

2386

ALICE L. LOWRY,)
 Complainant,) IN THE CIRCUIT COURT OF
 -vs-) BALDWIN COUNTY, ALABAMA
 ROBERT E. LOWRY,) IN EQUITY
 Respondent.)

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:

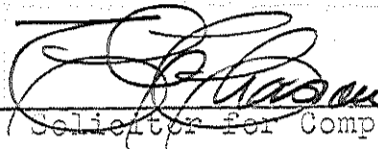
Your Complainant, Alice L. Lowry, respectfully represents and shows unto your Honor:-

1. That the Complainant and Respondent are both bona fide residents of Baldwin County, Alabama, and have been such residents for over one year next preceding the filing of this Bill of Complaint, and both are over the age of twenty-one years.
2. That your Complainant and the Respondent were lawfully married on, to-wit, September 22, 1945, in Lucedale, Mississippi, and have lived together as man and wife since that time, except for short separations, until July 26, 1952.
3. That there are no children of this marriage, however, the Complainant had a child at the time of marriage, namely, Gloria Clopton Lowry, age twelve years, who was legally adopted by the Respondent, but which said child is in the care, custody and control of the Complainant, and is being supported and maintained by her.
4. Complainant further avers that the Respondent has since marriage become addicted to habitual drunkenness and that said habit has continued to the filing of this bill.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED: Your Complainant prays that Robert E. Lowry be made a party defendant to this cause by the usual process of this Honorable Court, requiring him to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the statutes in such cases made and provided; that upon a final hearing of this cause, that your Com-

plainant be granted a divorce from said Respondent and that she be granted custody and control of her minor child, Gloria Clopton Lowry. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, different and general relief to which she may be entitled and as in duty bound, she will ever pray.



Solicitor for Complainant

The State of Alabama, Baldwin County

Circuit Court, In Equity

ALICE L. LOWRY, Complainant

vs.

ROBERT E. LOWRY, 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 Alice L. Lowry is forever divorced from the said Robert E. Lowry for and on account of habitual drunkenness

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Alice L. Lowry, is granted the care, custody and control of her minor child, Gloria Clopton Lowry.

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 the payment of the cost of this suit.

It is further ordered that Robert E. Lowry the Respondent pay the cost herein to be taxed, for which execution may issue.

This 9th day of September, 1952.

J. J. Madlock, Jr. 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. 2886 Page M

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Alice L. Lowry
Complainant

vs.

Robert E. Lowry

Respondent

DIVORCE DECREE

FILED
SEP 9 1952
ALICE J. DUCK, Register

ALICE L. LOWRY

vs.

ROBERT E. LOWRY

THE STATE OF ALABAMA
 Baldwin County

IN EQUITY

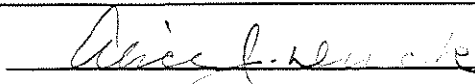
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, and
 Testimony of Alice L. Lowry and Jennie Clonton

and in behalf of Defendant upon Answer and Waiver



Solicitor for Complainant



Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

ALICE L. LOWRY

vs.

ROBERT E. LOWRY

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED
SEP 8 1952

ALICE J. DUCK, Register.

ALICE L. LOWRY,)	
)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA
-vs-)	
)	IN EQUITY
ROBERT E. LOWRY,)	
)	
Respondent.)	

Comes the Respondent in the above-styled cause and accepts service of a Bill of Complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the Bill of Complaint heretofore filed in this cause, Respondent says:

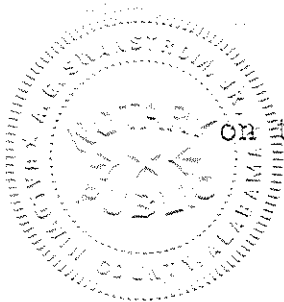
1. He admits the allegations contained in Paragraph 1 of said Bill of Complaint.
2. He admits the allegations contained in Paragraph 2 of said Bill of Complaint.
3. He admits the allegations contained in Paragraph 3 of said Bill of Complaint.
4. He denies each and every allegation contained in Paragraph 4 of said Bill of Complaint and demands strict proof thereof.

Robert E. Lowry
 Respondent.

