

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Christine C. Mason, Complainant

vs.

Lowell L. Mason, 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 Christine C. Mason is forever divorced from the said Lowell L. Mason for and on account of

Voluntary abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED

by the court that the Complainant, Christine C. Mason, be and she is hereby awarded the custody, care and control of the minor child, Carolyn Ruth Mason, subject to the rights of the Respondent to visit the said child at reasonable

times. IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the court that the Respondent pay to the Complainant \$35.00 per month for the maintenance and support of the minor child, Carolyn Ruth Mason.

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 Christine C. Mason the Complainant pay the cost herein to be taxed, for which execution may issue.

This 10th day of June, 1950.

J. Fair J. Maddox
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.

RECORDED

No. 2465 Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Christine G. Mason

Complainant

vs.

Lowell L. Mason

Respondent

DIVORCE DECREE

FILED

JUN 10 1950

ALICE J. DUCK, Register

LOWELL L. MASON,

Petitioner,

VS.

CHRISTINE C. MASON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 2465 1/2

DECREE

This cause coming on to be heard at 10:00 A. M., on this day, of which hearing the Respondent was given due notice, and is submitted on the sworn petition of Lowell L. Mason to amend the decree under date of June 10, 1950, in that certain cause whereby Christine C. Mason was Complainant, and Lowell L. Mason, was Respondent, and by and under the terms of which the Complainant, Christine C. Mason, was awarded custody and control of the minor child, Carolyn Ruth Mason, by taking the custody and control of said minor child from Christine C. Mason and awarding it to the Petitioner, Lowell L. Mason; and also upon the testimony heard by me in open court; and the same being considered and understood by the Court, the Court is of the opinion that petitioner is entitled to the relief prayed for and it is, THEREFORE,

ORDERED, ADJUDGED AND DECREED that the decree under date of June 10, 1950, as hereinabove set out be, and it is hereby amended by taking from the said Christine C. Mason, the custody and control of the minor child of the parties hereto, Carolyn Ruth Mason, and the sole custody and control of the said minor child is hereby awarded to the Petitioner, Lowell L. Mason.

IT IS FURTHER ORDERED AND DECREED that the Respondent, Christine C. Mason, shall have the right to visit the child at all reasonable times.

IT IS FURTHER ORDERED that Lowell L. Mason, the Petitioner, pay the costs herein to be taxed, for which execution may issue.

DONE and ORDERED this 26th day of July, 1950.

Jeffrey J. Mosley, Jr.
Judge

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Evelyn Watts

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 C. Mason and Gladys Ward

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

Christine C. Mason

and Lowell L. Mason, Complainant

Respondent

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

Witness 11th day of May, 1945

David J. W. W.
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2465

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Christine C. Mason

Complainant

VS.

Lowell L. Mason

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Christine C. Mason

Complainant

VS.

Lowell L. Mason

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Christine C. Mason and Gladys Ward

witness named in the Requirement for Oral Examination, on the 11 day of May 1945, at the office of Hubert M. Hall in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Christine C. Mason doth depose and say as follows:

My name is Christine C. Mason. I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent is over twenty-one years of age and a resident of Mobile County, Alabama.

The Respondent and I married at Bay Minette, Alabama, on January 18, 1946. We lived together as husband and wife until March 16, 1949, when the Respondent voluntarily abandoned my bed and board. We were living near Spanish Fort in Baldwin County, Alabama, at the time the Respondent abandoned me. The Respondent has remained away voluntarily and continuously since leaving me.

The Respondent and I have one child Carolyn Ruth Mason, three years old. She is now and has been all of her life living with me. We live in the home with my mother and father at Spanish Fort. The Respondent has no home of his own but lives as far as I know in boarding houses and has no place to keep the child. I am fully capable and am the proper person to have the care, custody and control of a child of such tender years.

The Respondent is employed at McGowan-Lyons and fully able and capable of supporting the child. In my judgment \$35.00 is the lowest amount that I can get by with toward the support of my child and that will take into consideration the fact that I also work and contribute toward support.

