

DIVORCE DECREE

Printed by Moore Printing Co.

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

LILLIE ROLEY LOWERY, Complainant

vs.

ELMER LOWERY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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

Lillie Roley Lowery is forever divorced from the said Elmer Lowery for and on account of

Abandonment

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 Lillie Roley Lowery the Complainant pay the cost herein to be taxed, for which execution may issue.

This 22 day of January, 1954

Hubert M. Wall
Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

LILLIE RILEY LOWERY

Complainant

vs.

ELMER LOWERY

Respondent

DIVORCE DECREE

FILED

JAN 26 1954

ALICE J. DICK, Register

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

LILLIE ROLEY LOWERY

No.

vs.

ELMER LOWERY

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 2nd day of

Nov 1953

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Lillie Roley Lowery

that the Defendant Elmer Lowery

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant is over the age of 21

years; it is, therefore, ordered that publication be made in the Fairhope Courier

published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

Elmer Lowery the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 2nd day of

Dec 1953, or after thirty days therefrom a decree Pro Confesso may be

taken against him

C. LeNoir Thompson,
Solicitor For Complainant

Archie J. Jackson
Register.

7 12 01 13 25-24 26 28 30 31 32

THE HOUSE OF REPRESENTATIVES

COMMITTEE ON THE JUDICIARY

WILLIAM A. WILSON

202

JOHN C. COOPER

202

JOHN C. COOPER

202

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JOHN C. COOPER

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RECORDED

FILED
NOV 1 1901
U.S. DEPT. OF JUSTICE

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LILLIE ROLEY LOWERY

vs.

ELMER LOWERY

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 Lillie Reley Lowery and Herman L. Green, Decree Pro Confesso
 of Publication.

and in behalf of Defendant upon _____

C. F. Green

Deasey Black

Register.

LILLIE RELEY LOWERY

vs.

ELMER LOWERY

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
Testimony of Lillie Reley Lowery and Herman L. Green, Decree Pro Confesso
of Publication.

and in behalf of Defendant upon _____

C. F. G. Harper
Deputy Clerk
Register.

STATE OF ALABAMA

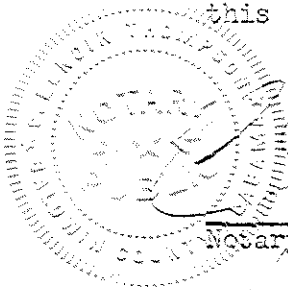
BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama, Baldwin County, personally appeared Lillie Roley Lowery, who is known to me and who being by me first duly sworn according to ~~law on oath doth depose and say that she is the complainant in a certain~~ cause being filed in the Circuit Court of Baldwin County, Alabama; that the respondent in said cause, Elmer Lowery, is anon-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the complainant and that you complainant cannot ascertain the particular place of residence and post office address of the respondent after expending a reasonable effort, which has been made; that said respondent is over the age of twenty-one years.

Lillie Roley Lowery
Complainant.

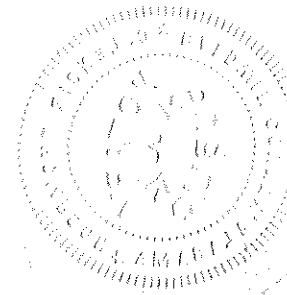
Sworn to and subscribed before me

this 2nd day of November, 1953.



[Signature]
Notary Public, Baldwin County, Alabama

3136-



RECORDED

affidavit

FILED
NOV 2 1953

ALICE L. DUCK, Register

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

ELMER LOWERY

Complainant

Vs.

ELMER LOWERY

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of November, 1953, in the Fairhope Courier a newspaper published in Fairhope, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 2nd day of November 1953 and _____

And it now further appearing to the Register Alice J. Duck that the said Elmer Lowery

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Elmer Lowery

This 2nd day of January 1954

Alice J. Duck Register.

RECORDED

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

LILLIE ROLEY LOWERY

Vs.

ETERN LOWERY

Decree Pro Confesso of Publication

Issued 1-2 1954

Archie J. French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Archie J. French
Register.

THE STATE OF ALABAMA,
Baldwin County

No. _____ Circuit Court, In Equity.

ILLIE ROLEY LOWERY

Complainant---

Vs.

ELMER LOWERY

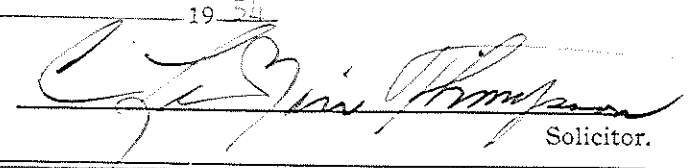
Defendant----

Motion is hereby made for a Decree Pro Confesso against Elmer Lowery

Defendant-----

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant ----; and that said summons was duly served according to law, and that said Defendant -- ha s failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This _____ day of January 19 54


Solicitor.

No. _____ Page _____

RECORDED
THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

LILLIE ROLEY LOWERY

Vs.

ELMER LOWERY

Motion for Decree Pro Confesso on
Personal Service

Filed 1-2 1934

Arice French
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Elmer Lowery 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 Lillie Roley Lowery, as complainant, and against Elmer Lowery, as respondent.

WITNESS my hand this 2nd day of November, 1953.

David J. Lowery
Register

*** ** ** ** **

LILLIE ROLEY LOWERY,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA
vs.)	IN EQUITY
ELMER LOWERY,)	
Respondent.)	

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

Comes your complainant, Lillie Roley Lowery, and respectfully represents and shows unto your Honor:

1

That your complainant is a bona fide resident of Baldwin County, Alabama, and over twenty-one years of age; that the respondent is over twenty-one years of age and a non-resident of the State of Alabama; that his post office address cannot be ascertained after a diligent search and inquiry; that his last known address was Bay Minette, Baldwin County, Alabama.