Sworn to and subscribed before me, a Notary Public,
 on this the 6th day of September, 1952.

A. G. Swanson, Jr.
 Notary Public, Baldwin County
 State of Alabama

My Commission Expires January 25, 1956



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Lorna Underwood

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 Alice L. Lowry and Jennie Clopton

as witnesses in behalf of Alice L. Lowry in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Alice L. Lowry

_____, Complainant
and Robert E. Lowry

_____, Respondent

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

Witness 6th day of September, 1952

Alice J. Smith
Register.

Commissioner's Fee, \$ 5.00

Witness' Fees, \$ _____

No. 2886

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

ALICE L. LOWRY Complainant—

vs.

ROBERT E. LOWRY

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Lorna Underwood

WITNESSES:

Alice L. Lowry

Jennie Clopton

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

ALICE L. LOWRY

Complainant

VS.

ROBERT E. LOWRY

Respondent

I, Lorna Underwood

as Register and Commissioner in chancery

have called and caused to come before me Alice L. Lowry and Jennie Clopton

witnesses named in the Requirement for Oral Examination, on the 6th day of September
1952, at the office of C. G. Chasco
in Roley, Alabama, and having first sworn said Witness es to speak the
truth, the whole truth, and nothing but the truth, the said Alice L. Lowry and
Jennie Clopton doth depose and say as follows:

TESTIMONY OF ALICE L. LOWRY

My name is Alice L. Lowry; I am over the age of twenty-one years and a bona fide resident citizen of Baldwin County, Alabama, having resided in this county for over ten years; that Robert E. Lowry is over the age of twenty-one years and is a bona fide resident citizen of this state and county, having resided herein for more than one year; that Robert E. Lowry and I were married in Lucedale, Mississippi, on the 22nd day of September, 1945, and at the time of my marriage to him, I had one child which was later adopted by Robert E. Lowry; that the child's name is Gloria Clopton Lowry and that she is twelve years of age and resides with me; that at the time of my marriage to Robert E. Lowry he drank very seldom, if at all, but since marriage has started the excessive use of alcoholic beverages and became a habitual drunkard several years ago; that I left him for a short time because of his drinking and he promised that he would never drink again, but for the last several months he was drinking almost continually; that in addition to his habitual drunkenness he was very mean and abusive when drunk and struck me on several occasions and on one occasion tore all of my clothes off and embarrassed and humiliated me in front of others; that we have not lived together as man and wife since July 26, 1952, and due to his habitual drunkenness continuing to this time and the abuse which he heaps upon me when drinking, it is impossible to continue to live with him as husband and wife.

Alice L. Lowry

TESTIMONY OF JENNIE CLOPTON

My name is Jennie Clopton; I am over the age of twenty-one years and a resident of Baldwin County, Alabama; I am personally acquainted with Alice L. Lowry and Robert E. Lowry and have known them for a number of years; they were married in September of 1945, and have lived together as man and wife since that time until July 26, 1952, except that on several occasions they have separated for short periods as a result of his drinking and abuse of her; in my opinion, and I am well acquainted and in good position to know, Robert E. Lowry has since his marriage to Alice L. Lowry become addicted to habitual drunkenness and this habitual drunkenness has continued to this date; this has been going on for some time and last winter, while drunk, he tore all of her clothes off, struck her and otherwise abused her; shortly after this Alice was going to leave him and he promised to reform and quit drinking if she would live with him; however, within a month he was staying drunk again and has been exceptionally bad about drinking for the last several months; they have no children of the marriage, however, he has adopted her child, Gloria Clopton Lowry, who lives with her mother.

Jennie Clopton

2886

ORAL EXAMINATION.

I, Lorna Underwood, as Register and Commissioner hereby certify that the foregoing deposition~~s~~ 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 C. G. Chason

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 6th day of September, 1945

Lorna Underwood (L. S.)

NO. 4886 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ALICE L. LOWRY

vs. Complainant

ROBERT E. LOWRY

Respondent.

Oral Deposition

Filed _____, 1945

FILED
SEP 8 1952

Register.

Also Recorded in
Office, Register Record

Vol. _____ Page _____, Register.