Christine C. Mason

Mrs. Gladys Ward, a witness for the complainant being first duly sworn deposes and says:

My name is Mrs. Gladys Ward. I live at Spanish Fort and near where the Complainant lives. I know that the Complainant and the Respondent have not lived together since the first part of March or maybe the middle of March, 1949. The Complainant has one child a girl now about three year old, Carolyn Ruth Mason. I have had occasion to be in the home where the Complainant is now living from time to time during the last year and know that the Complainant is a suitable, fit and property person to have the care and control of the child.

Gladys Ward

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom made before me of the identity of said witness; 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 11 day of May, 1945

Evelyn Watts (L. S.)

NO. 2465 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Christine C. Mason

vs. Complainant

Lovell L. Mason

Respondent.

Oral Deposition

Filed 5-14, 1945

Lucy Decker, Register.
Recorded in

Record

Vol. _____ Page _____

Register.

Christine C. Mason, Complainant
No. Vs.
Lowell L. Mason, Defendant

IN THE CIRCUIT COURT OF
~~MOBILE~~ COUNTY, ALABAMA
BALDWIN
IN EQUITY

ANSWER AND WAIVER

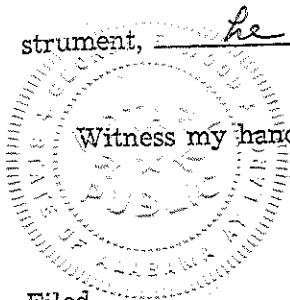
Comes the Defendant in the above entitled cause and for answer to the Bill of Complaint therein admits the allegations as to the ages, residences and marriage and denies each and every other allegation of said Bill of Complaint and demands strict proof thereof.

I agree that the testimony in this cause may be taken by deposition on oral examination, and waive notice of the time and place of the taking such testimony and agree that this cause may be submitted for final decree at any time. I waive all notices to which I may be entitled by law in this cause.

Lowell L. Mason
Defendant

STATE OF Alabama
COUNTY OF Mobile

I, George F. Wood, a NOTARY PUBLIC in and for said State ^{at large} and County, do hereby certify that Lowell L. Mason, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me this day, that being informed of the contents of the instrument, he executed the same voluntarily on the day same bears date.



Witness my hand and seal this 20 day of March, 1950

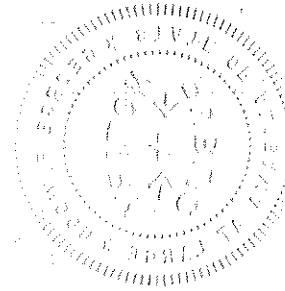
George F. Wood
NOTARY PUBLIC

Filed, JAMES A. CRANE, REGISTER

STATE OF Alabama, at large
COUNTY OF _____

RECORDED

No. 2465



Christine C. Mason

VS.

Lowell L. Mason

ANSWER AND WAIVER

Filed 5-12, 1950

W. J. French
Register

AGREEMENT BETWEEN CHRISTINE C. MASON AND
LOWELL L. MASON.

BE IT KNOWN, that this is an AGREEMENT entered into by and between Lowell L. Mason, hereinafter referred to as the Party of the First Part, and Christine C. Mason, hereinafter referred to as the Party of the Second Part, husband and wife; and

WHEREAS, the parties hereto were married on the 18th day of January, 1946, at Bay Minette, Alabama; and

WHEREAS, the Parties to this agreement are no longer living together as husband and wife; and

WHEREAS, one (1) child was born of their said marriage, namely, Carolyn Ruth Mason, age 3; and

WHEREAS, it is the desire of the parties hereto to settle the question as to the custody of the child and as to their property rights peaceably and without litigation;

NOW THEREFORE, in consideration of the premises and of the mutual promises hereinafter made, and of other good and valuable considerations, the parties hereto mutually agree as follows:-

1. The Party of the First Part agrees that the Party of the Second Part, the said Christine C. Mason, shall have sole custody of the minor child of the parties hereto, reserving always to the Party of the First Part the right to visit the child at reasonable times and places and to have the child visit him at reasonable times and places;
2. The Party of the First Part shall pay to the Party of the Second Part the sum of Thirty-Five Dollars (\$35.00) per month for the maintenance and support of the said minor child;
3. The Second Party releases the First Party from any and all claims she now has or may hereafter have against the First Party for alimony or any contributions for maintenance and support of herself;
4. The Party of the First Part hereby releases any claim he may have to the household furnishings used by the parties during the term of their marriage and the parties hereto, and each or them, hereby mutually release any and all claims which they

may now have or which may arise as a result of their marriage as aforesaid, in and to any property owned by the other;

5. It is further mutually agreed between the parties hereto that this instrument may be introduced in evidence in any suit for divorce between the parties hereto.

