

The State of Alabama, }
Baldwin County

No. 777.

CIRCUIT COURT IN EQUITY

Lolete T. Jowers, Complainant

vs.

Robert V. Jowers, Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of adultery of the part of Robert V. Jowers,

It is further ordered, that the said Lolete T. Jowers be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Lolete T. Jowers pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said

Robert V. Jowers,

It is further ordered, adjudged and decreed that the said Lolete T. Jowers shall not again marry except to said Robert V. Jowers until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Robert V. Jowers

It is further ordered, decreed and adjudged that Lolete T. Jowers, have the care, custody and control of Robert Wilson, Lois Thelma, and Maxie Mildred, children ages 11, 9, and 7, born of this marriage until further orders of this Court.

This 19th day of August 1929.

J. W. Hare

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA }
BALDWIN COUNTY }

CIRCUIT COURT, IN EQUITY

I, _____, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 9, in the cause of _____

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____, 19____

Register

No. 777.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY,
Baldwin County, Ala.

Lolete T. Jowers

VS

Robert V. Jowers

DECREE OF DIVORCE

Filed in office this 20th

day of Aug, 1929

J. W. Richardson
Register.

E. O. M.

RECORDED

The State of Alabama, } Circuit Court of Baldwin County, In Equity.
Baldwin County.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon -----

Robert B. Jowers

Fairhope, Alabama.

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Lolete T. Jowers,

against said -----

Robert V. Jowers,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 1st day of October, 1928.

T. W. Richerson Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

Original

SERVE ON.....

Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Lolete T. Jowers

vs.

Robert V. Jowers,
Fairhope, Alabama.

Edward P. Totten,
Solicitor for Complainant

Recorded in Vol. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 1st
day of October 1928.

Sheriff.

Executed this 4th day of

Oct 1928

by leaving a copy of the within Summons with

Lolete T. Jowers

Defendant.

W. J. Smith

Sheriff.

By
Deputy Sheriff.

October

8581 NOTE OF TESTIMONY

..Lolete T. Jowers

.....

.....

vs.

Robert V. Jowers

.....

.....

.....

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,
decree pro confesso, service on Deft, and testimony of Mrs. Velma
Winters, Mrs. Lolete T. Jowers and Zenos Mason,

and in behalf of Defendant upon

.....

.....

.....

T. W. Beckman

Register.

No. 777.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Lolete T. Jowers

VS

Robert V. Jowers

NOTE OF TESTIMONY

Filed in Open Court this 17th

day of August 1929

Tom Rice

Register

The State of Alabama, }
Baldwin County.

No. 777. CIRCUIT COURT, IN EQUITY

Lolete T. Jowers, Complainant

vs.

Robert V. Jowers, Defendant

In this cause it appears to the Register,

that a Summons requiring the Defendant Robert V. Jowers,

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said

Summons upon Robert V. Jowers,

was served upon him by the Sheriff of Baldwin County, Alabama, on the

4th, day of October, 1928

And the said Defendant, having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of Complainant,

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed

against the said Robert V. Jowers,

Defendant aforesaid.

This 10 day of Dec 1928

Dec

[Handwritten Signature]
Register.

No. 777. Page

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.

Lolete T. Jowers,

Vs.

Robert V. Jowers,

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued Dec 17th 1928

T. W. Rice

Register.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
IN EQUITY

LOLETE T. JOWERS, Complainant,

vs.

ROBERT V. JOWERS, Respondent.

The Depositions of Mrs. Lolete T. Jowers, Mrs. Velma E. Winter, and Zenas Mason, witnesses examined on behalf of the Complainant in the above entitled cause which is pending in the Honorable the Circuit Court of Baldwin County, Alabama.

The said witnesses appeared before me at the time and place hereinafter mentioned and, after having been first duly sworn by me to speak the truth, the whole truth and nothing but the truth, did testify and says as follows: that is to say, Mrs. Lolete T. Jowers, Mrs. Vela E. Winter, and Zenas Mason, being dulysworn, testified as follows:

DEPOSITION OF THE COMPLAINANT, Mrs. Lolete T. Jowers.

