

(4021)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

DOROTHY SOWDER, Complainant

vs.

DONALD GENE SOWDER, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confessione~~ 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 Dorothy Sowder is forever divorced from the said Donald Gene Sowder for and on account of Cruelty.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the Complainant, Dorothy Sowder, shall have the care, custody and control of the minor children, Brenda Sue Sowder, age about 4, and Donnie Gene Sowder, age about 3 years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the Respondent, Donald Gene Sowder, shall pay to the Complainant, Dorothy Sowder, the sum of \$77.10 per month as maintenance and support of the minor children, Brenda Sue Sowder, age about four years and Donnie Gene Sowder, age about three years.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the Respondent shall have reasonable rights of visitation with the minor children.

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 Dorothy Sowder the Complainant pay the cost herein to be taxed, for which executed may issue.

This 22 day of November 19 57

[Signature]

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**

DOROTHY SONDER

Complainant

vs.

DONALD GENE SONDER

Respondent

**DIVORCE DECREE**

FILED  
NOV 25 1957  
MAG. A. JAMES, CLERK

DOROTHY SOWDER


vs.

DONALD GENE SOWDER

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, \_\_\_\_\_  
~~Testimony of Dorothy Sowder and Mrs. Allie Parker~~

and in behalf of Defendant upon Answer and Waiver



*Chapman*

*Alvise J. Durr*  
Register.

No. ....

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

**IN EQUITY**  
**Circuit Court of Baldwin County**

DOROTHY SOMMER

vs.

DONALD GENE SOMMER

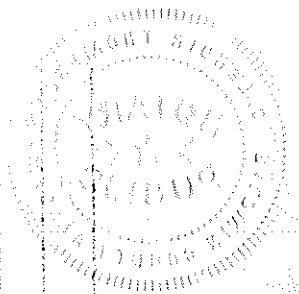
**NOTE OF TESTIMONY**

Filed in Open Court this

day of **NOV 20 1957**, 194

Register.

Printed by the Baldwin Times



# The Fairhope Courier



ESTABLISHED 1894

E. B. GASTON ESTATE, PUBLISHERS

TELEPHONE WA-85201

## FAIRHOPE, ALABAMA

*"On Mobile Bay"*

This is to certify that the attached legal notice appeared in The Fairhope Courier, a weekly newspaper published in the City of Fairhope, County of Baldwin, State of Alabama, on the dates of May 2 - 9 - 16 - 23.

*Francis J. Crawford*  
-----  
Editor

State of Alabama  
County of Baldwin

Sworn to and subscribed this 23

day of May A.D. 1957, before me.

*Robert D. Robinson*  
-----  
Notary Public, Baldwin County

### Notice to Non-Resident

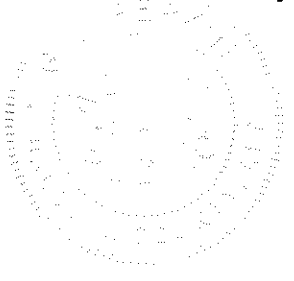
THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

This the 29th day of April, 1957.  
Dorothy Sowder No. 4021 vs. Donald Gene Sowder.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Dorothy Sowder that the Defendant Donald Gene Sowder is a non-resident of the State of Alabama and that your Complainant cannot ascertain the particular place of residence and Post Office address of the Respondent, and further, that, in the belief of said Affiant, the Defendant is over the age of 21 years; it is therefore ordered that publication be made in the Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the Respondent the said Donald Gene Sowder to answer or demur to the Bill of Complaint in this cause by the 1st day of June 1957, or after thirty days therefrom a decree pro Confesso may be taken against Donald Gene Sowder.

Alice J. Duck, Register

C. L. Thompson,  
Attorney for Complainant. 42-41



NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

Dorothy Sowder  
No. 4021

vs.

Donald Gene Sowder

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 29th day of

April, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of

Dorothy Sowder

that the Defendant Donald Gene Sowder

is a non-resident of the State of Alabama and That your Complainant cannot ascertain the particular place of residence and Post Office address of the Respondent

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the Respondent the said Donald Gene Sowder

to answer or demur to the Bill of Complaint in this cause by the 1st day of June 1945 or after thirty days therefrom a decree Pro Confesso may be taken against Donald Gene Sowder

C.L. Thompson, attorney for Complainant

*W. J. ...*  
Register.