WITNESS our hand and seals on this 6 day of March, 1950.

Lowell L. Mason (SEAL)

Christine C. Mason (SEAL)

WITNESSETH:

STATE OF ALABAMA:

COUNTY OF MOBILE:

I, George F. Wood, a Notary Public in and for said County and State, at large, do hereby certify that Lowell L. Mason, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me, on this day, that being informed of the contents of the said agreement, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 20 day of March, 1950.

George F. Wood
NOTARY PUBLIC, Mobile County, Alabama, at large
State of

STATE OF ALABAMA:

COUNTY OF MOBILE:

I, S. S. S. S., a Notary Public in and for said County and State, do hereby certify that Christine C. Mason, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me, on this day, that being informed of the contents of the said agreement, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6 day of March, 1950.

S. S. S. S.
NOTARY PUBLIC, Baldwin County, Alabama.

100 2 pgs

Christine C. Mason

Complainant

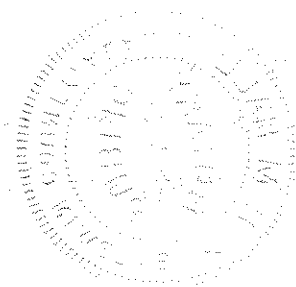
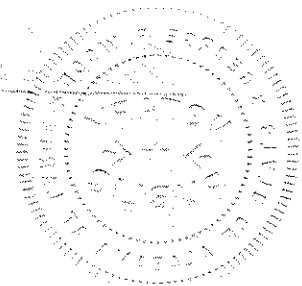
vs

Lowell L. Mason

Agreement

Filed 5-12-50
Accepted
Register

[Handwritten signature]



STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA §

You are hereby commanded to summon Lowell L. Mason, 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 Christine C. Mason, as Complainant and against Lowell L. Mason, as Respondent.

WITNESS my hand this 6 day of March, 1950.

Alice J. Duck
Register

=====

CHRISTINE C. MASON	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
LOWELL L. MASON	§	
RESPONDENT	§	

§

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Christine C. Mason, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama; that the Respondent is over twenty-one years and a resident of Mobile County, Alabama, his address being 850, Dismukes Street, Prichard, Alabama.

2. That your Complainant and the Respondent married at Bay Minette, Alabama, on January 18, 1946.

3. That the Respondent more than twelve months ago, while he and the Complainant were living near Spanish Fort, in Baldwin County, Alabama, voluntarily abandoned the bed and board of the Complainant and has remained away voluntarily and continuously since that time.

4. That there was born to the Complainant and the Respondent, one child, Carolyn Ruth Mason, age three, who is now and has been all of her life with her mother, the Complainant, who is a suitable, fit and proper person to have the care, custody and control.

5. That the is an able bodied man fully capable of maintain and supporting

the said minor child.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said Lowell L. Mason 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 final hearing hereof, your Honor will award to her a decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent and that a decree be made and entered against the Respondent requiring him to pay toward the maintenance and support of the minor child, Carolyn Ruth Mason, such amount as to the court may seem just and proper; that your Complainant be awarded permanent custody and control of the said minor child, Carolyn Ruth Mason.

Complainant further prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for Complainant

RECORDED

NO 2465-

CHRISTINE C. MASON

Complainant

Vs

Lowell L. Mason

Respondent

SUMMONS AND COMPLAINT

*Filed 3/16/00
Alice J. Leach
Register*

Christine C. Mason

vs.

