens,
Complainant,

vs.

Christine E. Owens,
Respondent.

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. 425

Comes Christine E. Owens, Respondent, in the above entitled cause and for answer to the Original Bill heretofore filed against her in said cause answers as follows:


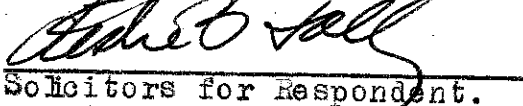
1. Respondent admits as true what is alleged in the first paragraph of said Bill of Complaint.


2. Respondent admits as true, "The date of marriage as alleged in the second paragraph of said Bill of Complaint," and also that portion of the same that alleges, "There was born to Complainant and Respondent a girl child named Frances Veroline Owens, and the age of said child," but denies each and every other allegation as alleged in the second paragraph of said Bill of Complaint and demands strict proof of the same.

3. Respondent indignantly denies what is alleged in the third paragraph of said Bill of Complaint and demands strict proof of the same.

4. Respondent denies what is alleged in the fourth paragraph of said Bill of Complaint and demands strict proof of the same.

And having as fully answered said Bill of Complaint as Respondent is advised she is required to do, prays her discharge with her costs.



Solicitors for Respondent.


Respondent.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____

December

Term, 193

8

A. E. Owens,

, Complainant - *Cross Respondent*

Vs.

Christine E. Owens,

, Defendant - *Cross Complainant*

To

R. S. Duda

, Register :

In the above stated cause ^{ANSWER} ~~an Decree Pro Confesso~~ having been ~~taken against~~ ^{filed by cross} 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 ^{cross} *Chas. W. Tompkins and*

Jessie Hall

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.

Jessie Hall

Solicitor for Complainant.

A. G. OWENS,

Complainant-Cross Respondent,

vs.

CHRISTINE E. OWENS,

Respondent-Cross Complainant.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Cross Respondent

This cause is submitted in behalf of Complainant upon ~~the original Bill of Complaint~~
his Answer to the Cross Bill;

and in behalf of ~~Defendant upon~~ Respondent-Cross Complainant upon Cross Bill;
Demand for Oral Examination of Cross Complainant's witnesses;

Depositions of Christine E. Owens, Harry Dahlberg, and Edna Nutwell.

R. S. Dush

By - *Arthur Thompson*
Deputy

Register.

CC Equity 33-500-5-37

A. G. OWENS,
Complainant and Cross-Respondent.

No. 425 VS.

CHRISTINE E. OWENS,
Respondent and Cross-Complainant.

This cause coming on to be heard, upon motion of Complainant,
it is ordered that the Register publish the testimony.

In Term Time.

Duch
RECORDED *2-411*

No. 425

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

A. G. OWENS,

Complainant-Cross
Respondent,

vs.

CHRISTINE E. OWENS,
Respondent-Cross
Complainant.

NOTE OF TESTIMONY

Filed in Open Court this 20th
day of December, 1938

R.S. Duch

REGISTER

By ~~Paulie Zhang~~
MOORE PRINTING CO., SAY NINETEEN, ALA. *Register*

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

A. E. Owens

Vs.

Christine E. Owens

**REQUEST FOR DECREE IN
VACATION**

Filed *Dec. 20,* _____, 193*8*

Register.

Judges Chamber

Recorded in _____ Record

Vol. _____ Page _____

Register.

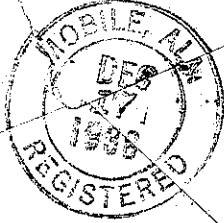
[Faint, illegible text, likely bleed-through from the reverse side of the page]

Helen P. Smith
Commissioner



Helen P. Smith
Commissioner

Public Affairs
Mobile Ala.



Helen P. Smith
Commissioner