

(4151)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

----- KATIE HADLEY DOWNEY -----, Complainant

vs.

----- CECIL I. DOWNEY -----, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on answer and waiver 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 KATIE HADLEY DOWNEY is forever divorced from the said CECIL I. DOWNEY for and on account of Abandonment.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the Complainant resume her former name of Katie Hadley.

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 Katie Hadley Downey the complainant pay the cost herein to be taxed, for which executed may issue.

This 29th day of October 1959

J. Hubert M. Hill

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.

116

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

[Faint, illegible handwriting in the main body of the document, likely containing the terms of the divorce decree.]

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: GRACE NETTLES

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

KATIE HADLEY DOWNEY

AND

DOROTHEA ALLISON

a witness in behalf of KATIE HADLEY DOWNEY
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our

KATIE HADLEY DOWNEY

, Complainant

and

CECIL I. DOWNEY

Respondent

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

Witness 2nd day of October

, 195 9

Oliver J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

KATIE HADLEY DOWNEY COMPLAINANT

vs.

CECIL I. DOWNEY RESPONDENT

I, Grace Nettles

as Register and Commissioner in said cause

have called and caused to come before me Katie Hadley Downey and

Dorothy Allison

witnesses named in the requirement for Oral Examination, on the _____ day of _____

19____, at the office of Thompson & White

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Katie Hadley Downey and

Dorothy Allison doth depose and say as follows:

My name is Katie Hadley Downey. I am over the age of 21 years, and a resident of Baldwin County, Alabama, and have been all my life. The Respondent Cecil I. Downey, is over the age of 21 years and is presently in Indiana. We were married Sept. 12, 1951, at Lucedale, Miss., and lived together as husband and wife, until on or about July 23, 1958, at which time the respondent abandoned me without fault on my part. We have no children as fruits of our marriage, and no property to be divided. I know that I shall never live with him as his wife, any more, and respectfully ask for a divorce. I also ask the right to resume the use of my maiden name of Katie Hadley.

Katie Hadley Downey

My name is Dorothy Allison. I know both parties to this cause. The Complainant is over the age of 21 years, and has been a resident of Baldwin County, Alabama all of her life. The Respondent is over the age of 21 years, and is presently residing in Indiana. They were married at Lucedale, Miss., on Sept. 12, 1951, and lived together as husband and wife until on or about July 23, 1958, at which time the respondent abandoned the complainant without fault or her part, and they have not lived together as husband and wife since that date. I do not believe they will ever live together again as husband and wife. They have no children as fruits of their marriage, and no property to be divided.

Dorothy Allison

FILED

OCT 29 1959

ALICE J. DUCK, Register

I, Grace Nettles 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 witness es and read over to them and they signed the same in the presence of myself and C. LeNoir Thompson 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 _____ day of _____, 19____.

Grace Nettles (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

FILED

OCT 29 1959

Register.

Alice Fredrick Register
Recorder

Record

Vol. _____ Page _____

Register.

KATIE HADLEY DOWNEY

vs.

CECIL E. DOWNEY

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, testimony of Katie Hadley Downey and Dorothy Allison.

and in behalf of Defendant upon Answer and waiver

C. L. Downey

Alice J. Duke

Register.

172

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

Register.

KATIE HADLEY DOWNEY

Complainant

VS

CECIL I. DOWNEY

Respondent

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Now comes the Respondent and accepted service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

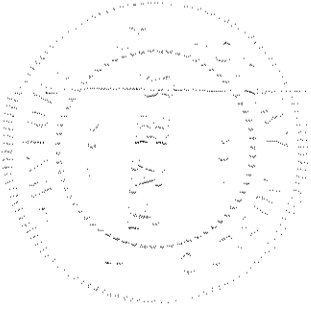
Cecil I. Downey

STATE OF Indiana
COUNTY OF La Porte

I, Carroll M. Wagner, a Notary Public in and for said county, in said state, hereby certify that Cecil I. Downey, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

My Commission Expires
August 22, 1961

Carroll M. Wagner
Notary Public
County of La Porte
State of Alabama Indiana



FILED
OCT 29 1959

ALICE J. DUCK, Register

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon CECIL I. DOWNEY, 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 KATIE HADLEY DOWNEY, as complainant and against CECIL I. DOWNEY, as respondent.

WITNESS my hand this the 29 day of Oct., 1959.

Alice J. Duck
Register.

KATIE HADLEY DOWNEY	X	IN THE CIRCUIT COURT OF
COMPLAINANT	X	BALDWIN COUNTY, ALABAMA
VS	X	IN EQUITY.
CECIL I. DOWNEY	X	CASE NO. _____
RESPONDENT	X	

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

Your Complainant, Katie Hadley Downey, respectfully represents unto Your Honor and this Honorable Court as follows:

-1-

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama and has been all her life; the respondent is over the age of 21 and is presently residing in Indiana.

-2-

That your Complainant and the Respondent married in Lucedale, Mississippi, on September 12, 1951, and lived together as husband and wife until our separation occurred on July 23, 1958.

-3-

That on to-wit, July 23, 1958, while your Complainant and the Respondent were living together as husband and wife, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

-4-

There are no children as fruits of this marriage and no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Cecil I. Downey, party Respondent to this bill of complaint requiring him

to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; your Complainant prays for such other further, different or general relief as she may be in equity and good conscience entitled to receive.

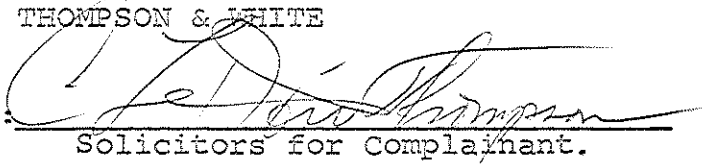
FILED

OCT 29 1959

ALICE J. DUCK, Register

THOMPSON & WHITE

BY:


Solicitors for Complainant.