

4626

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JESSIE MARIE LEWIS, Complainant

vs.

ISIAH LEWIS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree By Confession~~ 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 Jessie Marie Lewis is forever divorced from the said Isiah Lewis for and on account of

VOLUNTARY ABANDONMENT

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant, JESSIE MARIE LEWIS, be and she is hereby awarded the custody of the minor child, FRANCES LEWIS, with right of visitation by the father at reasonable times

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 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 further ordered that the Complainant pay the cost herein to be taxed, for which executed may issue.

This 7th day of May 19 57

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.

No. 4026 Page

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

JESSIE MARIE LEWIS

Complainant

vs.

ISIAH LEWIS

Respondent

DIVORCE DECREE

C E R T I F I C A T E

I, Peggy Preston, the commissioner named in an agreement contained in that certain cause now pending in the Honorable Circuit Court of ~~Mobile~~ <sup>BALDWIN</sup> County, Alabama, Sitting in Equity, wherein JESSIE MARIE LEWIS is Complainant, and ISIAH LEWIS is Respondent, under and by virtue of the power conferred upon me by said agreement as such commissioner, caused the said JESSIE MARIE LEWIS and the said FRANCES COLE, who were made known to me, to come before me at 3:30 o'clock, P.M., on May 2, 1957, at ~~XXXXXXXXXXXX~~ 65 St. Emanuel Street, Mobile, Alabama; that said witnesses were first duly sworn by me as stated; that they were then examined by Mr. William Grayson, Solicitor for Complainant, and they testified in response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near as might be identical language of the said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to the said witnesses, who assented to and signed the same in my presence and in the presence of said Solicitor for Complainant. The Depositions are true and correct as given by the witnesses.

I further certify that I am not of counsel of or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof.

Witness my hand this 2nd day of May 1957.

Peggy Preston  
COMMISSIONER

TESTIMONY OF JESSIE MARIE LEWIS, WITNESS ON HER OWN BEHALF:

I am the Complainant in the above styled cause and I am the wife of the Respondent. We were married to each other on December of 1949 in Pascagoula, Mississippi. Both myself and the Respondent were each over the age of twenty-one years at the time of the filing of the Bill of Complaint herein. There is one minor child as issue of our marriage Francis Lewis, age five years. Said child lives with me and I think that I am a fit and proper person to be granted its custody and control. I am a bona-fide resident citizen of Mobile County, Alabama and have been such for more than one year next preceding the filing of the Bill of Complaint herein. The Respondent is a resident of Mobile, State of Alabama, also. Respondent voluntarily abandoned my bed and board in November of 1951. We were living in Toulminville, Alabama at the time. He has refused to live in any respect as man and wife with me since that time, which has been for more than one year next preceding the filing of the Bill of Complaint herein. Respondent has not provided myself or our child with any support since he abandoned us.

  
JESSIE MARIE LEWIS

TESTIMONY OF FRANCES COLE, WITNESS ON BEHALF OF THE COMPLAINANT.

I have know both the Complainant and the Respondent for over two years. The Complainant is the wife of the Respondent and they were married to each other in December of 1949 in Pascagoula, Mississippi. Both the Complainant and the Respondent were each over the age of twenty-one years at the time of the filing of the Bill of Complaint herein. Both the Complainant and the Respondent are bona-fide resident citizens of the State of Alabama, Mobile County, and have been such for more than one year next preceding the filing of the Bill of Complaint herein. There is one minor child as issue of their marriage, Francis Lewis, age five. Said child lives and resides with the Complainant and she is a fit and proper person to be granted its custody and control. Respondent voluntarily abandoned the bed and board of the Complainant for more than one year next preceding the filing of the Bill of Complaint herein. He left in November of 1951, and he has failed and refused to livewith the Complainant in any manner since that time, which has been for more than one year next preceding the filing of the Bill of Complaint herein. He has failed to support the child and the Complainant since he left her several years ago. I know of my own personal knowledge that the Respondent has not lived with the Complainant as hsband and wife since he abandoned her in 1951 because I have seen her quite often and I would know if they were living together.

