

ANNIE DOWNS,
Complainant,
VS.
LAWRENCE DOWNS,
Respondent.

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

TO HONORABLE F. W. HARR, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY;

Comes your Complainant, ANNIE DOWNS, and humbly complaining against the Respondent, LAWRENCE DOWNS, respectfully represents and shows unto your Honor and this Honorable Court as follows;

- 1. That your Complainant and the Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.
- 2. That your Complainant and Respondent are husband and wife, having married at Bay Minette, Alabama, on February 18th, 1926.
- 3. That your Complainant and Respondent lived together as husband and wife until on to-wit, May 6th, 1930, when the Respondent voluntarily abandoned the Complainant and has remained away voluntarily and continuously since that time.
- 4. That there was born to said marriage between your Complainant and the Respondent one child, a girl, Dorothy Bernice Downs, now thirteen years old; that said child has lived with your Complainant, her mother, all of her life, and that the Complainant is ready, able, capable and willing to maintain and support the said child; that the Respondent is not a suitable, fit or proper person to have the care, custody and control of said child.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said LAWRENCE DOWNS 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.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent, LAWRENCE DOWNS; that your Honor will enter a proper decree awarding to her the care, custody and control of the said minor child, Dorothy Bernice Downs; that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Beulah Alice Beule
Solicitors for Complainant.

FOOT NOTE:

The Respondent, LAWRENCE DOWNS, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 4, inclusive, but not under oath, oath being hereby expressly waived.

Richard J. Decker
Attorneys for Complainant.

BILL OF COMPLAINT

LAWRENCE DOWNS,

Complainant,

vs.

LAWRENCE DOWNS,

Respondent.

IN THE CIRCUIT COURT OF

MIAMI COUNTY, OHIO.

IN EQUITY.

*787 1/2 N. High Street
Cincinnati, Ohio 45202
By: Richard J. Decker
Attorney for Complainant*

ANNIE DOWNS,
Complainant,
VS.
LAWRENCE DOWNS,
Respondents.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint and Pleadings and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.


IT IS FURTHER ORDERED that the Complainant and Respondent be and they are hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED that the Complainant pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ANNIE DOWNS shall not again marry, except to the said LAWRENCE DOWNS, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said LAWRENCE DOWNS, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, ANNIE DOWNS, have the custody, care and control of the minor child: Dorothy Bernice Downs.

Dated at Monroeville, Monroe County, Alabama, this 24th day of November, 1938.


Judge of the Circuit Court of Baldwin County,
Alabama.

ANNIE DOWNS,
Complainant,
VS.
LAWRENCE DOWNS,
Respondent.

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

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA,
IN EQUITY:

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1. That your Complainant and the Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.
2. That your Complainant and Respondent are husband and wife, having married at Bay Minette, Alabama, on February 18th, 1925.
3. That your Complainant and Respondent lived together as husband and wife until on to-wit, May 6th, 1930, when the Respondent voluntarily abandoned the Complainant and has remained away voluntarily and continuously since that time.
4. That there was born to said marriage between your Complainant and the Respondent one child, a girl, Dorothy Bernice Downs, now thirteen years old; that said child has lived with your Complainant, her mother, all of her life, and that the Complainant is ready, able, capable and willing to maintain and support the said child; that the Respondent is not a suitable, fit or proper person to have the care, custody and control of said child.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said LAWRENCE DOWNS 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.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of divorce forever barring the bonds of matrimony existing between her and the Respondent, LAWRENCE DOWNS; that your Honor will enter a proper decree awarding to her the care, custody and control of the said minor child, Dorothy Bernice Downs; that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.


Solicitors for Complainant.

FOOT NOTE:

The Respondent, LAWRENCE DOWNS, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 4, inclusive, but not under oath, oath being hereby expressly waived.

Richard G. Beebe
Solicitors for Complainant.

ANNIE DOWNS,
Complainant,
VS.
LAWRENCE DOWNS,
Respondent.

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

And now comes the Respondent, LAWRENCE DOWNS, in his own proper person, and for answer to the Complainant's Bill of Complaint and to each count thereof, separately and severally, says:

1. That the allegations therein alleged are untrue, and demands strict proof of the same.

WITNESSES:

Dewey Downs
D S Downs

Lawrence Downs
Respondent.

The State of Alabama, }
Baldwin County

CIRCUIT COURT

To O'BYRNE JONES:-

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 ANNIE DOWNS and G. W. CATRETT

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

ANNIE DOWNS,

Complainant

and LAWRENCE DOWNS,

Defendant,

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

Witness 22nd day of November 19 38

R. S. DUCK

clerk, - register

REGISTER

By *Walter Thompson*
Deputy

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

A NNIE DOWNS

Complainant,

vs.

LAWRENCE DOWNS,

Respondents

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 Annie Downs and G. W. Catrett

and in behalf of Defendant upon ~~Acceptance of Service and Waiver and Answer~~

R. S. DUCK
clerk, - register

By *Shelley Thompson*
Deputy

Register.

