

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Edwina Lowell Henderson

, Complainant

vs.

Jack R. Henderson

, 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 Edwina Lowell Henderson is forever divorced from the

said Jack R. Henderson for and on account of

Cruelty

Agreement as to support signed by both parties confirmed and Defendant ordered to pay Thirty Dollars (\$30.00) per month, Fifteen Dollars (\$15.00) on the 5th and Fifteen (\$15.00) on the 20th of each month, next payment to be made January 20th.

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 Defendant, Jack R. Henderson, the Defendant pay the cost herein to be taxed, for which execution may issue.

This 16<sup>th</sup> day of January, 1954

Hubert M. Ittner  
Judge Circuit Court, In Equity.

I, Alice J. Duck, 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. 3181 Page 2066

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Edwina Lowell Henderson

Complainant

vs.

Jack R. Henderson

Respondent

**DIVORCE DECREE**

FILED

JAN 16 1954

ALICE J. DICK, Register

LAW OFFICES

RICKARBY & RICKARBY

FAIRHOPE, ALABAMA

ELLIOTT G. RICKARBY  
(DECEASED)

E. G. RICKARBY, JR.

13 January 1954

Mrs. Alice J. Duck  
Clerk Circuit Court  
Bay Minette, Ala.

No: 3066

Re: Edwina Lowell Henderson

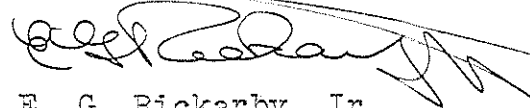
Vs: Jack R. Henderson

Dear Mrs. Duck:

With this we are handing you bill of complaint, answer  
and waiver, agreement as to support, note of testimony,  
and decree in the above mentioned matter.

Please process.

Yours very truly,



E. G. Rickarby, Jr.

R/i  
1718  
Encs.

LAW OFFICES

ELLIOTT G. RICKARBY  
(DECEASED)

RICKARBY & RICKARBY  
FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

24 November 1953

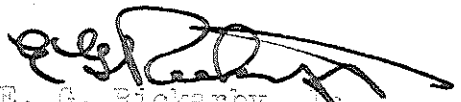
Mrs. Alice J. Duck  
Clerk Circuit Court  
Bay Minette, Ala.

No: 3066 Equity  
Re: Edwina Henderson  
Vs: Jack Henderson

Dear Mrs. Duck:

We herewith hand you check for \$10.00 to cover  
the amount of costs you quoted in this case.

Yours very truly,

  
E. G. Rickarby, Jr.

R/i  
1718  
Enc: check

Edwina Lowell Henderson,

Complainant

vs.

Jack R. Henderson,

Defendant

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,  
answer of Defendant, agreement as to support, and dep-  
ositions of Edwina Lowell Henderson and Hugh E. Lowell.

and in behalf of Defendant upon

E. A. Rickaby

Dwight J. Duck  
Register

*W*

No. 3181  
3566

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

Edwina Lowell Henderson

vs.

Jack R. Henderson

**NOTE OF TESTIMONY**

Filed in Open Court this .....  
day of **FILED** ....., 194

**FILED**  
**JAN 18 1954**  
**MISS I. DUCK, Register**

Register.

Printed By The Baldwin Times

EDWINA LOWELL HENDERSON,  
Complainant

-vs-

JACK R. HENDERSON,  
Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
Equity No. 3066

To the

HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes EDWINA LOWELL HENDERSON by this her bill of complaint presented against JACK R. HENDERSON, and respectfully shows:

FIRST: That the Complainant and Respondent are both over the age of twenty-one years and the Complainant is now and has been for more than three years next preceding the filing of this her bill of complaint, a bona fide resident of Baldwin County, Alabama; and the Respondent has been a bona fide resident of Baldwin County, Alabama, up until the 26th day of September, 1953.

SECOND: Complainant and Respondent were married at Gulfport, Mississippi, on or about the 2nd day of August, 1952, and lived together as husband and wife up until approximately the 11th day of July, 1953, when the Complainant and Respondent separated because of his cruelty hereinafter stated.

