

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

FLOSSIE HODGES, Complainant

vs.

DANIEL HODGES, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Confession~~ on 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 Flossie Hodges is forever divorced from the said Daniel Hodges 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

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

This 31st day of May, 1947.

Julian J. Maslibury  
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. 2298 Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

FLOSSIE HODGES

Complainant

vs.

DANIEL HODGES

Respondent

DIVORCE DECREE

FILED  
MAY 13 1949  
MURFEE & DUCK, Registrars

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon DANIEL Hodges, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in equity by FLOSSIE HODGES, as Complainant and against Daniel Hodges, as Respondent.

Witness my hand this 21 day of May, 1949.

Oliver J. Smith  
Register

FLOSSIE HODGES

COMPLAINANT

VS.

DANIEL HODGES

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Your Complainant, Flossie Hodges, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

2.

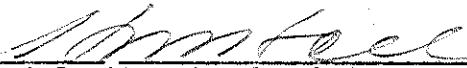
That your Complainant and the Respondent married in Leaksville, Mississippi, in June 1919, and lived together as husband and wife, until March 5, 1949.

3.

That on March 5, 1949, and on various occasions prior thereto, the Respondent threatened and abused the Complainant, and did actual violence to her person which necessarily endangered her life and health; that the conduct of the of the Respondent is such as to give the Complainant every reasonable apprehension to believe and she did actually believe that if she continued to live with the Respondent he would carry out his threats and do further violence to her person which would necessarily endanger her life and health.

WHEREFORE the premises considered your Complainant prays that your Honor will by proper process make the said Daniel Hodges, 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 hereof your Honor will make and enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that she be granted such other, further, difference or general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for Complainant.

no 2298

FLOSSIE HODGES

COMPLAINANT

VS.

DANIEL HODGES

RESPONDENT

Filed 21 day 2  
May 1949

Amie J. Leucke  
Reporter

FLOSSIE HODGES

COMPLAINANT

VS.

DANIEL HODGES

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, residences, and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine Complainant's witnesses; and agrees that this cause be submitted for final decree without notice.

Daniel H. Hodges

STATE OF ALABAMA  
BALDWIN COUNTY

I, J. M. Hall, a Notary Public, in and for said County, in said State, hereby certify that Daniel Hodges, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 21<sup>st</sup> day of May, 1949.

J. M. Hall  
Notary Public, Baldwin County, Alabama

702298

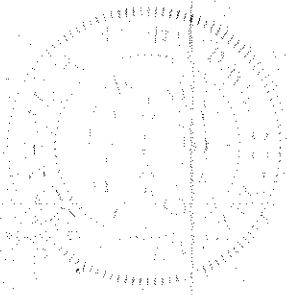
FLOSSIE HODGES

COMPLAINANT

VS.

DANIEL HODGES

RESPONDENT



FILED

MAY 130 1949

ALICE J. BUCK, Register

ALICE J. BUCK

THE STATE OF ALABAMA }  
Baldwin County }

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

FLOSSIE HODGES

COMPLAINANT

vs.

DANIEL HODGES

RESPONDENT

I, Louise Morris

as Register and Commissioner

have called and caused to come before me H. M. Hall

witness named in the requirement for Oral Examination, on the 21 day of May

1949, at the office of H. M. Hall

in Baldwin County, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Flossie Hodges

doth depose and say as follows:

My name is Flossie Hodges. I am over twenty-one years of age, and a bona fide resident of Baldwin County, Alabama.

The Respondent Daniel Hodges, is over twenty-one years of age, and a resident of Baldwin County, Alabama. The Respondent and I married in Leaksville, Mississippi, in June 1919. We lived together until on or about March 5, 1949. The Respondent and I have lived together as husband and wife, since March 5, 1949. The Respondent prior to March 5, 1949, had often threatened and abused me and threatened to do actual violence to my person which would necessarily endanger my life and health; that on many occasions prior to that time he had committed actual violence to my person by striking me which necessarily endanger my life and health. I on account of the threats and abuses on the part of the Respondent ceased to live with him, on March 5, 1949, and have since that time been afraid to be around him. I met the Respondent on Friday afternoon about 2:00 or 2:30 near Elberta, at my sons home and the Defendant at that time committed further violence to my person by catching and twisting my arm and doing further violence to me which necessarily endanger my life and health. The conduct of the Respondent is such as to give me every reasonable apprehension to actually believe that if I should be around him he will carry out his threats and do further violence to my person which would necessarily endanger my life and health.

The Respondent and I have five children, three of them being married, one son sixteen years old, and one son six years old. The Respondent has for some time been living away from home and it is the general believe of the community that he is living in a state of adultery with one Inez Morgan, in fact Inez has told me that she was living in adultery with the Respondent and in fact was at one time pregnant be him and fell, hurt herself and had a miscarriage. I have refrained from charging the Respondent with adultery hoping to spare our children the embarrassment.

I know that the conduct of the Respondent is such as to render it absolutely impossible for me to ever live with him. The Respondent is now, so far as I know living some where in Florida, either in Pensacola or Milton. The two minor children are now and have been all time living with me.

While I am not able to say definitely it is generally known in the community that he is at the present time living with Inez Morgan.

Flossie Hodges.



I, Louise Morris 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 and read over to her and she signed the same in the presence of myself and H. M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 21 day of May 1949.

Louise Morris (L. S.)

No. 2298

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

FLOSSIE HODGES

COMPLAINANT

vs.

DANIEL HODGES

RESPONDENT

ORAL DEPOSITION

Filed 52 31, 1949

David A. French, Register.  
RECORDED IN

\_\_\_\_\_, Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_, Register

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: LOUISE MORRIS

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 FLOSSIE HODGES

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

, Complainant  
and DANIEL HODGES  
Respondent

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

Witness 21st day of May, 1949

*Alvin J. Smith*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 2298

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

FLOSSIE HODGES

Complainant

VS.

DANIEL HODGES

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FLOSSIE HODGES

vs.

DANIEL HODGES

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_

Answer and waiver of Respondent and testimony of Complainant.

and in behalf of Defendant upon \_\_\_\_\_

Register.

No. 2298

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

FLOSSIE HODGES

vs.

DANIEL HODGES

**NOTE OF TESTIMONY**

Filed in Open Court this 31<sup>st</sup>

day of May, 1949

W. J. Smith  
Register.

C. LeNOIR THOMPSON

Attorney-At-Law

BAY MINETTE, ALABAMA

January 19, 1950

PHONES: 5941  
5672

Mrs. Alice J. Duck  
Register in Chancery  
Bay Minette, Alabama

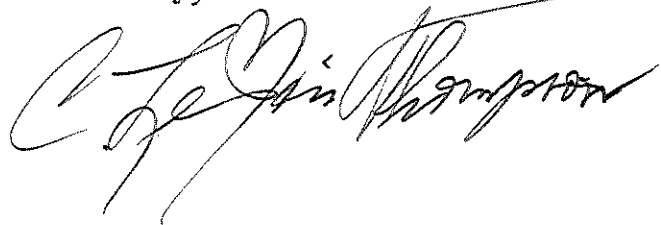
Re: Flossie Hodges  
Gibson vs Daniel  
Hodges

Dear Mrs. Duck:

I wish to withdraw the petition for a  
Bill of Review in the above styled cause.

I am sending a copy of this letter to the  
Solicitor for the Respondent.

Sincerely,

A handwritten signature in dark ink, appearing to read "C. LeNoir Thompson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

CLT/pg

cc: Hon. H. M. Hall