

(3276)

DIVORCE DECREE

PRINTED BY MOORE PTC. CO.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JUANITA LOWE

, Complainant

vs.

SHELDON C. LOWE

, Respondent

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

JUANITA LOWE

is forever divorced from the

said SHELDON C. LOWE

for and on account of

CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the complainant and defendant, each is ordered not to and is enjoined from taking their minor children, Vicky Lowe and Joe Lowe, out of the jurisdiction of this court, without express authorization by formal decree made and entered by this court, after notice to both parties.

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 payment of the cost of this suit.

It is further ordered that Sheldon C. Lowe

the defendant pay the cost herein to be taxed, for which executed may issue.

This 13th day of December, 1954

Hubert M. Wolf

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 3274

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

DEC 13 1954

CLERK OF COURT, BALDWIN COUNTY

Juanita Lowe Complainant
vs.
Sheldon C. Lowe Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from
Bay Minette, in the County of Baldwin
Alabama, the place of trial of said cause, to-wit: Juanita Lowe and Fred Byrd.

2. That said Complainant requires an oral examination of said witnesses before a Commissioner
appointed by the Register of this Court.

Robert S. Sencenberger
Solicitor for Complainant

NOTE:

Complainant suggests the name of Madeline S. Bryers
as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Robert S. Sencenberger
Solicitor for Complainant

3276

DEMAND FOR ORAL EXAMINATION

Guaranta Lane

Complainant

vs.

Sheldon C. Lane

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this _____ day of _____

194_____

FILED

DEC 28 1954

ALICE J. DICK, Register

Register

Moore Printing Co.

Juanita Lowe

vs.

Sheldon C. Lowe

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 & waiver of defendant, and testimony as noted by the register.

and in behalf of Defendant upon answer & waiver

Barber & Sweeney
Solicitors for Complainant

W. J. Wesson

Register.

No. 3274

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Jeramita L...

vs.

Sheldon C L...

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED

DEC 15 1954

Register

Printed by the Baldwin Times

ALICE J. DUCK, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Madeline S. Bryars

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 Juanita Lowe and Fred Byrd

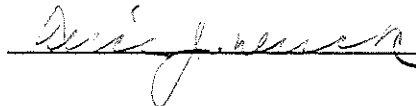
as witnesses in behalf of Juanita Lowe in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Juanita Lowe is Complainant
and

Sheldon C. Lowe is Respondent

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

Witness 13 day of December, 1954


Register.

Commissioner's Fee, \$

Witness' Fees, \$

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JUANITA LOWE

Complainant

VS.

SHELDON C. LOWE

Respondent

I, Madeline S. Bryars

as ~~Register and~~ Commissioner

have called and caused to come before me Juanita Lowe and Fred Byrd

witnesses named in the Requirement for Oral Examination, on the 13 day of December

1954, at the office of Beebe & Swearingen

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

truth, the whole truth, and nothing but the truth, the said Juanita Lowe and Fred Byrd

doth depose and say as follows:

My name is Juanita Lowe. I am over the age of 21 years, a resident of Bay Minette, Baldwin County, Alabama. I am the complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama for divorce against Sheldon C. Lowe. He is a resident of Bay Minette, Baldwin County, Alabama and is over the age of 21 years. We were married August 4, 1945 and lived together as husband and wife in Bay Minette until May 27, 1954, when we separated in Bay Minette. The defendant is a man of violent and ungovernable temper. He drinks heavily and for sometime before our separation he would frequently come home in a drunken condition and would become violent and without just cause or reasonable excuse would curse and abuse me and on May 27, 1954, while under the influence of alcohol he beat me unmercifully and threatened to kill me and but for the intervention of my brother he might have killed me. From his conduct and acts of violence I fear that should I continue to live with him he would do me bodily harm attendant with danger to my life or health. I left him May 27, 1954 because of his cruelty and we have not lived together since then.

We have two children, Vicky Lowe, who is 7 years of age and Joe Lowe who is 6 years of age. The children are with me and my father in Bay Minette.

Juanita Lowe

My name is Fred Byrd. I am the father of Juanita Lowe, whose husband is Sheldon C. Lowe. In May, 1954 they were living at my home in Bay Minette and on the evening of May 27th, while under the influence of liquor he beat her severely and choked her and but for the intervention of Willard he might have killed her. He has frequently cursed and abused her, this was not the first time he had beat her. They separated immediately after that and have not lived together since then. From his conduct and physical violence I am afraid that if she should continue to live with him he would kill her or do her bodily harm attendant with danger to her life or health. She had not given him any cause for his violence. I was at home on the night of May 27th when the acts of violence testified to occurred.

Fred Byrd

ORAL EXAMINATION

I, Madeline S. Bryars, 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 W. C. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ES... or had proom 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 13 day of December, 1954.

Madeline S. Bryars (L. S.)

No. <u>2274</u>	Page _____
The State of Alabama Baldwin County.	
In Circuit Court, In Equity	
<u>Sharon E. Davis</u> vs. <u>Sharon E. Davis</u>	Complainant
Respondent	
Oral Deposition	
Filed _____, 19 <u>54</u>	Recorded in _____, Register
Vol. <u>100</u> 195 <u>4</u>	Record _____
Page _____	Register _____

REQUEST FOR DECREE IN VACATION

Printed by The Baldwin Times

State of Alabama,
Baldwin County.

} NO. _____ TERM, 194__.

Juanita Lowe
Complainant—.

VS.

Sheldon C. Lowe
Respondent—.

