The State of Alabama, BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Degret Term,

No. (656) vs.

B. B. Bunder

REGISTER'S FEES	AMO	UNT	SHERIFF'S FKES:	AM	OUNT
Fees in Circuit Court—	1	00	Summoning on Bill, Each Defendant1.50		
Docketing Cause, One fee only of			Executing Writ of Injunction, or Ne Exeat, each. 1.50		
Issuing Summons on Bill, each	İ .]	Executing Subpoenas for Witnesses, each		
Issuing Copies Thereof, each	•	þ	Executing Writs of Possession, each		
Entering Return of Same, each	·	1	Executing Scire Pacias or Notice, each		1.4
Orders of Publication to Non-Residents, each. 1.00°		80	Taking and Approving Bonds, each1.00		
Filing Bill or Other Paper, each		00	Impaneling Jury75		1 10
Copies of Same, Per 100 Words	·		Collecting Execution for Costs Only, each1.50		12
Entering Appearances, each		:	Sheriff's Commissions		
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Entering Return of Same, each			Total Sheriff's Fees		
Decrees Pro Confesso, each		7			
Order Appointing Guardian Ad Litem, each1.00*		L-0			
Issuing Commissions to Take Testimony, each 50		9		li	
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Taking Testimony on Reference Relating to Trustee, etc., per 100 words			Court Reporter's Fees, Per Day or fraction thereof .5.00	-s	دسم
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Examining Answers on Exceptions, each Answer 3.00					
Removal Disabilities on Non-Age			Total Fees and Costs		
Commissions on Sales			Judgment	1	
Making Deeds to Property Sold, each					<u> </u>
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THE STATE OF ALABAMA, Baldwin County

CIRCUIT COURT

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Commissioner's Fee \$ 0:00

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AGREEMENT AS TO PAYMENT OF ALIMONY

BERDELLA C. GOODEN.

Complainant

STATE OF ALABAMA

COUNTY OF BALDWIN

B. B. GOODEN.

Respondent

The Complainant, BERDELLA C. GOODEN and the Respondent B. B. Gooden having agreed it is to the mutual interest of both parties in the above divorce proceeding that an agreement be entered into whereby the Respondent contracted to pay a definite sum of alimony for a definite term of time and at the time and manner following, and it is hereby mutually agreed between the parties as follows, to-wit:

- 1. This agreement shall be filed with the court and made a part of the decree and referred to in the body of the court decree the same as incorporated therein.
- 2. The Respondent hereby agrees that he will deposit the sum of Five Dollars (\$5.00) per week payable on Saturday of each week beginning Saturday after the date of this instrument and each Saturday thereafter until a total number of weeks have elapsed totaling two (2) years altogether. This Five Dollars (\$5.00) per week the Respondent hereby agrees to pay Orvis M. Brown, Attorney of Record for the Complainant, and the Respondent is to receive a receipt from the said attorney stating the date of each and every payment and the Respondent hereby binds himself for the and by this agreement to make these payments at Five Dollars (\$5.00) per week for the term of two (2) years and in case he should default in any of the payments they will carry interest at the rate of six per cent (6%) compounded annually and this agreement shall constitute a judgment and the said Respendent hereby waives any right of exemption under this agreement that may be granted to him under the Constitution and laws of the State of Alabama and hereby consent to this agreement being made a part of the court decree on the final termination of this proceeding.

Complainant herein Berdella C. Gooden hereby agrees to acknowledge and accept alimony in the amount of Five Dollars (\$5.00) per week payable for two years in full release and settlement of any property rights which she may have acquired by being the wife of the Respondent B. B. Gooden and when this total amount of alimony, namely, Five Dollars (\$5.00) per week for two years has been paid in full this agreement shall become a final release but not otherwise and should default be made in any payment it is hereby understood and agreed that this agreement is to be incorporated in

the final decree and that the balance uspaid from time to time shall be a lien against the wages of Estate of the Respondent, B. B. Gooden and all rights of exemption which he may have under the Constitution and laws of the State of Alabama is to be walved in favor of the Complainant for the collection of this agreement.