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

LAWRENCE DOWNS,

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

ANNIE DOWNS,

against said LAWRENCE DOWNS,

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, R. S. Duck, Register of said Circuit Court, this 2nd day of September, 193 8.

R. S. DUCK
clerk, - register

By *Nandice Thompson* Deputy Register

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

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

LAWRENCE DOWNS,

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

ANNIE DOWNS,

against said LAWRENCE DOWNS,

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 R. S. Duck, Register of said Circuit Court, this 2nd day of

September, 1938

R. S. DUCK

clerk, - register

By *Arthur Thompson*, Register

Deputy

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

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ANNIE DOWNS

Complainant

vs.

LAWRENCE DOWNS

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 22nd

day of November 1938

R. S. DUCK
clerk, & registrar

W. Douglas Thomas REGISTER

FINAL DECREE OF DIVORCE

ANNIE DOWNS,
Complainant,

VS.

LAWRENCE DOWNS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed November 26, 1935
R. S. DUCK
clerk, - register

By *Walter H. Hays*
Deputy

486

*Recd
8-*

RECORDED

BILL OF COMPLAINT

ANNIE DOWNS,

Complainant,

VS.

LAWRENCE DOWNS,

Respondent.

*Filed September 2, 1928
W.S. Duch, Register -
By: Pauline Thompson
Deputy*

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Defendants at present

*90 D.S. Downson
Route 1 Port of 7*

Chuncheon

Down

Mobile Co.

RECORDED

ANSWER:

ANNIE DOWNS,

Complainant,

VS.

LAWRENCE DOWNS,

Respondent.

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

Filed November 23, 1933
R. S. DUCK
clerk - register

By *W. H. Thompson*
Deputy

The State of Alabama
BALDWIN COUNTY
CIRCUIT COURT

ANNIE DOWNS,

vs. Complainant

LAWRENCE DOWNS,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

O'BYRNE JONES,

WITNESSES:

RECORDED

ACCOMPLICE OF SERVICE
AND WAIVER:

ANNIE DOWNS,

Complainant,

VS.

LAWRENCE DOWNS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed November 22, 1938
R. S. DUCK
clerk - register

By Larkin Stegeman
attorney

COPY

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 486

Summons

ANNIE DOWNS,

Complainant.

Handwritten signature

VS.

LAWRENCE DOWNS,

Respondent.

At 1 Box 47

Chamberlain

BERBE, TAIT & BERBE,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 193 _____

Sheriff.

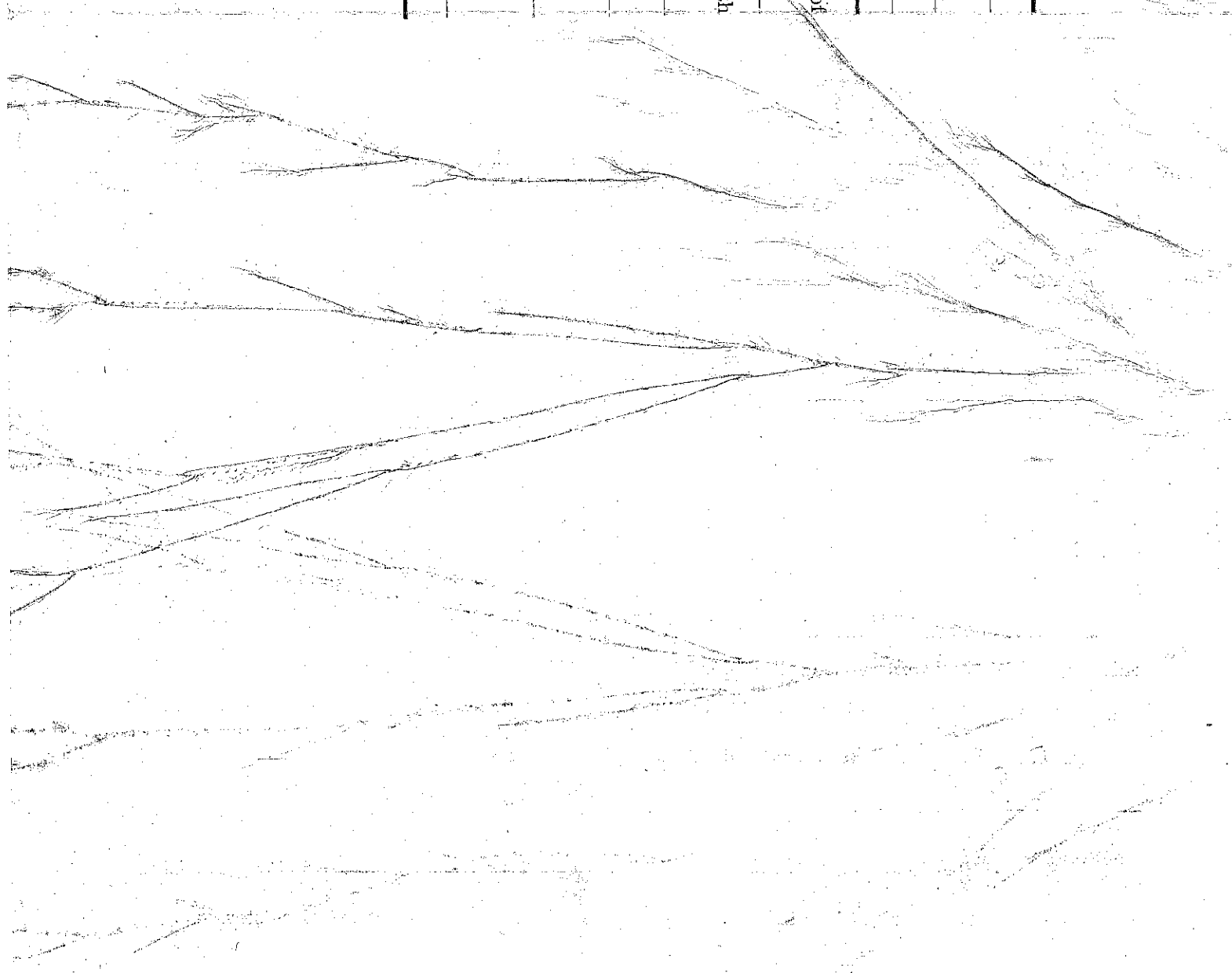
Executed this _____ day of _____, 193 _____

