

1207

The State Of Alabama, Baldwin County  
CIRCUIT COURT, IN EQUITY

FLORENCE H. LOWELL Complainant

VS

CLYDE R. LOWELL Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~  
~~XX 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved,  
and that the said FLORENCE H. LOWELL  
is forever divorced from the said

CLYDE R. LOWELL

for and on account of Cruelty

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 both parties  
be, and are hereby permitted to again contract marriage upon the payment of the cost of  
this suit.

It is further ordered that Clyde R. Lowell  
the Respondent pay the cost herein to be taxed, for which execution may issue.

This 17th day of October, 1944.

*G. W. Hare*  
Judge Circuit Court, in Equity.

I, ROBERT S. 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 October, 1944

Register of Circuit Court, in Equity.

No. .... Page .....

**The State Of Alabama**

Baldwin County

In Circuit Court, In Equity

FLORENCE H. LOWELL.....

vs. Complainant.

CLYDE R. LOWELL.....

Respondent.

**DIVORCE DECREE**

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA; IN EQUITY.

Comes FLORENCE H. LOWELL, and by this her Bill of Complaint, presented against CLYDE R. LOWELL, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; that both are now and have been for more than five years bona fide residents of Baldwin County, Alabama.

SECOND: That Complainant and Defendant were married in Fairhope, Alabama, on September 4, 1927, and have lived together as husband and wife in said town until about two months ago when they parted as hereinafter set out. That one child was born of this marriage, now aged fourteen.

THIRD: That for the last two years this marriage has not been happy, and the attitude of Defendant toward Complainant has grown worse and worse, terminating in such cruelty that Complainant for fear of her health, or even of her life, has been compelled because of Defendant's actions to leave him and live separate and apart from him for the past two months, which condition still continues.

THE PREMISES CONSIDERED, Complainant prays that CLYDE R. LOWELL be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by Law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Clyde R. Lowell, granting her the right to marry again should she so desire, and to have such other, further or different relief as to equity may seem meet.

*Clifford B. Rieck*  
Solicitor for Complainant.

Florence H Lowell.

VS.

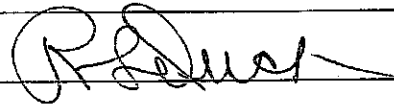
Clyde R Lowell.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY  
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, \_\_\_\_\_  
and Testimony of Florence Lowell. and Ruth L Slocum

and in behalf of Defendant upon Answer and Waiver.

 Register.

REGISTRY

No. 1207.

The State of Alabama,  
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Florence H Lowell.

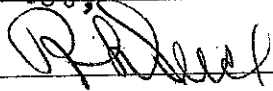
VS.

Clyde R Lowell.

NOTE OF TESTIMONY

Filed in Open Court this 11th

day of Oct. 1944



Register.

Moore Printing Co.

FLORENCE H. LOWELL  
Complainant

E Q U I T Y

vs

CIRCUIT COURT OF

CLYDE R. LOWELL  
Respondent.

BALDWIN COUNTY, ALABAMA

DEPOSITIONS OF FLORENCE H. LOWELL and RUTH L. SLOCUM,  
WITNESSES FOR COMPLAINANT

Said witnesses, being first duly sworn, upon examination  
of the Solicitor for Complainant, testified as follows:

FLORENCE H. LOWELL

I am the Complainant in this cause, and with the Defendant, am over the age of twenty-one years and a life-long resident of Baldwin County living in Fairhope. On September 4, 1927, the Defendant and I were married and lived together as husband and wife until about the first of August last, when we parted and have lived separate and apart ever since. We had one child of this marriage, a daughter, Helen E. Lowell age 14, who lives with me and is attending school in Fairhope.

The last two years of our married life have been unhappy. My husband and I have been unable to get along together for some time, and he has become cruel to me and his fits of temper have made him strike me, and from his actions I feel that he getting worse and worse and that if I continue to live with him he will do me serious harm. In one of his fits of temper he will, sooner or later, lose control of himself and injure me, and for this reason I left him and am now living with my mother. I fear if I continue to live with him further, I will be seriously injured. I would have left him before, but on account of our daughter have stayed on as long as I deem it safe to do so.

*Florence H. Lowell*

RUTH L. SLOCUM

The Complainant is my daughter and she and her husband are both over the age of twenty-one years and have lived in Fairhope all of their lives. I live not far from my daughter and know how unhappy she has been for the past two years, because of her husband's treatment. I have not seen him strike her but know that he has been cruel to her and from his temper and disposition, feel that he will do her serious harm if she continues to live with him. He has no real grounds for his mistreatment of her as she has always been a faithful wife and looked after the welfare of himself and their daughter, but I know now that she cannot safely continue to do this. For the past two months she has left him and has been living with me.

*Ruth L. Slocum*

CERTIFICATE

I, Patricia F. Lord, acting as commissioner by agreement of parties hereby certify that in the case of FLORENCE E. LOWELL vs CLYDE R. LOWELL, pending on the Equity side of the Circuit Court of Baldwin County, I caused FLORENCE E. LOWELL and RUTH L. SLOCUM, witnesses for the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn, upon examination by the solicitor for the Complainant, they testified as is above written, and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner this the 6th day of October, 1944.

*Patricia F. Lord*  
\_\_\_\_\_  
Commissioner.

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Commissions for 2<sup>nd</sup>



FLORENCE H. LOWELL

Complainant

vs

CLYDE R. LOWELL

Respondent

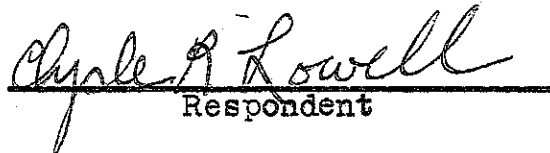
E Q U I T Y

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

Comes CLYDE R. LOWELL, Respondent in the above styled cause, and for answer to the bill of complaint says he denies each and every 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.

  
Respondent

Before me the undersigned Notary personally appeared CLYDE R. LOWELL who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 5th day of October, 1944.

Notary Public, Baldwin County, Ala.

1207

FLORENCE H. LOWELL

Complainant

vs

CLYDE R. LOWELL

Respondent

ANSWER & WAIVER

7th Oct 15 1944  
B. H. Lowell  
B. H. Lowell

RECORDED