THIRD: That this Complainant has reasonable apprehension of actual physical violence to her person attended with danger to her life or health and said apprehension is from the conduct of the Respondent, Jack R. Henderson, namely, that on to-wit, the last part of May, 1953, he committed violence to her person attended with danger to her life or health and because of said violence she left him but tried to make a success of the marriage and went back to him on or about the last week in August,

Complainant further alleges that within three days from the reconciliation he became cold and indifferent towards her and his conduct grew worse until about the 26th day of September when he left this Complainant and on the 28th day of September, 1953, at 8:00 p.m. Complainant saw this Respondent in Mobile where both Complainant and Respondent were working and in a conversation which they had the

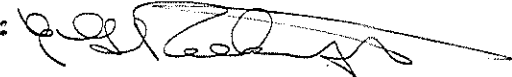
Respondant, Jack R. Henderson, told this Complainant that if they ever went back together again that he would strike this Complainant and made threats of choking this complainant.

FOURTH: Complainant further alleges that she and the Respondent have made an agreement which is just and fair as to the division of their property and alimony and support and personal bill a copy of which is hereto attached and made a part hereof.

THE PREMISES CONSIDERED, Complainant prays that Jack R. Henderson be made party defendant to this cause and by proper process required to plead, answer or demur within the time prescribed by law.

Complainant further prays that upon a hearing of this cause a decree be rendered forever divorcing her from the said Jack R. Henderson granting her the right to remarry should she so desire and to resume her maiden name, and that the Court will further confirm the agreement as to support and maintenance made in this cause and decree that the Respondent comply with same.

RICKARBY & RICKARBY

By: 

E. G. Rickarby, Jr.,  
Solicitor for Complainant.



RECORDED

Edwina Lowell Henderson,  
Complainant  
-vs-  
Jack R. Henderson,  
Respondent

Bill of Complaint

FILED  
JAN 15 1954  
ALICE I. HUCK, Register

STATE OF ALABAMA:

COUNTY OF BALDWIN:

WHEREAS, EDWINA LOWELL HENDERSON and JACK R. HENDERSON find it impossible to live together congenially, they make this agreement as to the support the said Jack R. Henderson is to pay the said Edwina Lowell Henderson and agree that the sum of Thirty Dollars (\$30.00) per month payable Fifteen Dollars (\$15.00) not later than the fifth (5th) and twentieth (20th) of each month, and the first payment to be made on or before the 20th day of October, 1953.

It is further agreed that should a divorce be granted between the parties that this agreement will be used as evidence as to a reasonable amount for the support for the said Jack R. Henderson to pay to Edwina Lowell Henderson.

Done this the 17 day of October, 1953.

Jack R. Henderson

Mrs. Jack R. Henderson  
Edwina Lowell Henderson

STATE OF ALABAMA:  
COUNTY OF BALDWIN:

I, [Signature], a Notary Public in and for said State and County, hereby certify that Edwina Lowell Henderson whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that being informed of the contents of this instrument she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 17 day of October, 1953.

[Signature]  
Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA:  
COUNTY OF ~~BALDWIN~~  
MOBILE

I, [Signature], a Notary Public in and for said State and County, hereby certify that Jack R. Henderson, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of the instrument he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 31<sup>st</sup> day of October, 1953.

[Signature]  
Notary Public, ~~Baldwin~~ County, Alabama.  
Mobile

3181

RECORDED No. 3066

Edwina Lowell Henderson,  
Complainant

-vs-

Jack R. Henderson,  
Respondent

Bill of Complaint

FILED

JAN 15 1954

W. H. MOCK, Register

-VS-  
Jack R. Henderson,  
Respondent

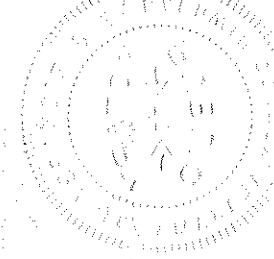
-----  
Agreement as to Support

RECORDED

FILED

Oct 15 1954

ALICE I. DICK, Register



EDWINA LOWELL HENDERSON

Complainant

-vs-

JACK R. HENDERSON,

Respondent

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

Comes JACK R. HENDERSON, Respondent in the above styled cause and for answer to the bill of complaint says he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and complainant's evidence as noted by the Register.

