

2323

IMOGENE LAMBERT

COMPLAINANT

VS

ALFRED O. FLOWERS

RESPONDENT.

§

IN THE CIRCUIT COURT OF

§

BALDWIN COUNTY, ALABAMA,

§

IN EQUITY.

§

§

This cause coming on to be heard upon the Bill of Complaint, Answer and Waiver of Respondent and the Testimony as noted by the Register of the Court being satisfied therefrom that the averments of the Bill of Complaint are true and that the Complainant is entitled to the relief therein prayed.

IT IS THEREFORE ORDERED, CONSIDERED, ADJUDGED AND DECREED BY THE COURT that the purported marriage between Imogene Lambert and Alfred O. Flowers on the 4th day of December, 1948, at Lucedale, Mississippi, be and the same is hereby annulled and declared for naught and that the said Imogene Lambert and Alfred O. Flowers be and they are hereby judicially ascertained to be not legally married to each other.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED BY THE COURT, that the Complainant pay the costs in this cause incurred, for which let execution issue.

Dated at Bay Minette, Alabama, this 18<sup>th</sup> day of October, 1949.

Julian J. Madlener, Jr.  
CIRCUIT JUDGE

IMOGENE LAMBERT <del>FLOWERS</del>	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS	§	IN EQUITY.
ALFRED O. FLOWERS	§	
RESPONDENT.	§	

TO THE HONORABLE TELFAIR J. MASHBURN JR., JUDGE OF THE TWENTY-EIGHTH JUDICIAL CIRCUIT, BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes the Complainant, IMOGENE LAMBERT FLOWERS, who shows unto your Honor the following state of facts:

1. That your Complainant, IMOGENE LAMBERT ~~FLOWERS~~, is over the age of Twenty-One years and Respondent, ALFRED O. FLOWERS, is over the age of Twenty-One years and both are bona fide residents of Alabama and have been for two years next preceeding.
2. That your Complainant and Respondent married at Lucedale, Mississippi on the 4th day of December, 1948 and lived together as husband and wife until October 17, 1949. *22 1951*
3. That during the year 1930 the said Respondent contracted marriage with one Lonie Hollingsworth, and they lived together as man and wife for eighteen years after celebration of said marriage; and on the 22nd day of November, 1948 the said Respondent was named Respondent in a Petition filed in the Circuit Court of Mobile County, Alabama in Equity for divorce by his said wife Lonie Flowers; that testimony was taken in this cause on on the 1st day of December, 1948, a divorce was granted both parties in said cause; that in said decree of divorce it was provided that the said Respondent, the Complainant in her said divorce suit, be permitted to contract marriage after sixty days. The copy of said decree is hereto attached and marked Exhibit "A".

That despite the inhibition against remarriage by either of the parties, except to each other until sixty days after the date of said divorce decree, nevertheless, the said Respondent Alfred O. Flowers celebrated a purported marriage with your oratrix in Lucedale, Mississippi, on the 4th day of December, 1948; that your oratrix was ignorant of the said decree of divorce and of any other terms; that

the said Respondent Alfred O. Flowers represented to her that he was a single man and had never been married, and it was only after the marriage of your oratrix with said Respondent that she learned that he had been married before, and only today, that is, the 18th day of October, 1949, did she learn the terms of said decree and that said Respondent had violated said decree.

PRAYER

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that your Honor will by proper process, make the said Alfred O. Flowers, party Respondent to this cause of action in order that Complainant may have the relief hereinafter prayed for, 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.

That on final hearing of this cause that your Honor will grant unto her an annulment, forever dissolving the bonds of matrimony existing between your Complainant and the Respondent.

Should your Complainant be mistaken in the relief prayed for, that there be granted unto her such other, different and general relief to which she may be entitled and as in duty bound she will ever pray.

Imogene Lambert  
COMPLAINANT

W. D. W. Thompson  
SOLICITOR FOR COMPLAINANT

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

IMOGENE LAMBERT ~~FLOWERS~~

Complainant

VS.

ALFRED O. FLOWERS

Respondent

I, NITA ANN HALL

as Register and Commissioner

have called and caused to come before me

IMOGENE LAMBERT ~~FLOWERS~~

witness named in the Requirement for Oral Examination, on the 18th day of October 1949, at the office of C. LeNoir Thompson in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Imogene Lambert Flowers doth depose and say as follows:

That my name is Imogene Lambert ~~Flowers~~ and I am over the age of twenty-one years and my husband Alfred O. Flowers is also over the age of twenty-one years.

We are both residents of the State of Alabama and have been more than two years next preceeding. We were married at Lucedale, Miss. on Dec. 4th, 1948 and lived together as husband and wife until yesterday at which time I learned that he and I were married three days after he got his divorce and that our marriage was not legal for that reason. We have had no children of this marriage and I just want to get it annulled. I got a copy of his divorce which shows the date it was rendered and my marriage license shows we were married on Dec. 4, three days later at Lucedale, Miss. I would like to get my name back.

Imogene Lambert

My name is Alfred O. Flowers. I am over the age of twenty-one years and a resident citizens of Alabama for more than two years next preceeding and Imogene Lambert is over twenty-one and has also been a resident of Alabama more than two years. I married Imogene at Lucedale Miss. on Dec. 4, 1948 without telling her the date I was divorced from my first wife. When she learned the date of my divorce she stopped living with me and made me come immediately to see about getting the marriage annulled since she learned I could not marry within sixty days after my divorce. I thought if we went to Miss. to get married it was all right.

