

4015

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 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 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 the stipulated agreement as to the disposal of personal property is hereby ratified and confirmed. It is also ordered, adjudged and decreed that the Complainant is to resume her maiden name of Marcella M. Hayes.

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 the Complainant, Marcella H. Gooden the Complainant pay the cost herein to be taxed, for which executed may issue.

This 23 day of April, 1957

[Signature]
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. 14016 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MARCELLA H. GOODEN

Complainant

vs.

BROWARD B. GOODEN

Respondent

DIVORCE DECREE

FILED

APR 23 1957

ALICE L. DODD, Register

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

MARCELLA H. GOODEN COMPLAINANT

vs.

BROWARD B. GOODEN RESPONDENT

I, MELDA D. COBB

as Register and Commissioner

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

witness named in the requirement for Oral Examination, on the 17th day of April
19 57, at the office of Ernest M. Bailey
in Fairhope, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Marcella H. Gooden

doth depose and say as follows:

STATEMENT OF MARCELLA H. GOODEN:

My name is Marcella H. Gooden and the Respondent's name is Broward B. Gooden. We are both over the age of twenty-one years and are both bona fide residents of Fairhope, Baldwin County, Alabama.

We were married on February 14, 1955 in Lucedale, Mississippi and lived together as man and wife until on April 12, 1957.

On April 12, 1957 and on many previous occasions the Respondent abused and threatened to do physical harm upon my person. I am of the opinion that if we continue to live together the Respondent will commit actual violence upon my person, attended with danger to my life and health, or will injure me permanently.

Marcella H. Gooden
MARCELLA H. GOODEN

APR 17 1957
BALDWIN COUNTY ALABAMA

I, Melda D. Cobb 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 Ernest M. Bailey _____ 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 17th day of April, 1957.

Melda D. Cobb (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MARCELLA H. GOODEN

COMPLAINANT

vs.

BROWARD B. GOODEN

RESPONDENT

ORAL DEPOSITION

Filed _____, 19____

RECORDED IN _____ Register

Record _____

Vol. _____ Page _____

Register _____

FILED
APR 22 1957
ALICE J. PUCK, 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 Complainant upon the original Bill of Complaint,
and Oral Testimony

and in behalf of Defendant upon Answer and Waiver

by
Complainant in writing
Submitted for Complainant

Alice J. Duck
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

MARCELLA H. GOODEN

vs.

BROWARD B. GOODEN

NOTE OF TESTIMONY

Filed in Open Court this

FILED

day of, 194

APR 22 1957

ALICE J. DUCK, Register Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Melda Cobb

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

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 to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 16th day of April, 1957

Alma J. Duck Register

Commissioner's Fee, \$

Witness' Fees, \$

No. 4015

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MARCELLA H. GOODEN

Complainant

VS.

BROWARD B. GOODEN

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:
MELDA D. COBB

WITNESSES:
MARCELLA H. GOODEN

FILED

APR 22 1957

ALICE J. DUCK, Register

STATE OF ALABAMA
 COUNTY OF BALDWIN

§
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IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Broward B. Gooden 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 Marcella H. Gooden, as Complainant, against Broward B. Gooden, as Respondent.

Witness my hand this the _____ day of April, 1957.

REGISTER

MARCELLA H. GOODEN,
 Complainant
 vs.

§
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IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

BROWARD B. GOODEN,
 Respondent

§

CASE NO. _____

Comes your Complainant, Marcella H. Gooden, and files this her Bill of Complaint for divorce against Broward B. Gooden, and shows unto Your Honor and unto this Honorable Court as follows:

FIRST:

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

SECOND:

That the Complainant and the Respondent were married on, heretofore, to-wit, February 14, 1955 and lived together as husband and wife until on, to-wit, April 12, 1957, when, on account of the matters hereinafter complained of, your Complainant was compelled to live separate and apart from the Respondent; that on April 12, 1957 and at times prior thereto, the Complainant states that the Respondent threatened and did do bodily harm to her person; that on numerous other occasions the Respondent became violent and did bodily harm

to the Complainant; that from his manner and conduct towards the Complainant she is reasonably certain that he will commit violence upon her person, attended with danger to her life and health.

