

1059

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

ESTHER H. HEDDEN

Complainant

VS

ROY LEE HEDDEN

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Defenses, Pleadings, Answer and~~ ~~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 Esther H. Hedden

is forever divorced from the said

Roy Lee Hedden

for and on account of

Cruelty

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 Esther H. Hedden and Roy Lee Hedden be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Esther H. Hedden the Complainant pay the cost herein to be taxed, for which execution may issue.

This 17th day of February, 1944
G. N. Harl
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.

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The State Of Alabama

Baldwin County

In Circuit Court, In Equity

ESTHER H. HEDDEN

vs. Complainant

ROY LEE HEDDEN

Respondent

DIVORCE DECREE

THE STATE OF ALABAMA, }
Baldwin County

CIRCUIT COURT

TO ERIN STUART:

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

Esther H. Hedden and Mrs. Clara Dawkins

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

Esther H. Hedden is

Complainant

and

Roy Lee Hedden is

Defendant,

on oath to be by you administered, upon Esther H. Hedden and Mrs. Clara Dawkins to take and certify the deposition of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 15 day of Feb, 1944.

[Handwritten Signature]

REGISTER

Commissioner's Fee \$

Witness' Fees. \$

and wife since that time.

PRAYER FOR PROCESS & RELIEF.

The premises considered, your Complainant prays that the above named Roy Lee Hedden be made a party Defendant to this cause by the usual writ of process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will also decree that Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such, other, further and different relief as she may be entitled and as in duty bound she will ever pray.

Esther H. Hedden
Complainant.

STATE OF ALABAMA,

BALDWIN COUNTY.

Before me, Erwin Stuart, a Notary Public, in and for said State and County, personally appeared Esther H. Hedden who after being by me first duly and legally sworn, says:-

That the allegations contained in the foregoing Bill of Complaint are true.

Erwin H. Hedden

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed this 15th day of February, 1944.

Erwin Stuart
Notary Public, Baldwin County,
Alabama.

No. 1059

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

ESTHER H. HEDDEN

Complainant

VS.

ROY LEE HEDDEN

Defendant

Commission To Take Deposition

COMMISSIONER:

FRIM STUART

Witnesses:

ESTHER H. HEDDEN

MRS. CLARA DAWKINS

THE STATE OF ALABAMA }
Baldwin County }

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

ESTHER H. HEDDEN COMPLAINANT

vs.

ROY LEE HEDDEN RESPONDENT

I, ERIN STUART

as ~~Register~~ Commissioner

have called and caused to come before me

Esther H. Hedden and

Mrs. Clara Dawkins

witness es named in the requirement for Oral Examination, on the 15th day of February
1944, at the office of Hybart & Chason

in Bay Minette, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Esther H. Hedden and

Mrs. Clara Dawkins doth depose and say as follows:

I, Erin S. Stuart as ~~Register and~~ Commissioner hereby certify that the foregoing deposition 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 John Chason

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 witness es; 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 15th day of February 1944.

Erin S. Stuart (L. S.)

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THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

ESTHER H. HEDDEN

COMPLAINANT

VS.

ROY LEE HEDDEN

RESPONDENT

ORAL DEPOSITION

Filed 2/15, 1944

R. S. Stuart, Register.

RECORDED IN

Record

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Register

TESTIMONY OF ESTHER H. HEDDEN.

My name is Esther H. Hedden; I am the Complainant in the suit for divorce filed against Roy Lee Hedden on February 15, 1944 in the Circuit Court of Baldwin County, Alabama, In Equity; both Roy Lee Hedden and I are over the age of twenty-one years and are resident citizens of Robertsdale in Baldwin County, Alabama, and we have both lived in Robertsdale for more than six years last past; I married Roy Lee Hedden on July 10, 1939 and I lived with him as his wife until February 12, 1944 when I was compelled to leave him and live separate and apart from him.

The Respondent has committed actual violence on my person attended with danget to my life or health on two or three occasions before the time when I left him. A little over two years ago he beat me to such an extent that several of my ribs were dislocated and there was a serious injury to my back. I was also injured on my knee so that the scar still remains. At this time I was required medical treatment and have never completely recovered from the injuries I received. On the night of February 12, the Respondent hit me on the top of the head with his fist and hit me on the back of the right shoulder. The licks caused a large knot to come on the top of my head and severely injured my shoulder. I have had a great deal of pain and suffering from both the injuries on my head and on my shoulder. He hit me with his fist about five times on the night of February 12, 1944. He has made threats against me and I have every reasonable apprehension that my life or health will be in danger if I continue to live with him.

On the night of February 12, 1944 after he hit me several times I dressed and went to the home of my mother, Mrs. Clara Dawkins near Robertsdale. I showed her the bruises on my head and shoulder and I have been living with her since that time.

Esther H. Hedden

TESTIMONY OF MRS. CLARA DAWKINS.

My name is Mrs. Clara Dawkins; I am over the age of twenty-one years and am a resident citizen of Robertsdale, Alabama; I have lived there several years; I am the mother of Esther H. Hedden, who married Roy Lee Hedden on July 10, 1939, and I have known Roy Lee Hedden for many years. Both my daughter Esther H. Hedden and Roy Lee Hedden are over the age of twenty-one years and residents of Robertsdale, Alabama, in Baldwin County, and they have both resided in Robertsdale, in Baldwin County, Alabama, for more than six years immediately preceding the filing of the Bill of Complaint in the suit for divorce that my daughter brought against him. Roy Lee Hedden has committed actual violence on the person of my daughter Esther on two or three occasions before the night that she left him. A little over two years ago he beat her so that it was necessary that she have medical treatment. At that time he dislocated some of her ribs and injured one of her legs and also caused some injury to her back. She has been treated by both Dr. Jordon and Dr. Hale in connection with these injuries.

On the night of February 12, 1944 about midnight my daughter Esther H. Hedden came to my home near Robertsdale and showed me the bruises and knots that she said Roy Lee Hedden had made on her. I examined the knot on the top of her head and I examined the bruises on her shoulder. She appeared to be in great pain and the knot and bruises are still on her. She has continued to live with me since that time and she has not lived with Roy Lee Hedden as his wife since the night of February 12, 1944.

Clara Dawkins

Esther M. Hedden, Complainant.

vs.

Roy Lee Hedden, Respondent.

In Circuit Court of Baldwin County,

Alabama, in Equity.

Comes the respondent in the above entitled cause and denies each and every allegation of the complaint and demands strict proof of same.

Respondent waives notice of the filing of the complaint and the 30 days notice and agrees that testimony may be taken at once without any notice and that this be taken as his answer to the bill of complaint.

This the 15th. day of February 1944.

Roy Lee Hedden
----- Respondent.
W. H. Hedden

1059

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ESTHER H. HEDDEN

Complainant

vs.

ROY LEE HEDDEN

Respondent

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 Esther H. Hedden and Mrs. Clara Dawkins.

and in behalf of Defendant upon _____ Answer

R. S. Duck
Hybrid & Shuman
Solicitors for Complainant
Register.

No. 1059

RECORDED

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

ESTHER H. HEDDEN

Complainant,

vs.

ROY LEE HEDDEN

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 15

day of July 1944

R. Lee Hedden
REGISTER