Both parties to this agreement hereby bind themselves to be governed by the terms of the same and to have the same incorporated in the court decree as a part thereof and further that this agreement shall be and remain subject to the further orders and decrees of the Homorable Court of Baldwin County, Alabama, in equity, and this shall be placed in the file of the above styled case, and recorded with the other papers therein. The Respondent B. E. Gooden hereby agrees to pay the court costs and the counsel fees herein encountered .

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Berdella & Sade 1.9.

BERDELLA C. GOODEN,

Complainant

EQUITY

IN THE CIRCUIT COURT OF

B. B. GOODEN,

Respondent

Respondent

Comes B. B. Gooden, Respondent in the above styled cause and for answer to the Bill of Complaint says that he admits Paragraph One thereof, he admits Paragraph Two thereof, and he denies Paragraph Three thereof and demands strict proof thereof and he further admits Paragraph Four of the Bill of Complaint.

Respondent hereby waives service and notice of and demand for oral examination of the Complainant's witnesses, of the issue of commission to take testimony, notice of the time and place of the taking of the same and of the right to cross examine or introduce evidence in his own behalf; and he further consents that this cause may be submitted for final decree at any time on the pleadings of the Complainant's evidence as noted by the Register.

The Respondent hereby requests of this Honorable Court that he be given the right to marry again if he so desires upon the issuance of this final decree.

WITHESS

Respondent

BERDELLA C. GOODEN,

Compleinant IN THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA.

B. B. GOODEN, IN EQUITY.

Respondent

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

Comes your Complainant, Berdella C. Gooden, and humbly complaining against the Respondent, B. B. Gooden, respectfully represents and shows unto your Honor and this Honorable Court as follows:

ONE: That your Complainant and the Respondent are both over the age of twenty one years and that the Complainant is a resident of Fairhope, Baldwin County, Alabama, and the Respondent resides at Fairhope, Baldwin County, Alabama, also:

TWO: That your Complainant and the Respondent were married in Pascagoula, Mississippi on February 21st, 1940 and lived together as husband and wife until on or about the 14th day of June, 1940, but for the past month have lived separate and apart.

or about June 14th, 1940 and various times prior thereto the Respondent has cursed, abused and threatened Complainant; and on to-wit: June 14th, 1940 he did actual violence to her person by striking her on the face and on the shoulder; and his conduct is such that your Complainant has every reasonable apprehension to believe and does actually believe that if she continues to live with him he will continue to carry out his threats to do further tolence to her person which will necessarily endanger her life and/or health.

FOUR: There were no children born to your Complainant and the Respondent of this marriage.

WHEREFORE, THE PREMISES CONSIDERED, the Complainant prays that your Honor will by proper process make the said B. E. Gooden party Respondent to this bill of complaint requiring him to plead, answer or demur to the same within the time and under the penalty prescribed by law and the practive of this Honorable Court.

Complainant prays that on the final hearing of this cause that this
Honorable Court will give and grant unto her a decree of absolute divorce
forever barring the bonds of matrimony existing between her and the Respondent
B. B. Gooden, that your Honor will further grant unto her the right of using
her maiden name of Berdella C. Euler, And your Complainant further prays
that she be given the right to marry again should she so desire and your
Complainant further prays that all attorney fees, court costs and any

other expense that might be attached to this proceeding be taxed as part of the court costs against the Remondent and that your Honor will give and grant unto her such other, further different and/or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Bersela & Garden

Complement

Solicitor for Complement

FOOT NOTE: The Respondent B. B. Gooden is requested to answer each and every allegation of the foregoing complaint numbering paragraphs one to Four inclusive but not under path, oath hereby being expressly waived.

Berlella & Suden

Solicitor for Complainant

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

	BERDELLA C. GOODEN	Complainant
	vs.	
· · · · · · · · · · · · · · · · · · ·	B. B. GOODEN	Respondent
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	B. B. Gooden	
for and on account of the former		
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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

		Complainant
	vs.	
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It is therefore ordered tofore existing between the	, adjudged and decreed by the Court Complainant and Defendant be, and	that the bonds of matrimony here- the same are hereby, dissolved, and
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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

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		vs.		
		B. B. COODEM		Respondent
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THE STATE OF ALABAMA Baldwin County	CIRCUIT COURT			BEEDELLA C. GOODEN		VS.	B. B. GOODEN		Defendant	Commission To Take Deposition	COMMISSIONER:		Virginia B. Crenshaw	Witnesses:	Berdella C. Gooden	B. B. Gooden