Alfred O Flowers

ORAL EXAMINATION.

I, Nita Ann Hall, 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 her and she 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 \_\_\_\_\_ 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 18th day of October, 194 9

Nita Ann Hall (L. S.)

NO. 2373 PAGE \_\_\_\_\_

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

vs. Complainant

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194

FILED  
18 1949  
Recorded in  
Register.

ALICE J. DUCK, Register

Vol. \_\_\_\_\_ Page \_\_\_\_\_  
Register.

IMOGENE LAMBERT

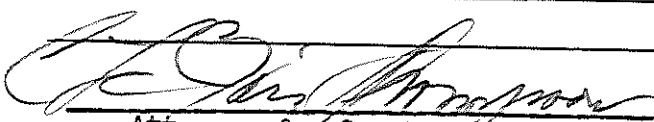
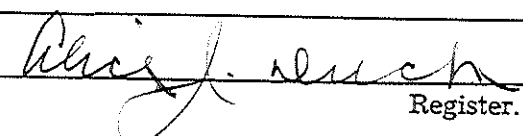
vs.

ALFRED O. FLOWERS

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, \_\_\_\_\_  
Oral Deposition and Note of Testimony \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in behalf of Defendant upon Answer and Waiver \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
Attorney for Complainant  
Register.

No. 2372.....

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

**VS.**

**NOTE OF TESTIMONY**

Filed in Open Court this.....

day of .....

**FILED**  
**OCT 18 1949**

**ALICE J. DUCK, Register**  
**Register.**

Printed By The Baldwin Times

# The State of Alabama, Mobile County

LONIE H. FLOWERS,  
Complainant,  
No. 29,011-B vs.  
ALFRED O. FLOWERS,  
Defendant.

**CIRCUIT COURT**  
**IN EQUITY**  
**AT MOBILE, ALABAMA**

## DECREE OF DIVORCE

This cause is submitted for decree on the pleadings, ~~decrees and confessions~~ and the testimony as shown by the note of submission on file, and on consideration, it is ordered, adjudged and decreed by the Court that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Defendant be and the same are henceforth dissolved and annulled.

It is further ordered and decreed that the Complainant and Defendant be, and hereby are permitted to again contract marriage, subject to such provisions of the law as regulate the marriage of divorced persons, and in no event before the expiration of sixty days after the rendition of this decree.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that the Complainant be, and hereby is, awarded the custody of the three minor children born of the marriage between the Complainant and Defendant, with the right to the Defendant to see and visit said minor children at all reasonable times.

This Decree is without prejudice to the right of Complainant and her minor children to petition the Court for a proper allowance for support and alimony in the event the Defendant does not comply with the agreement filed in this cause.

The Court retains jurisdiction of this cause for the purpose of making such other or further orders or decrees as to the custody of said minor children as to the Court may seem proper and as changed conditions may require.

It is further ordered that Complainant  
pay the cost of this suit, for which execution may issue.

Dated, December 1st, 1948.

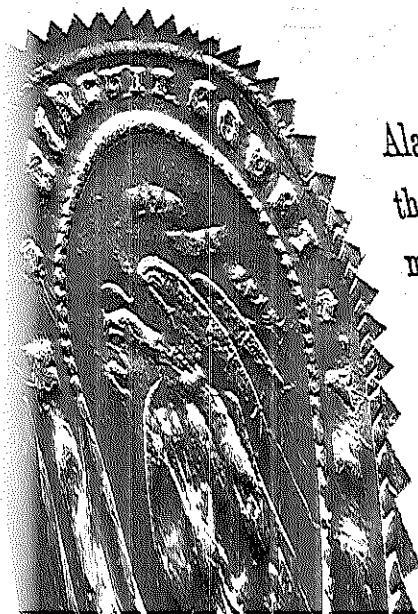
CECIL F. BATES,

Judge

I, JAMES A. CRANE, Register of the Circuit Court of Mobile County, Alabama, do hereby certify that the foregoing is a true and correct copy of the DECREE rendered in the above case, as the same remains of record in my office.

DATED December 2nd., 1948.

James A. Crane  
Register.





THE STATE OF ALABAMA  
Baldwin County

## Circuit Court

TO: NITA ANN HALL

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 IMOGENE LAMBERT ~~FLOWERS~~

as witnesses in behalf of IMOGENE LAMBERT ~~FLOWERS~~ in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

IMOGENE LAMBERT ~~FLOWERS~~

\_\_\_\_\_, Complainant  
and \_\_\_\_\_

ALFRED O. FLOWERS

\_\_\_\_\_, Respondent

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

Witness 18<sup>th</sup> day of Oct, 194 9

Deirdre A. Smith  
Register.

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

IMOGENE LAMBERT

COMPLAINANT

VS

ALFRED O. FLOWERS

RESPONDENT

§ IN THE CIRCUIT COURT OF

§ BALDWIN COUNTY, ALABAMA,

§ IN EQUITY.

§

§

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages and marriage and residence, but denies all other allegations contained in the Bill of Complaint, and demand strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without notice.

Alfred O. Flowers

STATE OF ALABAMA §  
BALDWIN COUNTY. §

I, E. P. Hunter, a Notary Public, in and for said County, in said State, hereby certify that Alfred O. Flowers, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 14 day of October, 1949.

E. P. Hunter  
NOTARY PUBLIC,