STATE OF ALABAMA  
BALDWIN COUNTY

Before me, the undersigned authority in and for the State of Alabama Baldwin County, personally appeared Dorothy Sowder, who is known to me and who being by me first duly sworn according to law on oath doth depose and say that she is the Complainant in a certain cause being filed in the Circuit Court of Baldwin County, Alabama; that the Respondent in said cause, Donald Gene Sowder, is a non-resident of the State of Alabama and whose residence, after a search having been made with due diligence, is unknown according to the best information and belief of the Complainant and that your Complainant cannot ascertain the particular place of residence and Post Office address of the Respondent after expending a reasonable effort, which has been made; that said Respondent is over the age of twenty-one years.

Dorothy Sowder

Sworn to and subscribed before me this 5 day of April, 1957.

*Publish in Fairhope Courier,* C. L. Brown  
Notary Public, Baldwin County, Alabama.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS WILSON

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 Dorothy Sowder and Mrs. Allie Parker

a witnesses in behalf of Dorothy Sowder in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Dorothy Sowder

Complainant

and Donald Gene Sowder

Respondent

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

Witness 14 day of Nov, 1957

Being Duck Register.

Commissioner's Fee, \$

Witness' Fees, \$



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

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

**CIRCUIT COURT**

DOROTHY SOWDER

Complainant

VS.

DONALD GENE SOWDER

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

LOIS WILSON

WITNESSES:

DOROTHY SOWDER

MRS. ALLIE PARKER

any testimony that is given in this deposition shall be admissible in evidence in any trial of the case in which the deposition is taken.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for Baldwin County, Alabama

My commission expires on \_\_\_\_\_, 19\_\_\_\_.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

Notary Public for Baldwin County, Alabama

My commission expires on \_\_\_\_\_, 19\_\_\_\_.

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

DOROTHY SOWDER

Complainant

VS.

DONALD GENE SOWDER

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Dorothy Sowder and Mrs. Allie Parker

witnesses named in the Requirement for Oral Examination, on the 10th day of November 1957, 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 Dorothy Sowder and Mrs. Allie Parker doth depose and say as follows:

That my name is Dorothy Lee Sowder, I am over the age of twenty-one years and was born and raised near Perdido in the Rabun Community.

The Respondent Donald Gene Sowder is over the age of twenty-one and is presently a resident of Miami, Florida, where he is in the U. S. Coast Guard.

We were married at Pascagoula, Miss., on March 8, 1952, and lived together as husband and wife in Alabama, until on or about March 8, 1957. At which time, and on several occasions prior thereto the respondent threatened and abused me, and threatened actual violence to my person that I knew it would endanger my life or health if I continued to live with him, as I believed he would carry out his threats, and do actual violence to my person thereby endangering my life or health.

I am afraid of his temper and will never live with him again as his wife.

There were two children born as fruits of our marriage: Brenda Sue Sowder, age about 4, will be 5 in December, 1957 and Donnie Gene Sowder, has just past his third birthday. I have had the care, custody and control of these children since birth, and respectfully represent to this Honorable Court that I am a fit, suitable and proper person to have their permanent care, custody, and control and request this Honorable Court to so order.

There is no property to be divided.

I further ask this Honorable Court for a divorce.

I agree under present conditions, the sum of \$77.10 per month is a reasonable sum for the maintenance and support of our two children.

Dorothy Sowder

My name is Mrs. Allie Parker. I know both parties to this cause. They are both over the age of twenty-one years and Dorothy was born and raised in Baldwin County. The Respondent is presently a resident of Miami, Florida, being with the U. S. Coast Guard. They were married in Pascagoula, Miss., on March 8, 1952 and lived together as husband and wife, until they separated March 8, 1957 in Alabama. The cause of the separation was cruelty, in that the Respondent, by threats and abuse placed Dorothy in fear of her life or health, so that she became afraid to life with him. There was born, as fruits of their marriage, two children, Brenda Sue, who will be 5 in December, and Donnie Gene, who has just turned 3 years. The Complainant has had the care, custody and control of these children since birth, and I respectfully represent that she is a fit, suitable, and proper person to have their permanent care, custody, and control. They have no property, and I do not believe they will ever live together again.