  
\_\_\_\_\_  
Frances Cole

JESSIE MARIE LEWIS }  
No.....VS }  
ISIAH LEWIS }

Entered on.....  
Min. Book No..... Entry.....  
W. Elsworth Haughton, Register

**ORDER OF SUBMISSION**

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

**NOTE OF EVIDENCE**

At the hearing of this cause the following note of evidence was taken to wit:

**FOR COMPLAINANT**

- 1. Bill of Complaint
- 2. Answer and Waiver
- 3. Testimony of Jessie Marie Lewis and of Frances Cole, witness for the Complainant in this cause.

FILED, 5-3-57.....

*Beise J. ...* Register

*William J. ...*  
Solicitor—for Complainant

**FOR RESPONDENT**

.....  
Solicitor—For Respondent

No.....

Vs.

**ORDER OF SUBMISSION  
NOTE OF EVIDENCE**

Filed ..... 5-3-57 .....

..... *Reinhold J. Muck* .....  
Register

Ent. Min. No..... Entry.....

JESSIE MARIE LEWIS, : IN THE CIRCUIT COURT OF  
 Complainant, : BALDWIN COUNTY, ALABAMA  
 -vs- : IN EQUITY:  
 ISIAH LEWIS, :  
 Respondent. : NO. \_\_\_\_\_

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
 ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto  
 this Honorable Court as follows:

ONE

Complainant is the wife of the Respondent and they  
 were married to each other in December of 1949 in Pascagoula,  
 Mississippi. Both the Complainant and the Respondent are each over  
 the age of twenty-one years. Both the Complainant and the  
 Respondent are bona-fide resident citizens of the State of Alabama,  
 and have been such for more than one year next preceding the  
 filing of the Bill of Complaint herein. There is one minor child  
 as issue of their marriage, Francis Lewis, age five years. Said  
 child lives and resides with the Complainant and she is a fit and  
 proper person to be granted its custody and control.

TWO

The Respondent voluntarily abandoned the bed and board of  
 the Complainant for more than one year next preceding the filing  
 of the Bill of Complaint herein.

PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction  
 of this cause, will make the said Isiah Lewis, party-respondent  
 hereto, and will cause him to appear, plead, answer or demur hereto  
 within the time allowed by law and the rules of this Honorable  
 Court.



PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant her an absolute divorce from the bonds of matrimony with the Respondent, and that she be awarded the custody and control of the minor child born of their marriage, and Complainant further prays for such other, further and different relief as in equity she may be due, and as in duty bound she will ever pray, etc.

*William S. [Signature]*  
\_\_\_\_\_  
SOLICITOR FOR COMPLAINANT.

JESSIE MARIE LEWIS  
 Complainant,  
 Vs. ISIAH LEWIS  
 Respondent.

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

ANSWER AND WAIVER

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint herein admits the allegations as to the ages, residences and marriage and denies the other allegations of said Bill of Complaint and demands strict proof thereof.

Respondent agrees that the testimony in this cause may be taken by deposition on oral examination, and waives notice of the time and place of the taking of such testimony and agrees that this cause may be submitted for final decree at any time. Respondent waives all notices to which he or she may be entitled by law in this cause. Respondent agrees that Peggy Preston may take the testimony in this cause as commissioner, without the issuance of a commission.

ATTEST:

1. Louise E. Jones.  
 2. Mrs. Juanita May

Isiah Lewis  
 RESPONDENT

Complainant agrees that Peggy Preston may take the testimony in this cause as commissioner, without issuance of a commission.

William Haysom  
 SOLICITOR FOR COMPLAINANT.

Note: The Space below is intended for "Agreements Between the Parties"

Respondent agrees that the Complainant should be granted the custody and control of their minor child, subject to his right to see and visit with said child at all reasonable times.

Complainant hereby waives her claim to alimony and support, both temporary and permanent.

Isiah Lewis  
 Respondent  
Jessie Marie Lewis  
 Complainant

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

Before me, the undersigned authority, in and for said State and County personally appeared the above named Respondent, whose name is signed to the foregoing instrument, and who was made known to me, acknowledged before me this day, that being informed of the contents of the instrument, said Respondent executed the same voluntarily on the day same bears date.

Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 195 .

Filed in Registers Office  
 \_\_\_\_\_ 195  
 W. ELSWORTH HAUGHTON, REGISTER

NOTARY PUBLIC  
 (Please affix official seal)