Jack R. Henderson  
Respondent

STATE OF ALABAMA:  
COUNTY OF Mobile:

Before me, the undersigned Notary Public, personally appeared Jack R. Henderson who is known to me to be the respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 7<sup>th</sup> day  
of ~~October~~ November, 1953.

Richard H. Coffey  
Notary Public, Baldwin County, Alabama  
Mobile



Complainant

-VS-

Jack R. Henderson,  
Respondent

-----  
Answer and Waiver  
-----

RECORDED

FILED  
JAN 15 1954  
ALICE J. BECK, Register

My name is HUGH E. LOWELL and I am the father of Mrs. EDWINA LOWELL HENDERSON, who is filing suit for divorce against Jack R. Henderson.

Brior to her filing suit for divorce both she and her husband were bona fide residents of Baldwin County, Alabama, living here in Fairhope, Alabama, and they sepaprated first in July, 1953. She went back to him and they separated again in September.

Although I do not know of my personal knowledge that he ever struck her or was cruel to her I do know that they were not happy and that in July she told me about his conduct towards her and again at the time they sepaprated in September she told me he had made threats against her and she couldn't live with him.

They are now living separate and apart and have since the 28th of September when he packed up and left. They have made satisfactory arrangements for her support and I think it would be best for all concerned for them to be separated.

My daughter, Edwina Lowell Henderson, has been delicate all of her life and has suffered from a nervous indigestion and the threats of physical violence on the part of her husband have been most injurious to her and have been detrimental to her health.

Hugh E. Lowell Sr

Subscribed and sworn to by Hugh E. Lowell before me this the 12<sup>th</sup> day of January, 1954.

Glenn C. Shell  
Commissioner





I, Florence C. Isbell, acting as Commissioner by agreement of parties, do hereby certify that in a case pending in the Equity side of the Circuit Court of Baldwin County, Alabama, wherein Edwina Lowell Henderson is Complainant and Jack R. Henderson is Defendant, I caused the witnesses, namely, Edwina Lowell Henderson and Hugh Edwin Lowell, who were made known to me, to come to my office in the Bank Building in the City of Fairhope, Alabama, where the said witnesses after being first duly sworn by me, upon examination by E. G. Rickarby, Jr., Esq., of Counsel for Complainant, testified as hereinbefore written;

And that their testimony was by me reduced to writing as given by them, as near as might be in their identical language, and after being so reduced to writing, was read over by the said witnesses, who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, or anywise interested in the results thereof.

IN WITNESS WHEREOF, I hereunto set my hand and seal as commissioner, this the 12<sup>th</sup> day of January 1954.

Florence C. Isbell  
Commissioner.

My name is EDWINA LOWELL HENDERSON. I am bringing this divorce action against my husband, JACK R. HENDERSON. I am over the age of twenty-one years and a resident of Baldwin County, Alabama, and have been living in Baldwin County all my life and especially the three years next preceeding the filing of this bill.

My husband, Jack R. Henderson, came to Baldwin County about 1952 and we lived together as husband and wife here in Baldwin County until we separated in July, 1953. We were married in Gulfport, Mississippi, on the 2nd day of August, 1952. After he left in July we agreed on a divorce and I filed papers for a divorce but we discussed the matter and decided to see if we could work out our marriage and we lived together on Ettel Street in Fairhope, Baldwin County, Alabama, from about the 2nd of September until the 26th of September.

Although I tried to make a go of this marriage we could not do it. Prior to our first separation he had struck me and choked me but on his promise that it would not happen again I took him back. Within three days after he came back he became cold and indifferent toward me and his conduct grew worse and about the 26th day of September, 1953, he tried to choke me again and said that if I did not give him his freedom he would choke me worse than that. His choking me was actual violence to my person and it was dangerous to my life or health and furthermore I feel that if we continued to live together he would probably have killed me.

We worked out another arrangement for support a copy of which I am attaching to this which has been duly signed by my husband and myself and I ask that the Court confirm this agreement as a fair agreement for my support and grant me a divorce, the right to marry again, and to resume my maiden name.

I do not have anybody who saw him choke me or slap me because he wouldn't act that way before witnesses.

Edwina Lowell Henderson

Subscribed and sworn to by Edwina Lowell Henderson before me this the 30th day of December, 1953.

Glenn C. Schulz  
Commissioner