2

That your complainant and the respondent married at Pascagoula, Mississippi, on March 12, 1947, and lived together as husband and wife until on, to-wit, November 2, 1950.

3.

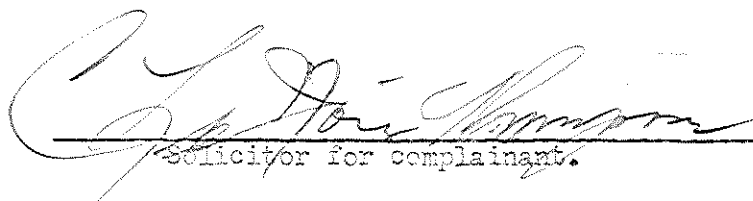
Complainant avers that said respondent voluntarily abandoned the bed and board of complainant for more than two years next preceding the filing of this bill of complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

4.

That no children were born as fruits of this marriage between the complainant and the respondent.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said Elmer Lowery 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 final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your complainant and the respondent, and that your complainant be awarded such other, further, different or general relief as she may be in equity and good conscience entitled to receive.


Solicitor for complainant.

MD 3136

RECORDED
Lillie Polyp Lowery
vs.
Elmer Lowery

RECORDED

Bill of Complaint

FILED

NOV 2 1953

ALICE J. DUCK, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

LILLIE ROLEY LOWERY

Complainant

VS.

ELMER LOWERY

Respondent

I, Lyrleene Nixon

as ~~Register and~~ Commissioner

have called and caused to come before me Lillie Roley Lowery and Herman L. Green

witnesses named in the Requirement for Oral Examination, on the 22 day of January

1954, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Lillie Roley Lowery and Herman L. Green doth depose and say as follows:

My name is Lillie Roley Lowery. I am over the age of 21, and a resident of Baldwin County, Alabama, and have been all my life. The respondent, Elmer Lowery, is over the age of 21, but his present whereabouts are unknown. We separated in Alabama, near Perdido. He abandoned me on November 19, 1950, without cause on my part, and we have not lived together as husband and wife since that date. We were married at Pascagoula, Mississippi, March 8, 1947, and lived together as husband and wife in Alabama until the separation. There are no children as fruits of this marriage, and no property to be divided. I respectfully ask the Court to grant me the right to resume the use of my maiden name, Lillie Roley.

Lillie Roley Lowery

My name is Herman L. Green. I know both parties to this cause. Both parties are over the age of 21 and the complainant is a native of Baldwin County, Alabama, where she has resided all her life. The respondent abandoned her the latter part of 1950, and so far as I know, she gave him no cause whatsoever for such abandonment. They have no children as fruits of that marriage, and there is no property to be divided.

Herman L. Green

ORAL EXAMINATION

I, Lvrleene Nixon, 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 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 as or had proom made before me of the identity of said witness as; 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 22 day of January, 1951.

Lvrleene Nixon (L. S.)

No.	Page
The State of Alabama	
Baldwin County.	
In Circuit Court, In Equity	
LILLIE ROLEY JOHNSON	
vs.	Complainant
EMER JOHNSON	
	Respondent
Oral Deposition	
Filed <u>1-22</u> , 19 <u>54</u>	
<u>Charles H. Haskins</u> Register	
Recorded in	
Record	
Vol.	Page
	Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Lyrleene Nixon

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 Lillie Roley Lowery and Herman L. Green

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

Lillie Roley Lowery

and _____, Complainant

Elmer Lowery

Respondent

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

Witness 22nd day of January, 1954.

Binghams
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

The Fairhope Courier



ESTABLISHED 1894

E. B. GASTON ESTATE, PUBLISHERS

TELEPHONE 5201

FAIRHOPE, ALABAMA

"On Mobile Bay"

This is to certify that the attached legal notice appeared in the Fairhope Courier, ^{A NEWS PAPER PRINTED IN THE} City of Fairhope, County of Baldwin, State of Alabama on the dates of Nov. 5, 12, 19 and 26th, 1953.

Maurice H. Crawford
Editor

State of Alabama
County of Baldwin

Sworn to and subscribed this 27th day of November, A.D. 1953, before me.

E. G. Gable

Notary Public, Baldwin County

Notice to Non-Resident

The State of Alabama,
Baldwin County,
Circuit Court in Equity
This the 2nd day of November,
1953.

Lillie Roley Lowery No. 3136 vs.
Elmer Lowery.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Lillie Roley Lowery, that the Defendant, Elmer Lowery, is a non-resident of the State of Alabama and further, that in the belief of said Affiant the Defendant is over the age of 21 years; It is, therefore, ordered that publication be made in the Fairhope Courier a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Elmer Lowery, the said Respondent, to answer or demur to the Bill of Complaint in this cause by the 2nd day of December 1953, or after thirty days therefrom a decree Pro Confesso may be taken against him.

Alice J. Duck, Register
Clerk of the Court
Solicitor General

100 515 8

FILED

NOV 28 1953

Register

9.11.16
10.11.16
11.11.16
12.11.16



THE FAIRHOPE COURIER

E. B. GASTON ESTATE, PUBLISHER

Telephone
5201



Rates On
Application

Mrs. Alice Shuck

Bay Minette
Ala.

Nov. 27, 1953

Legal Notice: 150 words
Re: Lillie Lowery
vs. Elmer Lowery

Nov. 5-12-19-26, 1953

9 75-

FILED
JUL 23 1945
U. S. DIST. COURT