Lowell L. Mason

THE STATE OF ALABAMA

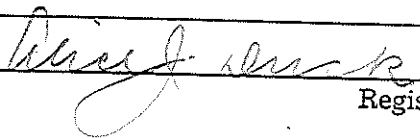
Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Answer and waiver, agreement between Complainant and respondent,
testimony of Complainant and witness.

and in behalf of Defendant upon _____


Register.

RECORDED

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Christine C. Mason

VS.

Lowell L. Mason

NOTE OF TESTIMONY

Filed in Open Court this 12th

day of May, 1942

Register.

LOWELL L. MASON,)	
Petitioner,	(
-vs-)	IN THE CIRCUIT COURT OF
CHRISTINE C. MASON,)	BALDWIN COUNTY, ALABAMA
Respondent.	(IN EQUITY NO. _____

TO THE HONORABLE TELFAIR J. MASHEURN, JR., JUDGE OF SAID COURT
IN EQUITY SITTING:-

Comes your petitioner, Lowell L. Mason, and respectfully shows and represents unto this Honorable Court as follows:

ONE

Your petitioner is a resident of Mobile, Mobile County, Alabama, and is over the age of twenty-one years. Respondent is a resident of Baldwin County, Alabama, and is also over the age of twenty-one years.

TWO

Petitioner and respondent were married at Bay Minette, Alabama, on January 18, 1946. During the period of their marriage, there was born to your petitioner and the respondent one child, Carolyn Ruth Mason, on to-wit February 15, 1947, and who is now, as is set out below, in the custody of the respondent.

THREE

On to-wit, the 10th day of June, 1950, a decree of divorce was entered in favor of the respondent against your petitioner, from the Circuit Court of Baldwin County, Alabama, by which said decree, the custody of the said minor child of your petitioner and the respondent was granted to the respondent.

FOUR

Petitioner avers that subsequent to the granting of the said divorce, and since the custody of the said minor child was awarded to the respondent, she has moved into the home of and is cohabitating in Baldwin County, Alabama, with a man married to another woman; that she has taken the said child of your petitioner

into the said home where the said child lives amid these illicit and immoral conditions; that the respondent has granted to the said man with whom she is presently cohabitating, the right to discipline petitioner's child and both respondent and the man with whom she is illicitly cohabitating has exercised said discipline and administered corporal punishment to the said child; that such conduct on the part of the respondent is openly and flagrantly being exhibited to the world; and that she is now pregnant by the said man with whom she lives, or some other man, not your petitioner. That, prior to the said decree of divorce, respondent committed acts of adultery with the said man, which was unknown to your petitioner.

FIVE

Petitioner would show that the respondent is not a fit and proper person to have custody and control of the said minor child and that she should not be entrusted with the rearing and training of the said child.

SIX

Your petitioner avers that he is a fit and proper person to have the care and custody of his child; that he is a man of high moral character, is gainfully employed and able financially to care for the needs of his child; that he has provided a comfortable home for his child with his sister and her husband, Mr. and Mrs. Marvin Hutts of Pascagoula, Mississippi, where she will be cared for with loving hands; will be trained and taught proper moral values.

SEVEN

Your petitioner would further show that the respondent and the man with whom she is cohabitating is a man of low moral character; that he is a man of violence and temper; that the home in which he and the respondent and the child of your petitioner live is unfit for the said child; and as a result of all of which your petitioner fears for the health, safety and welfare of his said child.

WHEREFORE, petitioner prays that this matter be set down for hearing; that due notice be given to the respondent as provided by law; that upon a hearing, a decree be entered and an order rendered awarding the sole custody of the said child to your petitioner.

Petitioner further prays that, the premises considered, an order be entered upon the filing of this petition, awarding him temporary custody of the said child pending a final determination upon the hearing prayed for above.

Petitioner prays for such further relief as he may be entitled to receive in the premises.

Lowell L. Mason
Lowell L. Mason

STATE OF ALABAMA)
MOBILE COUNTY)

Personally appeared before me, a Notary Public in and for said County in said State, LOWELL L. MASON, who, being by me first duly sworn, on oath, does depose and say:

The averments of the foregoing petition are true to the best of my knowledge, information and belief. I fear for the safety, health and welfare of my child if I am not granted temporary custody of her pending a hearing for determination as to the permanent custody.

