

4490

LAW OFFICE OF  
FOREST A. CHRISTIAN  
FOLEY, ALABAMA

January 27, 1959

Mrs. Alice J. Duck  
Clerk of Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed you will find a Summons & Complaint in the case of Marcella Gooden vs. B. B. Gooden. Mr. Gooden lives at Fairhope, Alabama and should be served by the Sheriff.

I know you insist on the court cost in a divorce case but I will be responsible for the court cost in this case.

With best wishes, I am,

Cordially yours,



FOREST A. CHRISTIAN

MARCELLA GOODEN

vs.

B. 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 and all depositions of Marcella  
Gooden and Edna V. Pierce

and in behalf of Defendant upon \_\_\_\_\_ motion for decree pro confesso on  
personal service and Decree pro confesso on personal service

*July 14/46*  
*Solicitor*

*W. J. Ruck*  
Register.

No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 16

day of June, 1964

Register

Printed By The Baldwin Times

SUMMONS

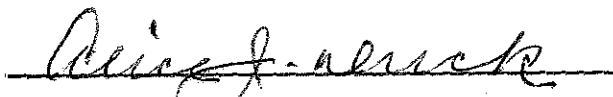
THE STATE OF ALABAMA, )

BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon B. B. GOODEN, to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at the place of holding same by MARCELLA GOODEN.

Witness my hand this the 28 day of ~~December~~ January, 1959.



CC

COMPLAINT

MARCELLA GOODEN	)	
	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
	)	
VS:	)	BALDWIN COUNTY, ALABAMA
	)	
B. B. GOODEN	)	IN EQUITY
	)	
RESPONDENT	)	

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

Your Complainant Marcella Gooden, respectfully represents and shows unto your Honor:

COUNT I:

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 B. B. Gooden is over the age of twenty-one years and resides in Baldwin County, Alabama.

COUNT II:

That your complainant and respondent were lawfully married on or about, to-wit, the 17th day of September, 1958, at Bay Minette, Alabama.

COUNT III:

Your complainant further avers and alleges that the said respondent has, since her said marriage with him, become addicted to habitual drunkenness, and that said habit has continued to the filing of this bill.

The premises considered, your complainant makes the said B. B. Gooden a party respondent to this bill of complaint, and in

order that complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued, directed to the said B. 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; 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.

  
Solicitor for Complainant.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARCELLA GOODEN, Complainant

vs.

B.B. GOODEN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 GOODEN is forever divorced from the said B.B. GOODEN for and on account of

Habitually Drunkenness

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Complainant Marcella Gooden, may use her former name Marcella Glass

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

This 17 day of June 19 59

*Hubert M. Hall*

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.

121  
No. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JUN 17 1959

ALICE J. DUCK, CLERK  
REGISTER

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: JANICE CHILDRESS

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 Gooden and Edna V. Pierce

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

Mrs. Marcella Gooden

, Complainant

and B. B. Gooden

Respondent

on oath, to be by you administered, upon Marcella Gooden and Edna V. Pierce to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 8th day of June, 1959

Reingf. Leuch  
Register.

Commissioner's Fee, \$

Witness' Fees, \$



THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MARCELLA GOODEN

Complainant

VS.

B. B. GOODEN

Respondent

I, Janice Childress

as ~~Register and~~ Commissioner

have called and caused to come before me Marcella Gooden and Edna V. Pierce,  
both of Fairhope, Alabama

witness ~~es~~ named in the Requirement for Oral Examination, on the 9th day of June  
195 9, at the office of Forest A. Christian  
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 Gooden  
doth depose and say as follows:

Testimony of MARCELLA GOODEN

I am the Complainant in this case and I married B. B. GOODEN for the third time on the 17th day of September, 1958 at Bay Minette, Alabama. We are both over twenty-one years of age and have been resident citizens of Baldwin County, Alabama for many, many years. We have no children.

About a year ago, after our previous divorce, B. B. GOODEN quit drinking and promised to do better than he had in the past. After he had controlled his drinking for two or three months and upon his promise to do so, I remarried him and he controlled his drinking for several weeks after our marriage and then he began to get bad again. He has been habitually drunk since shortly before I filed the Bill of Complaint in December, 1958, to the present time.

My husband, B. B. GOODEN, since my said marriage with him has become addicted to habitual drunkenness and said drunkenness has continued to the filing of this bill.

Since I have children by a previous marriage whose surname is Grass, I petition the Court to permit me to use my former name, Marcella Grass.

Marcella Gooden  
Marcella Gooden

EDNA V. PIERCE, first being duly sworn, deposes and says:

I live in Fairhope, Alabama and have known MARCELLA GOODEN and B. B. GOODEN for some time.

I know that last summer B. B. GOODEN controlled his drinking while he was recourting MARCELLA GOODEN and I know that he promised her that after their marriage he would do better, and he was better with him drinking for several weeks after their marriage. However, the later part of November he lost control of his drinking which has continued to the present time.

Edna V. Pierce  
Edna V. Pierce

4490

ORAL EXAMINATION.

I, Janice Childress, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~eson~~ 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 proom made before me of the identity of said witness ~~es~~ that I am not of counsel or 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 9th day of June, 195 9.

Janice Childress (L. S.)

NO. \_\_\_\_\_

PAGE \_\_\_\_\_

THE STATE OF ALABAMA

BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Oral Deposition

Filed 6-16, 195 9

Janice Childress, Register.

Recorded in \_\_\_\_\_

Record \_\_\_\_\_

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

Page \_\_\_\_\_

Register \_\_\_\_\_