

(4006)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VELMA INEZ LOWERY

Complainant

vs.

JESSIE L. LOWERY

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 Velma Inez Lowery is forever divorced from the said Jessie L. Lowery for and on account of Voluntary 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 payment of the cost of this suit.

It is further ordered that Velma Inez Lowery the Complainant pay the cost herein to be taxed, for which executed may issue.

This 16 day of July 1957

Robert M. Hall

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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JUL 16 1957

ALICE J. DUCK, Register

THE STATE OF ALABAMA,

BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

VELMA INEZ LOWERY

COMPLAINANT

vs.

JESSIE L. LOWERY

RESPONDENT

I, Gertrude M. Bankester

as ~~Register and~~ Commissioner

have called and caused to come before me Velma Inez Lowery and Gertrude Sundie

witnesses named in the requirement for Oral Examination, on the 29th day of June

19 57, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Velma Inez Lowery and

Gertrude Sundie doth depose and say as follows:

My name is Velma Inez Lowery. I am over 18 years old, a resident of Baldwin County, and have been a resident of Baldwin County for more than the past three years; Jesse L. Lowery is over twenty-one years old and at present is in the State Penitentiary at Draper Prison. Jesse and I were married on February 14, 1953, at Lucedale, Mississippi. On about June 1, 1954, Jesse left me of his own free will and accord without fault or cause on my part, and since that time we have not lived together as husband and wife, nor have we in any way recognized each other as husband and wife; said abandonment occurred in Baldwin County, Alabama; we had no children, and there is no property rights to be settled between us.

Velma Inez Lowery

My name is Gertrude Sundie. I am the mother of Velma Inez Lowery. She is a resident of Baldwin County, and have been a resident of Baldwin County for more than the past three years. ~~Velma Inez is over the age of eighteen years old.~~ Jesse L. Lowery is over the age of twenty-one years old and at present is in the State Penitentiary at Draper Prison. Jesse and Velma were married on February 14, 1953, at Lucedale, Mississippi. On about June 1, 1954, Jesse left Velma of his own free will and accord with fault or cause on her part, and since that time they have not lived together as husband and wife, nor have they in any way recognized each other as husband and wife; said abandonment occurred in Baldwin County, Alabama; they have no children, and there is no property rights to be settled between them.

Gertrude Sundie

I, Gertrude M. Bankester as ~~Register~~ and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and James A. Hendrix at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 20th day of June, 1957.

Gertrude M. Bankester (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

FILED
JUL RECORDED IN
ALICE J. DUCK, Register
Record _____

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: GERTRUDE M. BANKESTER

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Velma Inez Lowery and Gertrude Sundie

2 witnesses in behalf of Velma Inez Lowery in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Velma Inez Lowery is

Complainant
and Jessie L. Lowery is

Respondent

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

Witness 28 day of June, 1957
Alvin J. Blum
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

8581. NOTE OF TESTIMONY

Printed by the Baldwin Times, Bay Minette, Alabama.

VELMA INEZ LOWERY

vs.

JESSIE L. 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, _____
answer and waiver and the testimonies of Velma Inez Lowery and Gertrude
Sundie.

and in behalf of Defendant upon _____

James G. Hendrix

W. J. ...
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VELMA INEZ LOWERY

vs.

JESSIE L. LOWERY

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

FILED
JUL 16 1957
ALICE T. DUCK REGISTER

Register.

Printed by the Baldwin Times

VELMA INEZ LOWERY,

Complainant,

vs.

JESSIE L. LOWERY,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

ANSWER AND WAIVER

Comes now the Respondent, Jessie L. Lowery, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

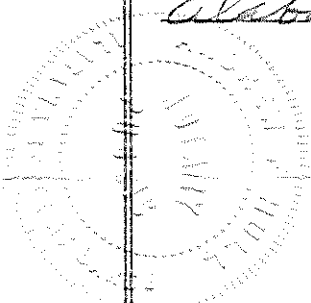
(1) That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

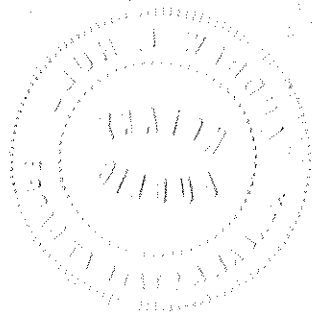
And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to her of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

Jessie L. Lowery
Jessie L. Lowery

Sworn to and subscribed before
me this 29th day of June, 1957.

Andrew J. Hess
Notary Public, Etowah County,
Alabama.





FILED

JUL 16 1957

ALICE J. DUCK, Register

STATE OF ALABAMA)

BALDWIN COUNTY)

VELMA INEZ LOWERY,

Complainant,

vs.

JESSIE L. LOWERY,

Respondent.

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, Velma Inez Lowery, humbly complaining of the Respondent, Jessie L. Lowery, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Velma Inez Lowery, is over the age of eighteen years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than five years next preceding the filing of this Bill of Complaint; that the Respondent is over twenty-one years old and at present is in the State Penitentiary at Draper Prison.

SECOND: That your Complainant and Respondent were married on February 14, 1953, at Lucedale, Mississippi.

THIRD: Complainant further avers that said respondent voluntarily abandoned the bed and board of complainant for more than one year next preceding the filing of this bill of complaint, on to-wit: June 1, 1954, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

FOURTH: Your Complainant would further aver and show unto Your Honor that no children were born to the union of the complainant and respondent; and further that there is no property to be settled between the Complainant and Respondent herein.

PRAYER FOR PROCESS

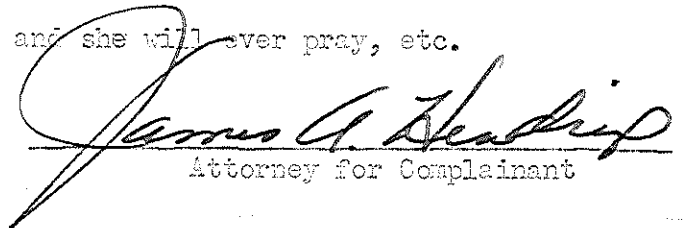
Wherefore the premises considered the Complainant prays that the said Jessie L. Lowery, be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules

of this Honorable Court, and that she be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.


Attorney for Complainant

Sworn to and subscribed before me on
this the ____ day of July, 1957.

Notary Public, Baldwin County, Alabama.