Lowell L. Mason
Lowell L. Mason

Subscribed and Sworn to before me on this

22 day of July, 1950.

Blanchard Dental
NOTARY PUBLIC, Mobile County, Alabama.

My Commission expires: Jan. 15/1951

5 Teddman + Hall P. 5-

RECORDED

FILED
JUL 22 1950
ALBANY, N. Y. DIST. CLERK



1600 words
copy

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LOWELL L. MASON,

Petitioner,

VS.

CHRISTINE C. MASON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 2465½.

TESTIMONY TAKEN IN OPEN COURT
ON JULY 26, 1950 AT 10:00 A. M.

APPEARED for Petitioner,

Hon. George F. Wood
Hon. Cecil G. Chason

Lowell L. Mason, having been first duly and
legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Wood

Q. State your name, please.

A. Lowell L. Mason.

Q. Are you the petitioner in this suit for custody of the minor
child?

A. Yes sir.

Q. How old are you, Mr. Mason?

A. Twenty-seven.

Q. Where do you live?

A. In Mobile County.

Q. Is that in Alabama?

A. Yes sir.

Q. How old is the respondent, Christine C. Mason? Let me re-phrase
that question- Is she over the age of twenty-one years?

A. Yes sir.

Q. What county and state does she live in?

A. Baldwin County, Alabama.

Q. Are you the father of the minor child, Carolyn Ruth Mason?

A. Yes sir.

Q. How old is the child?

A. Approximately three and a half years old.

Q. Is she in Court today?

A. Yes sir.

Q. A little girl?

A. Yes sir.

Q. Is the Respondent the mother of that child?

A. Yes sir.

Q. When were you married, Mr. Mason?

A. In 1946.

Q. Where?

A. In Baldwin County, Alabama.

Q. Are you now divorced or living together?

A. We were divorced on June 10, 1950.

Q. Where?

A. Baldwin County, Alabama.

Q. Out of this Circuit Court of Baldwin County, Alabama?

A. Out of this Court.

Q. By the decree of divorce who was awarded custody of the child?

A. Christine C. Mason.

Q. Mr. Mason, do you consider yourself a proper person morally to have the care, custody and control of your child?

A. Yes sir.

Q. What is your present employment?

A. I am profit clerk for McGowan-Lyons Company.

Q. Is that in Mobile?

A. In Mobile, Alabama.

Q. Are you earning a regular monthly salary?

A. Yes sir.

Q. Are your earnings sufficient to enable you to properly care for the child?

A. Yes sir.

Q. What provision have you made in case you should be awarded the care of the child?

- A. At present I am going to have, leave her with my sister as guardian.
- Q. Where is your sister, where does she live?
- A. In Pascagoula, Mississippi.
- Q. Is your sister married?
- A. Yes sir.
- Q. How old is she?
- A. Approximately thirty-five.
- Q. Does she own her own home or waat kind of home does she have there?
- A. They have a frame building which they are buying at the present time.
- Q. What size place is it?
- A. Three bed-room frame building.
- Q. Do they have any children?
- A. They have two, one at home and one in the Navy.
- Q. What is the reputation of your sister in the community?
- A. She has a very good reputation there.
- Q. Has she expressed a willingness to care for the child?
- A. Yes.
- Q. Are you satisfied with the home conditions there?
- A. Yes sir.
- Q. First, what is your sister's name?
- A. Esther Hutto.
- Q. What type of children does Mrs. Hutto have, good children or bad children?
- A. Very good children.
- Q. Now are you satisfied that she will have the loving care in the home of your sister she needs?
- A. Yes sir.
- Q. I will ask you whether or not on last Saturday the little girl was picked up by the Sheriff or Deputy Sheriff of Baldwin County and delivered to you, last Saturday. Is that correct?
- A. That is correct.