- Q. You may state your name, age and residence?
- A. Lolete T. Jowers, aged 28 years, Fairhope, Alabama.
- Q. How long have you lived at Fairhope, Baldwin county, Ala.?
- A. Six years.
- Q. When and where did you marry the Respondent, Robert V. Jowers?
- A. On August 2nd, 1926, at Grove Hill, Alabama.
- Q. How long did you live with the Respondent as his wife?
- A. Nearly twelve years.
- Q. Are you living with the Respondent at the present time?
- A. No, sir, we separated a year ago last winter and I have been living apart from him ever since.
- Q. How many children of the union are now living?
- A. Two girls, Lois Thelma, aged ten years, and Mildred Maxine, aged eight years.
- Q. Where are these two children at the present time?
- A. They are living with me and I have been caring for them and educating them ever since the Respondent and I separated in the winter of 1928.
- Q. You may state what you know as to the truth of the allegation that Robert V. Jowers committed adultery with Grace Bernhardt, a female person, on or about the 28th day of January, 1928, and at different times thereafter.
- A. The Respondent took Grace Bernhardt to dances and to the movie show late in January, 1928, and during the following two months or more, leaving me at home alone and going off with her. It was reported to me that they were seen late at night, after the dances, in the woods and along the beach, and his attentions to her led me to demand an immediate separation. This was late in the winter of 1928, and some length of time afterwards, when Grace Bernhardt had left town, Respondent admitted to me that he had had ~~sexual~~ intercourse with her at the times alleged. ~~ix~~
- Q. Are you able to provide suitably for the education and care of the two minor children, Lois Thelma and Mildred Maxine, and do you desire their custody awarded ~~to you~~ to you?
- A. Yes, sir, with my own efforts and the help I received from relatives I am well able to provide for them. I certainly do desire their custody awarded ~~to me~~.

Lolete T. Jowers

The foregoing testimony was read to Complainant, after the same had been reduced to writing, and was by her thereafter subscribed.

August 15th, 1929.

G. E. Beckwith
Commissioner.

DEPOSITION OF VELMA E. WINTERS

- Q. State your name, age and residence.
- A. Velma E. Winter, past 21 years of age, Fairhope, Ala.,
- Q. Are you acquainted with the Plaintiff, Lolete E. Jowers and the Respondent Robert V. Jowers, and how long have you known them both?
- A. I have known them both for six years.
- Q. Have they lived at Fairhope all of that time?
- A. Yes, sir.
- Q. What can you say as to the allegation of the Bill of Complaint charging the Respondent with the commission of adultery with one Grace Bernhardt on or after the 28th day of January, 1928?
- A. About the last part of January, 1928, I saw Robert V. Jowers with Grace Bernhardt at a dance at Comings Hall in Fairhope, Ala., and saw them leave the hall together after midnight. On another occasion, after a dance at the hall, at some later date, I saw them leave the Hall together and get into a car and drive off. Several times during that period I saw them coming together out of the movie show between ten and eleven o'clock and going away together.
- Q. From your knowledge and acquaintance with Mrs. Lolete T. Jowers, state whether in your opinion she is a good mother and a fit and proper person to have the custody and care of the minor children of the parties.
- A. She absolutely is, in every way.

Velma E. Winter

The above testimony was subscribed by the witness Mrs. Velma E. Winters, after she had taken her oath as to the truth thereof and it had been read to her in full.

August 15th, 1929.

G. E. Perkins
Commissioner.

DEPOSITION OF ZENAS MASON, Witness for Complainant.

- Q. State your name, age and residence?
- A. Zenas Mason, aged forty years, Fairhope, Alabama.
- Q. How long have you known the Complainant, Lolete T. Jowers, and her husband, Robert V. Jowers, the Respondent?
- A. About twenty years.
- Q. How long have they lived at Fairhope in Baldwin county?
- A. About five years.
- Q. You may state whether, about the last part of January, 1928, and afterwards, the respondent, Robert V. Jowers, committed adultery with a female person named Grace Bernhardt, by repeatedly having sexual intercourse with her.
- A. At the time stated and afterwards I saw the Respondent, Jowers, with Grace Bernhart, a young woman, attending public dances together and, on different occasions, saw him with her late at night in the woods and in secluded places on the beach and, on more than one occasion, know that she called at his home at night time while his wife was away on a visit. They were together very frequently late at night at in the early morning during January, February and March, last year.

Zenas Mason

The above testimony was read to the witness, after he had testified to the facts therein stated under oath, and he then subscribed his name thereto on this 15th day of August, 1929.

G. E. Perkins
Commissioner.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
IN EQUITY

LOLETE T. JOWERS, Complainant,

vs.

ROBERT V. JOWERS? Respondent.

CERTIFICATE OF COMMISSIONER

I, G. E. Perkins, the Commissioner named in the attached ~~certificate~~ commission, hereby certify that, in pursuance of said commission, I did, on Thursday, August 15th, 1929, call and cause to come before me, at the office of Edward P. Totten, in the State Bank Building, in the town of Fairhope, Baldwin county, Alabama, the said witnesses, Mrs. Lolete T. Jowers, Mrs. Velma E. Winter, and Zenas Mason, and that said witnesses, after having been first duly sworn, did testify in answer to oral interrogatories propounded to them by Edward P. Totten, ~~attorney for~~ Solicitor for Complainant, as set down above their signatures, and that the answers of said witnesses are set down as near as ~~ix~~ might be in their own language and they subscribed their names thereto in my presence after having read the same.

