

(4314)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARCELLA H. GOODEN, Complainant vs.

BROWARD B. GOODEN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Waiver and Answer 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 Marcella H. Gooden is forever divorced from the said Broward B. Gooden 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 payment of the cost of this suit.

It is further ordered that Broward B. Gooden the Respondent pay the cost herein to be taxed, for which executed may issue.

This 23 day of June, 19 58

Hubert M. Hill 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. 4314 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

MARCELLA H. GOODEN  
Complainant

vs.

BROWARD B. GOODEN  
Respondent

**DIVORCE DECREE**

**FILED**

JUN 23 1958

ALICE J. DUCK, Register

MARCELLA H. GOODEN

vs.

BROWARD B. GOODEN

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, \_\_\_\_\_

~~Commission to take testimony, testimony of Marcella H. Gooden and  
Marcella Johnson~~

and in behalf of Defendant upon Waiver and answer

*Johnnie Lee Walker  
Solicitor for Complainant*

*Waring J. Dusk*  
Register.

No. 4314.....

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

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

vs.

**NOTE OF TESTIMONY**

Filed in Open Court this .....  
day of ..... 194.....

**FILED**  
**JUN 23 1958**  
Register.  
**ALICE J. DIXON, Register**

Printed By **Register** Baldwin Times

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: ESTHER GEIGER

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Marcella H. Gooden and Marcella Johnson

a witnesses in behalf of Marcella H. Gooden in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Marcella H. Gooden

, Complainant

and Broward B. Gooden

Respondent

on oath, to be by you administered, upon Marcella H. Gooden and Marcella Johnson 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 June, 1958

Register.

Commissioner's Fee, \$ None

Witness' Fees, \$ None

No. \_\_\_\_\_

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

**CIRCUIT COURT**

Complainant \_\_\_\_\_

VS.

Defendant \_\_\_\_\_

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

**FILED**

**WITNESSES 1958**

**ALICE J. BECK, Register**

I, \_\_\_\_\_, do hereby certify that \_\_\_\_\_ is a true and correct copy of the original as the same appears in the records of the \_\_\_\_\_ Court in Baldwin County, Alabama.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_

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\_\_\_\_\_

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\_\_\_\_\_

\_\_\_\_\_

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARCELLA H. GOODEN \_\_\_\_\_ Complainant

VS.

BROWARD B. GOODEN \_\_\_\_\_ Respondent

I, ESTHER GEIGER

as ~~Register and~~ Commissioner \_\_\_\_\_

have called and caused to come before me MARCELLA H. GOODEN

witness es named in the Requirement for Oral Examination, on the 21 day of June  
194 58, at the office of FOREST A. CHRISTIAN Attorney at Law  
in Foley, Alabama, and having first sworn said Witness es to speak the  
truth, the whole truth, and nothing but the truth, the said Marcella H. Gooden  
doth depose and say as follows:

MARCELLA H. GOODEN, first being duly sworn, disposes and says:

My names is Marcella H. Gooden and I have lived at Fairhope, Baldwin County, Alabama for 25 years or more, and I remarried Broward B. Gooden the second time June 10, 1957 at Lucedale, Mississippi. My husband is over the age of twenty-one years and resides at Fairhope, Baldwin County, Alabama. I work as a waitress and often work late and unusual hours and during the time while he is waiting for me, he drinks and gets mean and when I return home he threatens me and physically harms me by twisting my arm, striking and hitting me. My husband has committed actual violence on my person and I fear for the danger to my life and health because when my husband is drunk he is unable to control his temper and he strikes, hits, beats and twists my arm and threatens to harm me bodily.

Marcella H. Gooden

MARCELLA JOHNSON, first being duly sworn, disposes and says:

My name is Marcella Johnson and I am the daughter of Marcella H. Gooden who is the complainant in the case and I live in Fairhope, Baldwin County, Alabama. My mother has been married to Broward B. Gooden twice and she received a divorce from her husband early last year but her husband promised to do better and she remarried him last year. I know my stepfather Broward B. Gooden drinks and my mother works as a waitress offer late at night and I have seen black/blue marks on my mothers body. I know that my stepfather has threatened my mother and that she fears to live with him any longer because when he drinks, he is vital.

Marcella Johnson

ORAL EXAMINATION.

I, ESTHER GEIGER, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition <sup>S</sup> on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and FOREST A. CHRISTIAN 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 21 day of June, 1948.

Esther Geiger (L.S.)

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THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

**Oral Deposition**

Filed NOV 23 1958 194

Recorded in Register

Vol. \_\_\_\_\_ Page \_\_\_\_\_, Register.



BILL OF COMPLAINT

THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

MARCELLA H. GOODEN )  
COMPLAINANT )

VS: )

BROWARD B. GOODEN )  
RESPONDENT )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

TO THE HONORABLE H.M.HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN  
COUNTY, SITTING IN EQUITY:

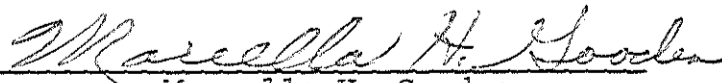
Your complainant Marcella H. Gooden respectfully represents and shows unto your Honor:

1. That complainant is over the age of twenty-one years and is a resident citizen of said State and County, and has been a bona fide resident citizen of said State and County for more than one year next preceding the filing of this bill of complaint; that Broward B. Gooden is over the age of twenty-one years and resides in Baldwin County, Alabama.

2. That your complainant and respondent were lawfully married on June 10, 1957 at Lucedale, Mississippi.

3. Your complainant avers and charges that the said respondent did on or about the 1st day of May, 1958, and many times subsequent thereto assault, beat, hit and strike complainant; that said respondent has committed actual violence on her person attended with danger to her health or life; complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health.

4. The premises considered, your complainant makes the said Broward B. Gooden a party respondent to this bill of complaint, and in order that complainant may have the relief prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said Broward B. Gooden, commanding him to answer, plead or demur to this bill of complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said respondent, granting the complainant the right to remarry, and that your Honor will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray, etc.

  
Marcella H. Gooden

  
Solicitor for Complainant  
FOREST A. CHRISTIAN, Foley, Alabama

WAIVER AND ANSWER

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

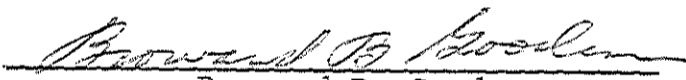
MARCELLA H. GOODEN )  
COMPLAINANT )  
VS: )  
BROWARD B. GOODEN )  
RESPONDENT )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Comes the respondent in the above-styled cause and accepts service of a bill of complaint heretofore filed in said cause; waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:


1. He admits the allegations contained in paragraph 1 of said bill of complaint.
2. He admits the allegations contained in paragraph 2 of said bill of complaint.
3. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.

  
Broward B. Gooden

THE STATE OF ALABAMA, )  
BALDWIN COUNTY. )

I, the undersigned Notary Public, in and for County and State, do hereby certify that Broward B. Gooden, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 20th day of June, 1958.

  
Notary Public

Affix Seal:

4314

FILED

JUN 23 1958

ALICE J. DECK, Registrar