Q. Would you state what condition she was in at that time, at the time she was picked up?

A. When they drove up with the kid in the car, there were four men and she was standing between the Sheriff and possibly his Deputy, or possibly someone deputized by him, the kid recognized, - she had a frown on her face and I said "Come on, Carolyn, this is your daddy, " and she hollered, "dada, dada," and jumped out of the car and put her arms around my neck. I noticed insect bites, she was covered with insect bites and on the way she said she felt sick and we taken her temperature and she had one degree of temperature and we give her part of an aspirin and went to Pascagoula and were going to see the doctor but she had sweated off her fever and she was very happy at the time.

Q. You say she was covered with insect bites.

A. Yes sir.

Q. Mr. Mason, do you have any knowledge of where your wife was living at the time of the divorce?

A. No sir.

Q. Have you seen any indication since the time of the divorce of where she was living at the time of the divorce?

A. Yes sir. Went out to visit her and pick the child up for a family reunion on the 17th of June and they told us she was living in a small shack about a half mile off Highway 31, we went up to this shack and no one was at home and I looked in the window and saw the furniture in the house which we were housekeeping with at the time of our separation.

Q. You recognized the furniture you had been using?

A. I recognized the furniture.

Q. No one was there at the time?

A. No one was there.

Q. Of your own knowledge do you know where she is living now?

A. No sir.

That's all.

H. F. Hall, being first duly and legally sworn,
testified as follows:

ON DIRECT EXAMINATION

By Mr. Wood

Q. Will you state your name, please sir?

A. H. F. Hall.

Q. What is your occupation?

A. Deputy Sheriff of Baldwin County, Alabama?

Q. Of Baldwin County?

A. Yes sir.

Q. Mr. Hall, were you ordered on last Saturday by the Circuit Judge of Baldwin County to pick up a child, one Carolyn Ruth Mason, and deliver her to her father?

A. I was.

Q. Did you do so?

A. Yes sir.

Q. Where did you find the child?

A. At Leslie Buzbee's house.

Q. Where is that?

A. Down close to Spanish Fort on the, I believe, the Bay Minette Basin.

Q. Would you describe, please, the condition of the child when you picked her up?

A. Well, mosquitoes had been biting her legs, that's what her mother said, said the mosquitoes were bad down there in the daytime and at night, that was the cause of her legs being sore.

Q. Did you notice she was running a temperature?

A. No sir.

Q. Would you describe, please the type of home in which she was apparently was living at the time?

A. Well, the place we found was a small house about two room house where she was when we picked the child up.

Q. Did there appear to be any electrical facilities?

A. I am not sure.

Q. Was there a telephone?

A. No.

Q. How about the sanitary facilities, notice a bath room of an out door privy?

A. No, I didn't.

Q. How far away was this from Highway 31?

A. Well, I would say about three or four miles.

Q. How far from the nearest town?

A. I don't know what you call a town down there, Spanish Fort, you talking about?

Q. To where a doctor would live, say?

A. Well, I don't know where the nearest doctor would be, Mobile, I would say, about ten or fifteen miles.

That's all

Mrs. Esther Hutto after being first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Wood

Q. Will you state your name and address, please?

A. Mrs. Esther Hutto, 710 Ninth Street, Pascagoula, Mississippi.

Q. Are you related to the Petitioner, Lowell L. Mason?

A. Sister.

Q. You are his sister?

A. Yes sir.

Q. Has he said anything to you about putting his minor child, Carolyn Ruth Mason, in your care in case he is awarded the custody of the child?

A. Yes sir.

Q. Have you agreed to assume the responsibilities of carrying for the child?

A. I would be very glad to do so.

Q. Would you describe, please, your home, Mrs. Hutto?

A. We have a very nice, convenient home. I have three bedrooms, a bath room and a hall that runs between the living room and bedrooms, a kitchenette and a front porch.

Q. How about the grounds for the, where the child can play?

A. Yes, we have appropriate grounds that go with the house.

Q. Is your home equipped with electricity and running water?

A. Everything.

Q. How far do you live from a doctor or medical facilities?

A. About two blocks.

Q. Do you have any children yourself?

A. Yes sir, two.

Q. How old are they?

A. One is nineteen in the Navy and one fifteen here with me.

Q. Have they both finished high school?

A. The son, the daughter is still in school.

Q. Have they ever been in any trouble?

A. No.

Q. Do you consider them good children?

A. Very good.

Q. Your husband works does he?

A. Yes sir.

Q. Where?

A. At Errol B. Walker Shipyard.

Q. Is that regular employment?

A. Yes sir.

Q. What type of neighbors do you have?

A. Very nice neighbors.

Q. You don't have any trouble with your neighbors?

A. No sir.

Q. Do you propose to care for little Carolyn Ruth like she was your own child?

A. Yes sir.

Q. Do you like children?

A. Very much.

Q. Your children good, healthy?

A. Yes sir.

That's all.