THIRD:

That there are no children born of this marriage and that the Complainant and the Respondent have heretofore entered into an agreement wherein the personal property of the parties hereto has been disposed of between themselves, a copy of which agreement is hereby attached and made a part hereof.

PRAYER FOR PROCESS AND RELIEF:

The premises considered, your Complainant prays that the above named Broward B. Gooden be made a party Defendant to this cause by the usual writ or 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 the Complainant an absolute divorce from the said Respondent. That Your Honor will also decree that the Complainant be allowed to resume her former name and be allowed to remarry if she sees fit. That Your Honor will confirm the agreement between the Complainant and the Respondent as to the disposal of their personal property between themselves. Your Complainant further prays for such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.


SOLICITOR FOR COMPLAINANT

SUMMONS AND COMPLAINT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

MARCELLA H. GOODEN,
Complainant

vs.

BROWARD B. GOODEN,
Respondent

FILED

APR 22 1957

ALICE J. DUCK, Register

REGISTERED FOR BALDWIN COUNTY

MARCELLA H. GOODEN,
Complainant
vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BROWARD B. GOODEN,
Respondent

S T I P U L A T I O N

It is hereby stipulated and agreed by and between the parties hereto as follows:

1. The family automobile shall and does hereby become the property of the Complainant and the Respondent does hereby release all his right, title and interest in and to the following described family automobile: One (1) 1951 Pontiac two-door automobile.

Provided, however, that the Complainant shall assume and pay the balance due on said automobile to G. M. A. C.

2. The Respondent shall have all his personal property, including tools belonging to him and the family television set.

Marcella H. Gooden
MARCELLA H. GOODEN

Broward B. Gooden
BROWARD B. GOODEN

EXECUTED IN THE PRESENCE OF:

James H. Bailey

Stipulated Agreement

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

MARCELLA H. GOODEN,
Complainant

vs.

BROWARD B. GOODEN,
Respondent

FILED

APR 22 1957

ALICE L. DUCK, Register

MARCELLA H. GOODEN,
Complainant
vs.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

BROWARD B. GOODEN,
Respondent

ANSWER AND WAIVER

Comes the Respondent in the above styled cause and for answer to the Bill of Complaint filed in said cause and to each and every paragraph thereof separately and severally says:

1. Respondent admits the allegations of the first paragraph of the Bill of Complaint.
2. Respondent admits the allegations of the second paragraph of the Bill of Complaint as to the date of marriage and date of separation but denies all other allegations of this paragraph and demands strict proof of the same.
3. Respondent admits the allegations of the third paragraph of the Bill of Complaint.

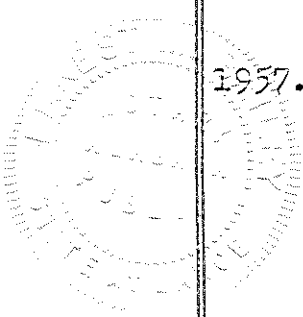
Respondent hereby accepts service of a copy of the Summons and Complaint in this cause and waives further service of the same. The Respondent also waives notice of taking of testimony in this cause and notice of submission of said cause and agrees that the testimony may be taken and the cause submitted without further notice to him.

Broward B. Gooden
BROWARD B. GOODEN

WITNESS:

Sworn to and subscribed before me this 17th day of April, 1957.

Ernest W. Barber
NOTARY PUBLIC



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ANSWER AND WAIVER

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA

MARCELLA H. GOODEN,
Complainant

vs.

BROWARD B. GOODEN,
Respondent

FILED
APR 22 1957

ALICE J. BUCK, Register