by leaving a copy of the Summons, with _____

Defendant

Sheriff

By _____ Deputy Sheriff



original
Docket # 67
(Mobile County)

D.S. Downs,
Route 1, Box 47
Chunchula, Ala.

Circuit Court of Baldwin County
IN EQUITY

No. 486

Summons

ANNIE DOWNS,
Complainant.

VS.

LAWRENCE DOWNS,
Respondent.

EBBER, HALL & EBBER,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____
day of _____, 193_____

Sheriff.

Executed this _____ day of _____, 193_____
by leaving a copy of the Summons with

Defendant

Sheriff

By _____
Deputy Sheriff

Noted and County after diligent search and inquiry
R. L. HOLCOMBE, Sr. Sheriff

The State of Alabama }
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

ANNIE DOWNS,

COMPLAINANT

VS.

LAWRENCE DOWNS

RESPONDENT

I, O'BARNE JONES

Special
as Register and Commissioner

have called and caused to come before me Annie Downs and G. W. Catrett

witnesses named in the Requirement for Oral Examination, on the 22 day of November

19 38, at the office of Beebe, Hall & Beebe,

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Annie Downs

doth depose and say as follows:

My name is Annie Downs. I am a resident of Baldwin County, Alabama, and over twenty-one years of age. The Respondent, Lawrence Downs, is over twenty-one years of age and a resident of Baldwin County, Alabama, but at present temporarily sojourning at Spring Hill, in Mobile County, Alabama.

The Respondent and I were married at Bay Minette, Alabama, on February 18th, 1925. We lived together as husband and wife until about May 6th, 1930. On or about May 6th, 1930, the Respondent voluntarily abandoned me and has remained away voluntarily and continuously since that time. Since leaving me, the Respondent has contributed nothing toward my support and the support of our child. I have been called upon to work for myself and also for my child.

We have one child, a girl, Dorothy Bernice Downs, who will be thirteen years old her next birthday. She has been living with me all of her life and since her father left, in May, 1930, I have had to support and care for her. Her father has contributed nothing toward her support since leaving, in May, 1930.

I live in the home with my brother, Ed Catrett, where I have been living for the past eight years, and am in position to take care of our child.

Annie Downs

GEORGE CATRETT, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is George Catrett. I live at Stockton, in Baldwin County, Alabama. I am a brother of Annie Downs. My sister and Lawrence Downs married sometime in 1925 and lived together until in 1930. I have had occasion to see and be with my sister from time to time since 1930 and know that Lawrence Downs has contributed nothing toward the support of her and her minor child. She has had to depend upon her own efforts and to supply herself and child with the necessary food and clothing.

G. W. Catrett

ORAL EXAMINATION

I, C. Byrne Jones, as ~~Register and~~ ^{Special} Commissioner hereby certify that the foregoing deposition ~~is~~ 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 Hubert M. Hall 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 witnesses. ; 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 22nd day of November 1938.

C. Byrne Jones (L. S.)
Special Commissioner

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

AMIE DOWNS

COMPLAINANT

vs.

LAWRENCE DOWNS

RESPONDENT

ORAL DEPOSITION

Filed November 22nd, 1938

R. S. DUCK

clerk, register, Register

By Hall ^{REGISTERED} Deputy

Record

Vol. _____ Page _____

Register