I hereby certify that the above and foregoing is a true and correct

copy of the evidence as given and taken and transcribed by me in
the above styled case on this date.

Dated this 26th day of July, 1950.

Ora L. Nelson
Reporter

LOWELL L. MASON,)
Petitioner,)
-vs-)
CHRISTINE C. MASON,)
Respondent.)
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. _____

TO THE HONORABLE TELPAIR J. MASHBURN, JR., JUDGE OF SAID COURT
IN EQUITY SITTING:-

Comes your petitioner, Lowell L. Mason, and respectfully shows and represents unto this Honorable Court as follows:

ONE

Your petitioner is a resident of Mobile, Mobile County, Alabama, and is over the age of twenty-one years. Respondent is a resident of Baldwin County, Alabama, and is also over the age of twenty-one years.

TWO

Petitioner and respondent were married at Bay Minette, Alabama, on January 13, 1946. During the period of their marriage, there was born to your petitioner and the respondent one child, Carolyn Ruth Mason, on to-wit February 15, 1947, and who is now, as is set out below, in the custody of the respondent.

THREE

On to-wit, the 10th day of June, 1950, a decree of divorce was entered in favor of the respondent against your petitioner, from the Circuit Court of Baldwin County, Alabama, by which said decree, the custody of the said minor child of your petitioner and the respondent was granted to the respondent.

FOUR

Petitioner avers that subsequent to the granting of the said divorce, and since the custody of the said minor child was awarded to the respondent, she has moved into the home of and is cohabitating in Baldwin County, Alabama, with a man married to another woman; that she has taken the said child of your petitioner

into the said home where the said child lives amid these illicit and immoral conditions; that the respondent has granted to the said man with whom she is presently cohabitating, the right to discipline petitioner's child and both respondent and the man with whom she is illicitly cohabitating has exercised said discipline and administered corporal punishment to the said child; that such conduct on the part of the respondent is openly and flagrantly being exhibited to the world; and that she is now pregnant by the said man with whom she lives, or some other man, not your petitioner. That, prior to the said decree of divorce, respondent committed acts of adultery with the said man, which was unknown to your petitioner.

FIVE

Petitioner would show that the respondent is not a fit and proper person to have custody and control of the said minor child and that she should not be entrusted with the rearing and training of the said child.

SIX

Your petitioner avers that he is a fit and proper person to have the care and custody of his child; that he is a man of high moral character, is gainfully employed and able financially to care for the needs of his child; that he has provided a comfortable home for his child with his sister and her husband, Mr. and Mrs. Marvin Hutts of Pascagoula, Mississippi, where she will be cared for with loving hands; will be trained and taught proper moral values.

SEVEN

Your petitioner would further show that the respondent and the man with whom she is cohabitating is a man of low moral character; that he is a man of violence and temper; that the home in which he and the respondent and the child of your petitioner live is unfit for the said child; and as a result of all of which your petitioner fears for the health, safety and welfare of his said child.

WHEREFORE, petitioner prays that this matter be set down for hearing; that due notice be given to the respondent as provided by law; that upon a hearing, a decree be entered and an order rendered awarding the sole custody of the said child to your petitioner.

Petitioner further prays that, the premises considered, an order be entered upon the filing of this petition, awarding him temporary custody of the said child pending a final determination upon the hearing prayed for above.

Petitioner prays for such further relief as he may be entitled to receive in the premises.

Lowell L. Mason
Lowell L. Mason

STATE OF ALABAMA)
MOBILE COUNTY)

Personally appeared before me, a Notary Public in and for said County in said State, LOWELL L. MASON, who, being by me first duly sworn, on oath, does depose and say:

The averments of the foregoing petition are true to the best of my knowledge, information and belief. I fear for the safety, health and welfare of my child if I am not granted temporary custody of her pending a hearing for determination as to the permanent custody.