Mrs. Allie P. Parker

**ORAL EXAMINATION.**

I, Lois Wilson, 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 es and read over to them and they signed the same in the presence of myself and C. LeNoir Thomson

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 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 11th day of November, 1957

Lois Wilson (L. S.)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

DERONNY SOWDER

vs. Complainant

DONALD GRINE SOWDER

Respondent.

**Oral Deposition**

Filed \_\_\_\_\_, 195 \_\_\_\_\_

**FILED**  
Recorded in  
NOV 20 1957  
Register.

Record \_\_\_\_\_

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

Register \_\_\_\_\_

DOROTHY SOWDER  
COMPLAINANT  
VS  
DONALD GENE SOWDER  
RESPONDENT

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

CASE NO. \_\_\_\_\_

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

The Respondent admits the allegations as the 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.

The Respondent will pay to the Complainant, Dorothy Sowder, for the maintenance and support of the two children, Brenda Sue, age 4 years; and Donnie Gene, age 2 years; the sum of \$80.00 per month.

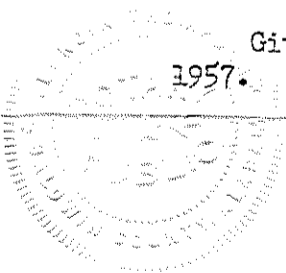
Donald Gene Sowder

STATE OF ALABAMA  
BALDWIN COUNTY

I, C. L. D. Thompson, A Notary Public, in and for said County, in said State, hereby certify that Donald Gene Sowder, 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 November 1957.

C. L. D. Thompson  
Notary Public, Baldwin County, Alabama



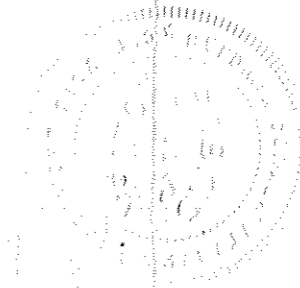
DOROTHY SCORDER

COMPLAINANT

VS

DONALD GENE SCORDER

RESPONDENT



\*\*\*\*\*

ANSWER AND WAIVER

\*\*\*\*\*

**FILED**

NOV 20 1957

ALICE J. DUCK, Register

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon DONALD GENE SOWDER, 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 DOROTHY SOWDER as Complainant and against DONALD GENE SOWDER, as Respondent.

WITNESS my hand this the \_\_\_\_\_ day of \_\_\_\_\_, 1957.

Register.

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DOROTHY SOWDER  
COMPLAINANT  
VS  
DONALD GENE SOWDER  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.  
CASE NO. \_\_\_\_\_

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

Your Complainant, Dorothy Sowder, 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 Baldwin County, Alabama and has been more than two years next preceding; The Respondent is over the age of 21 and a non-resident of the State of Alabama.

2.

That your Complainant and the Respondent married at Pascagoula, Mississippi on March 8, 1952 and lived together as husband and wife in Baldwin County, Alabama until March 8, 1957.


3.

That on March 8, 1957, 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 her life and 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 persons, which would necessarily endanger her life and health.

There was born as fruits of this marriage between the Complainant and the Respondent two children, Brenda Sue Sowder, age about four years and Donnie Gene Sowder, age about two years, and there is no property to be divided.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper procedure make the said Donald Gene Sowder, party 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; that a decree be made awarding to the Complainant the care, custody and control of the minor children, Brenda Sue Sowder, age about four years and Donnie Gene Sowder, age about two years; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant.

DOROTHY BOWDER

COMPLAINANT

VS

DONALD GENE SCWDER

RESPONDENT

\*\*\*\*\*  
SUMMONS AND COMPLAINT  
\*\*\*\*\*

FILED

NOV 20 1957

ALICE J. DUCK, Register

11621