I further certify that I am neither of counsel nor of kin to any of the parties to this suit, nor am I in any manner interested in the result thereof.

Witness my hand this 15th day of August, 1929.


Commissioner.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To Hon. G. E. Perkins

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 _____

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

Lolete Jowers

Complainant

and Robert V. Jowers

Defendant,

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

Witness 6th day of Aug. 1929

T W Reardon

REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESS' FEES, \$ _____

NO. _____

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

Lolete Jowers

vs. **Complainant**

Robert V. Jowers

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Hon. G. E. Perkins

WITNESSES:

The State of Alabama, }
BALDWIN COUNTY.

No. 777. CIRCUIT COURT IN EQUITY.

Lolete T Jowers Complainant.....

vs.

Robert V. Jowers, Defendant....

Motion is hereby made for a Decree Pro Confesso against

Robert V. Jowers, Defendant....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant.....; and that said summons was duly served according to law, and that said Defendant.....ha..... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 8thday ofDecember.....1928.

E.P. Totten

.....
Solicitor.

No. 777.

Page

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Iolete T. Jowers,

Vs.

Robert V. Jowers,

MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE

Filed December 8th, 1928

T. W. Richardson

Register.

Recorded in Record,

Vol. Page

Register.

STATE OF ALABAMA
COUNTY OF BALDWIN

IN CIRCUIT COURT
IN EQUITY

Lolete T. Jowers, Complainant,

vs.

BILL FOR DIVORCE

Robert V. Jowers, Respondent.

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF SAID COURT:

Your Orator, Lolete T. Jowers, respectfully shows unto your Honor as follows:

That both she and the Respondent, Robert V. Jowers, are native born citizens of the United States, over the age of twenty one years, and that for five years next preceding the commencement of this action they have been, and now are, resident citizens of Baldwin county, Alabama, living at the town of Fairhope therein;

That on the second day of August, 1916, at Grove Hill, Alabama, your Orator and the Respondent intermarried and ever since have been, and now are, lawful husband and wife;

That to such marriage and union were born one son and two daughters, Robert Wilson, Lois Thelma, and Maxine Mildred, aged eleven, nine and seven years, respectively, all of whom are now living with Complainant at her home in the said town of Fairhope;

That on or about the 28th day of January, 1928, the said Robert V. Jowers committed adultery with one Grace Bernhardt, and that at different times since the said 28th day of January, 1928, the said Robert V. Jowers has committed adultery with the above named female person;

That the said Robert V. Jowers has been and is guilty of adultery, recognized as a ground for divorce under the provisions of Section 7407 of the 1923 Code of the State of Alabama;

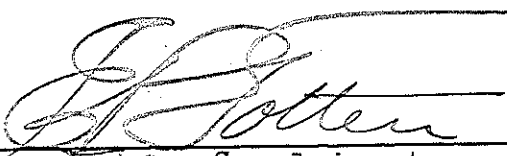
That the said Robert V. Jowers is not a fit and proper person to have the care and custody of the said three minor children, and that your Orator is a fit and proper person to have the care and custody of the said three minor children, hereinbefore named;

THE PREMISES CONSIDERED your Orator respectfully prays that the said Robert V. Jowers be made party Respondent to this Bill of Complaint by the usual process of this Honorable Court and that he be required to demur, plead to or answer the same within the time and under the penalties as provided by law, or that the same be forever confessed;

PRAYER FOR RELIEF

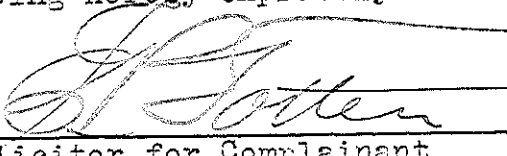
Wherefore your Orator prays that, upon the final hearing of this cause, the bonds of matrimony now and heretofore subsisting between herself and Robert V. Jowers be wholly dissolved and that she be, by this Honorable Court, granted an absolute divorce therefrom; that by the decree and order of this Court your Orator may be awarded the care, custody and control of the three minor children, Robert Wilson, Lois Thelma, and Maxine Mildred; that your Orator may have such other and further relief as to the Court shall seem just and equitable in the premises.

Dated at Fairhope, Baldwin county, Alabama, this twenty-seventh day of September, 1928.


Solicitor for Complainant

NOTE:

The Respondent above named is required to answer every allegation contained in the foregoing Bill of Complaint, but not under oath; answer under oath being hereby expressly waived.


Solicitor for Complainant