Lowell L. Mason
Lowell L. Mason

Subscribed and Sworn to before me on this

22 day of July, 1950.

Blanche Foster
NOTARY PUBLIC, Mobile County, Alabama.

My Commission expires: Jan 15, 1951

LOWELL L. MASON,
Petitioner,
Vs.
CHRISTINE C. MASON,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY NO. 2465 $\frac{1}{2}$

NOTICE OF HEARING

To Christine C. Mason:

You are hereby notified to appear on the 26th day of July, 1950 at 10:00
A. M. in the Circuit Court of Baldwin County, Alabama, Sitting in Equity, at
which time the attached petition of Lowell L. Mason will be heard and at which
time you may plead, answer or demur as provided by law and the rules of this Court.
Witness my hand this 22nd day of July, 1950.

Alice J. Leitch
Register in Equity



VETERANS ADMINISTRATION

REGIONAL OFFICE

~~441 1/2 WEST PEACHTREE STREET N.W.~~

~~ATLANTA 8, GEORGIA~~

2 East Second Avenue

Rome, Georgia

September 12, 1961

YOUR FILE REFERENCE:

Clerk of Chancery Court
Baldwin County
Bay Minette, Alabama

IN REPLY REFER TO: 3016/29B8

MASON, Lowel L.

XC-11 977 631

2463

Dear Sir:

Please furnish a certified copy of the public record of the divorce between Lowel L. Mason and Christine Cometti. They were divorced about 1948 in Bay Minette, Alabama.

Since the document is for official use by this agency it is understood that it will be furnished without cost. It should be attached to the carbon copy of this letter and forwarded in the enclosed, addressed envelope.

Very truly yours,

W. E. Jackson
W. E. Jackson

Officer-in-Charge

VA Office, Rome, Georgia

Encl. 2

FL VB8-107
Dec 1956 (R)

VA-DC-241156

An inquiry by or concerning an ex-service man or woman should, if possible, give veteran's name and file number, whether C, XC, K, N, V, H, RH, RS, or loan number. If such number is unknown, service or serial number should be given.



VETERANS ADMINISTRATION

XX REGIONAL OFFICE

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XC-11 977 631

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Baldwin County
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LOWELL L. MASON,

Petitioner,

VS.

CHRISTINE C. MASON,

Respondent.

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

DECREE

This cause coming on to be heard is submitted on the sworn petition of Lowell L. Mason to amend the decree in that certain cause where Christine C. Mason was Complainant and Lowell L. Mason, Respondent, which said decree was dated June 10, 1950 and by and under the terms of which the Complainant, Christine C. Mason, was awarded the custody and control of the minor child, Carolyn Ruth Mason, by taking the custody and control of said minor child from Christine C. Mason and awarding it to the Petitioner Lowell L. Mason; and by which petition Petitioner asked for temporary custody of said minor child pending a final hearing of this petition, and the same being considered and understood by the Court, the Court is of the opinion that Petitioner is entitled to the temporary relief prayed for and it is, therefore,

ORDERED, ADJUDGED AND DECREED as follows:

1. This petition is set down for hearing at 10:00 o'clock A. M. on Wednesday, July 26, 1950, and the Clerk is directed to give notice to Christine C. Mason of this hearing as provided by law.

2. That Petitioner, Lowell L. Mason, is awarded the temporary custody and control of the minor child, Carolyn Ruth Mason, pending a final hearing of this cause.

3. The Sheriff of Baldwin County, Alabama is hereby ordered and directed to take custody and control of the minor child, Carolyn Ruth Mason, immediately, and to turn over to the Petitioner, Lowell L. Mason the said minor child.

The Petitioner, Lowell L. Mason, is directed and ordered to have the body of said minor child present in the Court Room at ten o'clock A. M. on Wednesday, July 26, 1950, at the time of the hearing of said petition.

Done and ordered this 22nd day of July, 1950.

Jeffrey J. Modlibewski
Judge