TO R. S. DUCK, REGISTER:

In the above stated cause an answer and waiver
having been filed by _____ the Respondent—,
and evidence having been taken, and the cause being ready for submission for final decree, and
no defense having been interposed, the complainant—, by Beebe & Swearingen,
Solicitor S 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.

Beebe & Swearingen
Solicitor— for Complainant—.

JUANITA LOWE,
COMPLAINANT
VS
SHELDON C. LOWE
DEFENDANT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes Sheldon C. Lowe, defendant in the above styled cause and answering complainant's complaint and every allegation therein made says the same are untrue, and he demands strict proof thereof.

Defendant waives notice of the application to take testimony, notice of the time and place of taking testimony, the right to cross examine complainant's witnesses, and notice of the submission of the cause for final decree, and agrees and consents that the said cause be submitted for final decree upon motion of complainant or her solicitor of record.

Witness my hand this the 13 day of December, 1954.

Sheldon C. Lowe
Defendant

STATE OF ALABAMA
BALDWIN COUNTY

I, Maudine L. Burgess, a Notary Public in and for said State and County, hereby certify that Sheldon C. Lowe 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 seal this the 13 day of Dec., 1954

Maudine L. Burgess
Notary Public, Baldwin Co., Ala.

FILED

12-13-54

ALICE J. DUCK, Clk.
Reg.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

RECEIVED

COMMUNICATIONS SECTION

AS

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COMMUNICATIONS SECTION

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COMMUNICATIONS SECTION

RECEIVED

3276

Guaranteed Loan
Compliment

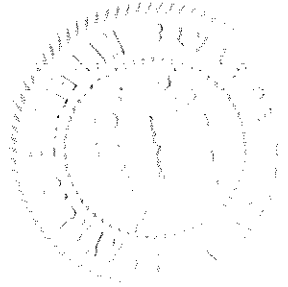
VS

Sheldon C. Lane
Respondent

Answer & Motion

FILED
DEC 13 1954

ALICE J. DUCK, Register



RECEIVED
FEB 10 1955

RECEIVED
FEB 10 1955

STATE OF ALABAMA

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BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETINGS:

WE COMMAND YOU, that you summon Sheldon C. Lowe to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 Juanita Lowe and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said Court immediately upon the execution thereof.

WITNESS, Alice U. Duck, Register of said Circuit Court, this 17th day of June, 1954.

Alice U. Duck
Register

JUANITA LOWE,
COMPLAINANT

VS

SHELDON C. LOWE

DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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

Now comes your complainant, Juanita Lowe, and humbly complaining against the defendant, Sheldon C. Lowe, respectfully represents and shown unto your Honor:

First:

That your complainant and the said Sheldon C. Lowe are each over the age of twenty-one years, and are residents of Baldwin County, Alabama, at Bay Minette, where they have resided for more than nine years next preceding the filing of this bill of complaint.

Second:

That they were married at Bay Minette, Alabama, on August 4, 1945, and lived together as husband and wife in Baldwin County, Alabama, at Bay Minette, until May 27, 1954; when they separated, at Bay Minette, Alabama.

Third:

That the defendant at the time of their marriage was a sober and industrious man, but in the last few years has become an habitual

drunkard, and when drunk is a man of violent and ungovernable temper and on numerous occasions in a drunken condition has struck, beat and choked her and attempted to kill her, but for the intervention of others would have killed her or committed violence on her attendant with danger to her life or health, and that on, to-wit: The 27th day of May, 1954, the defendant in a drunken condition struck her violently a number of time with his hands and choked her into insensibility, but for the intervention of her brother, Willard Byrd, he would have killed her, and that she then and there left defendant's bed and board and has been afraid, that, if she should return to him, he would commit violence on her person attendant with danger to her life or health and has not lived with him as his wife since said date; that such beating of her person and choking of her was done at their place of residence in the Town of Bay Minette.

Fourth:

That there were born to this complainant and the said defendant two children, Vicky Lowe aged 7 years and Joe Lowe aged 6 years, both of whom are in the care and custody of this complainant; that because of defendant's habitual drunkenness and cruelty he is not the proper person to have the care and custody of said children.

Fifth:

Complainant further alleges that the defendant is regularly employed at Brookley Field in Mobile County and that he earns approximately \$275.00 a month and he is amply able from such earnings to pay to this defendant such reasonable sum as this court shall require of him for her support and the support of their two children; that this complainant, though employed, earns only a small weekly compensation, which is insufficient to support her and the said minor children and that she is without funds to properly support herself and the said minor children and without funds to pay her Attorney's fee in this behalf incurred.

WHEREFORE Complainant prays this Honorable Court will take jurisdiction of the cause made by this bill of complaint and by appropriate process make the said Sheldon C. Lowe party defendant to the same and require him to plead, answer or demur thereto within the time and under the pains and penalties provided by law and the practice of this Honorable Court;

And complainant further prays that this Honorable Court will cause a reference to be held to determine, fix and allow to her a reasonable alimony for herself and support and maintenance for their two minor children, Vicky Lowe and Joe Lowe, and a reasonable attorney's fee for complainant's attorney in this cause, and that the said defendant be required to pay the same in such amounts and at such times as this Honorable Court shall deem proper;

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter an order and decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant, that she be awarded the custody of said minor children; and that this Court ascertain, fix and determine a reasonable permanent alimony for your complainant and support for said minor children, Vicky Lowe and Joe Lowe, and require the defendant to pay the same in such amounts and at such times as this Honorable Court shall deem proper in the premises, and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

FILED

6-17-54

ALICE I. BUCH, ~~CLERK~~
Reg.

BEEBE & SWEARINGEN

BY F. B. Swearingen
Solicitors for Complainant

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