

1256

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MELBA LEAN FLOWERS

Complainant

VS.

OVIS FLOWERS

Respondent

I, Ora S. Nelson

as ~~Register and~~ Commissioner

have called and caused to come before me

witness named in the Requirement for Oral Examination, on the 10th day of January 1945, at the office of J. B. Blackburn in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Melba Lean Flowers doth depose and say as follows:

My name is Melba Lean Flowers. I am over twenty-one years of age and a resident of Baldwin County, Alabama. I was lawfully married to the Respondent, Ovis Flowers, in Atmore, Alabama on September 30, 1944 and we lived together as man and wife in Baldwin County, Alabama until October 16, 1944 when we separated.

Just before we separated the Respondent, Ovis Flowers, became intoxicated and while so intoxicated struck me with his hand and threatened to kill me. Because of these threats and acts on the part of the said Respondent in striking me I was put in fear of being severely injured or done great bodily harm if I tried to continue to live with the said Respondent. I immediately separated from him and have not lived with him since the said date.

My maiden name was Melba Lean Ward.

Melba Lean Flowers

**ORAL EXAMINATION.**

I, Ora S. Nelson, 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 \_\_\_\_\_

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 10th day of January, 1945.

Ora S. Nelson (L. S.)

NO. 1254

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MEBBA LEAN FLOWERS,

vs. Complainant

OVIS FLOWERS,

Respondent.

**Oral Deposition**

Filed January 10, 1945

Ora S. Nelson, Register.

Recorded in

Record

Vol. \_\_\_\_\_

Page \_\_\_\_\_

, Register.

MELBA LEAN FLOWERS,  
Complainant,  
VS.  
OVIS FLOWERS,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY. NUMBER \_\_\_\_\_.

ANSWER

Now comes the Respondent, Ovis Flowers, and for answer to the Bill of Complaint filed against him in this cause says:

1. He accepts service of a copy of the Bill of Complaint and waives all other and further notice thereof.
2. He consents and agrees that a Commissioner be appointed, testimony taken and this cause submitted for interlocutory or final decree without notice to him, all of which is hereby expressly waived.
3. He denies each and all of the other allegations of the said Bill of Complaint and requires strict proof of same.

Ovis Flowers

Respondent.

Witness:

Ovis S. Nelson

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ANSWER

MELBA LEAN FLOWERS,

Complainant,

VS.

OVIS FLOWERS,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

*Filed Jan 10 1945*  
*R. Beach*  
*Deputy*

THE STATE OF ALABAMA,  
Baldwin County

}

CIRCUIT COURT

TO Ora S. Nelson

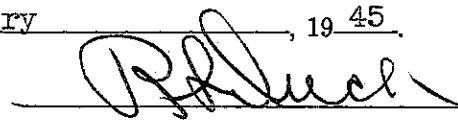
KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Melba Lean Flowers

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Melba Lean Flowers

is Complainant and Ovis Flowers is

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

Witness this 10th day of January, 19 45.



REGISTER

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

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

NO. 1256

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

MELBA LEAN FLOWERS,

Complainant

vs.

OVIS FLOWERS,

Defendant

Commission To Take Deposition

COMMISSIONER:

Ora S. Nelson

Witnesses:

MELBA LEAN FLOWERS,  
Complainant,  
VS.  
OVIS FLOWERS,  
Respondent.

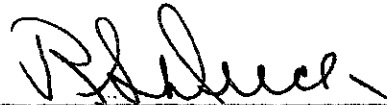
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant,  
upon the following:

1. Bill of Complaint.
2. Answer of Respondent.
3. Oral Deposition of Complainant, Melba Lean Flowers,  
taken before Ora S. Nelson, as Commissioner.

Dated this 10th day of January, 1945.



Register.



Solicitor for Complainant.

1256

NOTE OF TESTIMONY

MELBA LEAN FLOWERS,  
Complainant,  
VS.  
OVIS FLOWERS,  
Respondent.

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

Testimony

*[Faint handwritten notes]*

Witness: MELBA LEAN FLOWERS, Complainant.

Witness: OVIS FLOWERS, Respondent.

