

(4684)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RUBY ODOM LOWERY, Complainant

vs.

ROBERT F. LOWERY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conesso~~ 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 Ruby Odom Lowery is forever divorced from the said Robert F. Lowery for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant herein may resume the use of her maiden name of Ruby Odom.

It is futher 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 futher 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 futher ordered that Mrs. Ruby Odom Lowery the Complainant pay the cost herein to be taxed, for which executed may issue.

This 24 day of August 1959 Hubert 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.

*m*

No. *4684* Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

*Filed  
8-24-09  
W. J. [unclear]  
[unclear]*

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Grace W. Nettles

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

Mrs. Ruby Odom Lowery and Mr. T. C. Hand

a witness in behalf of Mrs. Ruby Odom Lowery  
Circuit Court in Baldwin County, of said State, wherein

in a cause pending in our

Mrs. Ruby Odom Lowery

, Complainant

and

Robert F. Lowery

Respondent

on oath, to be by you administered, upon Mrs Ruby Odom Lowery and Mr. T. C. Hand to take and certify the deposition<sup>s</sup> of the witness<sup>es</sup> and return the same to our Court, with all convenient speed, under your hand.

Witness 19th day of August

, 195 9

*Archie J. Smith*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

RUBY ODOM LOWERY  
COMPLAINANT

vs.

ROBERT F. LOWERY  
RESPONDENT

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,  
oral Testimony:

Ruby Odom Lowery  
T. C. Hand

and in behalf of Defendant upon Answer & Waiver

*[Handwritten signature]*

*[Handwritten signature]*  
Register.

m

No. 46861

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
Circuit Court of Baldwin County

VS.

**Note of Testimony**

Filed in Open Court this

**FILED**

day of 8-22 1919

**ALICE J. DUCK**, CLERK  
REGISTER Register.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

Ruby Odom Lowery COMPLAINANT

vs.

Robert F. Lowery RESPONDENT

I, Grace W. Nettles

as Register and Commissioner in said cause

have called and caused to come before me Ruby Odom Lowery and T. C. Hand

witness<sup>es</sup> named in the requirement for Oral Examination, on the 19 day of August  
19 59, at the office of C. LeNoir Thompson

in Bay Minette, Alabama, and having first sworn said witness<sup>es</sup> to speak the

truth, the whole truth, and nothing but the truth, the said Ruby Odom Lowery and T. C. Hand

doth depose and say as follows:

My name is Ruby Odom Lowery. I am over the age of 21, and a resident of the State of Alabama and have been all my life. The respondent is also over the age of 21 and is presently residing in Mobile, Alabama. We were married in Bay Minette on July 2, 1959, and lived together as husband and wife in Alabama until or or about August 11, at which time I was forced to leave the respondent. On this date and on a prior occasion he has mistreated and abused me, so that when he repeated the mistreatment on August 11, without fault on my part, leaving me frightened and in fear of my life or health, I knew that I could never live with him as his wife any more, and I left him. I respectfully ask for a divorce. There are no children expected as fruits of our marriage and no property to be divided. I respectfully ask the right to resume the use of my maiden name, of Ruby Odom.

Ruby Odom Lowery

My name is T. C. Hand, I know both parties to this cause, they are over the age of 21 and are residents of Alabama. They were married in Bay Minette on July 2, and lived together as husband and wife in Mobile until on or about August 11, at which time they separated. The wife, complainant herein, having become in fear of her life or health, and would no longer live with the respondent because of his treatment of her. I do not believe they will ever live together again as husband and wife.

T. C. Hand

I, Grace W. Nettles 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 C. LeNoir Thompson

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 19 day of August, 19 59

Grace W. Nettles (L. S.)

No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed \_\_\_\_\_, 19 \_\_\_\_\_

FILED

AUG 22 1959

Register

RECORDED CLERK  
ALICE J. DUNN  
REGISTER

Record

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Page \_\_\_\_\_

Register

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon ROBERT F. LOWERY, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by RUBY ODOM LOWERY as Complainant and against ROBERT F. LOWERY, as Respondent.

WITNESS my hand this the 22 day of Aug, 1959

Alice J. Duck  
Register.

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RUBY ODOM LOWERY	*	IN THE CIRCUIT COURT OF
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA
VS.	*	IN EQUITY
ROBERT F. LOWERY	*	CASE NO. <u>4684</u>
RESPONDENT	*	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Ruby Odom Lowery respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Alabama and has been more than two years next preceding; the respondent is over the age of 21 and a resident of Alabama a d has been more than two years next preceding.

2.

That your complainant and the respondent married at Bay Minette, Alabama on July 2, 1959 and lived together as husband and wife in Baldwin County, Alabama, until August 11, 1959.

3.

That on August 11, 1959, and on several occasions prior thereto the respondent threatened and abused the complainant and threatened to do actual violence to her person which would necessarily endanger the life a d health. The conduct of the respondent was such as to give the complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.



4.

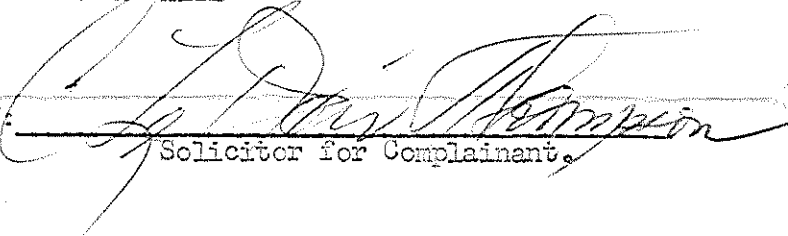
There were no children born as fruits of this marriage, and no property settlement to be made.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said Robert F. Lowery, part respondent to this bill of complaint 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.

Your complainant further prays that upon a hearing hereof, your honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the respondent; and your complainant respectfully asks this Honorable Court to permit her to resume the use of her former name of Ruby Odom. Your complainant prays for other, further different or general relief as she may be in equity and good conscience entitled to receive.

*Filed*  
*Aug. 22, 1959*  
*Alice J. Duck*  
*Register*

THOMPSON & WHITE

BY:   
Solicitor for Complainant.

4684

Ruby Odens Lowery

U.S.

Robert F. Lowery

FILED

AUG 22 1959

ALICE J. DUCK, CLERK  
REGISTER

RUBY ODOM LOWERY  
COMPLAINANT  
VS.  
ROBERT F. LOWERY  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of Complaint and demands 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 further notice.

Robert F. Lowery

STATE OF ALABAMA  
BALDWIN COUNTY

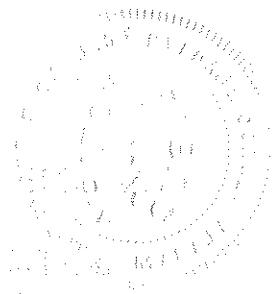
I, Carlton Thompson, a Notary Public in and for said County, in said State, hereby certify that Robert F. Lowery, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Carlton Thompson  
Notary Public, Baldwin County, Alabama.

Filed  
Aug-22, 1959  
Alice J. Suck,  
Register

4684

Answer



FILED  
AUG 22 1950  
ALICE J. DUCK, CLERK  
REGISTER