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The Register of Circuit Court, in Equity,

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The State of Alabama

Baldwin County

In Circuit Court, In Equity

BERDELLA C. GOODEN

B. B. GOODEN

Respondent

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THE STATE OF ALABAMA Baldwin County

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

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	ia ,	·	_ doth depose a	nd say as follo	ws:	

TESTIMONY OF BERDELIA C. GOODEN

My name is Berdella C. Gooden. I am the Complainant in the cause of action entitled Berdella C. Gooden vs B. B. Gooden. We are both residents of Fairhope, Baldwin County, Alabama and over the age of twenty one years. We were married February 21st, 1940 in Pascagoula, Mississippi and lived together as husband and wife until on or about the 14th day of June, 1940 at which time it was necessary that I leave the Respondent as he is a man of ungovernable temper and on this date of June 14th, 1940 and various times prior thereto he abused me and threatened me and on this co casion did actual violence to my person by triking me on and about the face and shoulders, that his conduct is such that I do not believe it is save for me to continue to live with him as I am afraid he will continue to carry out his threats of further violence to me which will necessarily endanger my life and health. There were no children born to us of this marriage. We have entered into an agreement concerning the settlement of our property a copy of which is attached to this court proceeding and ix which we have both agreed to be made a part of the decree as to the division of the property and the payment of alimony. It is my desire that I have the right to use my former name of Berdella C. Euler. I tried to get along with the Respondent the best I could but was unable to do so and he refuses to do any better and continues to abuse me so I had to leave against my will. Bertella E.

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I, <u>Virginia E. Cre</u>	nshaw	_, as Register	and Commissione	r hereby certify
that the foregoing deposition	n .s. on Oral Examinat	ion was take	en down in writin	g by me in the
words of the witnesses and r	ead over to them a	nd they	— signed the same	e in the presence
of myself and Orvis M	. Brown, Attorney,	•		
at the time and place herein	mentioned; that I have	e personal k	nowledge of perso	onal identity of
said witness— or had proof	made before me of the	e identity of	said witnesses; ti	hat I am not of
counsel or of kin to any of t	the parties to said caus	se, or any mar	mer interested in t	he result thereof.
I enclose the said Oral E	Examination in an enve	elope to the R	egister of said Cou	rt.
Given under my hand ar	nd seal, this 27th	_day of	July	, 19 <u>_40</u>
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TESTIMONY OF MABLE YATES

Myname is Mable Yates. I am personally acquainted with both the Complainant and the Respondent in this cause and I know that they were married on or about February 21st, 1940 in Pascagoula, Mississippi and lived together until about June 14th, 1940. The Complainant, Berdella C. Goden was forced to leave the Respondent herein because of the way he abused her. I know that he is a man of ungovernable temper and that he often abused and threatened her and at times even struck her, about the face and shoulders. It would be dangerous to her life and health to continue to live with the Respondent because of his treatment of her. I really believe that she has tried as hard as any one could to get along with the Respondent and it seems impossible to live with him in peace.

I know that she has lived separate and apart from him since on or about the 14th day of June, 1940 and has not lived with him at any time since then.

RECORDED

The State of Alabama
IN EQUITY Circuit Court of Baldwin County
BERDELLA C. GOODEN
Vs.
B. B. GOODEN
NOTE OF TESTIMONY
Filed in Open Court this
day of Oliquet 1980 R.S. Duch
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MOORE PRINTING CO., SAY MINEYTE, ALA.

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				B. B. GOODI	en	·	· · · · · · · · · · · · · · · · · · ·	-, Defend	lant
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	In the abov	e stated o	cause a D	ecree Pro Con	ıfesso havi	ing been taker	ı against	the Def	endant,
and	evidence havi	ng been ta	ken, and	the cause bei	ng ready	for submission	for fina	l decree,	and no
defer	se having been	interposed	l, the Comp	lainant, by	0rvis	M. Brown		· · · · · · · · · · · · · · · · · · ·	
		<u> </u>		Solicitors	of record,	now files with	the Regi	ster of thi	is Court
this	written request	to deliver	the papers	in this cause	to the Juds	ge for final dec	ree in vaca	ation.	
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