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

Witness: [Name illegible], [Address illegible].

[Name illegible]

[Address illegible]

[Address illegible]



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

Your Oratrix, Melba Lean Flowers, presents this Bill of Complaint against Ovis Flowers, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix and the Respondent are each over twenty-one years of age and residents of Baldwin County, Alabama.
2. Your Oratrix and the said Respondent were lawfully married in Atmore, Alabama on September 30, 1944 and lived together as man and wife in Baldwin County, Alabama until October 16, 1944 when they separated.
3. Just before the separation the Respondent, Ovis Flowers, became intoxicated and while so intoxicated struck your Oratrix with his hand and threatened to kill her. Because of the said threats and the acts on the part of the said Respondent, your Oratrix was put in fear of being severely injured or done great bodily harm if she tried to continue to live with the said Respondent. She immediately separated from him and has not lived with him since the said date.

The maiden name of your Oratrix was Melba Lean Ward.

#### PRAYER FOR PROCESS

Your Oratrix prays that the usual process of this Honorable Court issue to the Respondent, requiring him to appear and answer, plead to or demur to the Bill of Complaint filed against him in this cause within the time and under the penalties prescribed by law and the rules of this Honorable Court.

#### PRAYER FOR RELIEF

Your Oratrix prays for the following:

1. That the bonds of matrimony now existing between your Oratrix and the said Respondent be dissolved and that she be divorced from him on the ground of cruelty.
2. That your Oratrix be permitted to resume the use of her maiden name which was Melba Lean Ward.
3. Your Oratrix further prays for such other, further

and general relief as she may be equitably entitled to the premises considered.

Melba Sean Flowers

Oratrix.

J. B. Blackburn

Attorney for Oratrix.

1256

BILL OF COMPLAINT

MELBA LEAN FLOWERS,  
Complainant,

VS.

OVIS FLOWERS,  
Respondent.

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

*Joseph J. Sawyer* 10.19.45  
*W. H. [unclear]*  
*Re [unclear]*

MELBA LEAN FLOWERS,  
Complainant,  
VS.  
OVIS FLOWERS,  
Respondent.


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

DECREE

This cause coming on to be heard on this date is submitted on the original Bill of Complaint, Answer of the Respondent and Testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in her said Bill of Complaint, WHEREUPON, it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Melba Lean Flowers, and the Respondent, Ovis Flowers, be, and they are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of cruelty.
2. The said parties are each hereby permitted to again contract marriage but they shall not marry except to each other until after the expiration of sixty days from the date of this Decree and if an appeal is taken within sixty days, they shall not marry except to each other during the pendency of such appeal.
3. The Complainant is hereby authorized and permitted to resume the use of her maiden name of Melba Lean Ward.
4. The costs of this proceeding are hereby taxed against the Respondent, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 10<sup>th</sup> day of January, 1945.

  
\_\_\_\_\_  
Judge.

single

*Handwritten signature*

1950

ORDER: WHEREAS MELBA LEAN FLOWERS, Plaintiff, vs. OVIS FLOWERS, Defendant, has filed a bill of complaint in this court, the contents of which are set forth in the accompanying bill of complaint, and whereas the court has jurisdiction of the premises, it is ordered that the case be set for trial on the 15th day of August, 1950, at 10 o'clock A.M. in the courtroom of this court, at the city of Baldwin, Alabama.

MELBA LEAN FLOWERS,  
Complainant,  
VS.  
OVIS FLOWERS,  
Respondents.

DECREE

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

1. The court finds that the bill of complaint filed by the complainant is true and correct in all particulars, and that the respondents are liable to the complainant for the sum of \$100.00, which is the amount of the purchase price of the property in dispute.

2. The court finds that the respondents have failed to pay the complainant the sum of \$100.00, and that the complainant is entitled to interest on the sum of \$100.00 from the date of the purchase of the property until the date of the decree of this court.

*Handwritten initials*

1950

Witness my hand and seal of office this 15th day of August, 1950.

CLERK OF COURT

IN WITNESS WHEREOF

BY

THE COURT

DECEASED

BY

BY