

4101

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANNA JEAN PHILLIPS HODGEN, Complainant

vs.

JAMES RILEY HODGEN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Conesso~~ 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 Anna Jean Phillips Hodgen is forever divorced from the said James Riley Hodgen for and on account of

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that the complainant resume her former name of Anna Jean Phillips.

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 Complainant, Anna Jean Hodgen

pay the cost herein to be taxed, for which executed may issue.

This 9th day of September 1959

Robert M. Moore

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.

m

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant
vs.

Respondent

DIVORCE DECREE

[Faint, illegible text in the main body of the document, likely bleed-through from the reverse side.]

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA

You are hereby commanded to summon James Riley Hodgen 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 Anna Jean Phillips Hodgen as Complainant and against James Riley Hodgen as Respondent.

WITNESS my hand this 9 day of Sept, 1959.

Alice J. Duck
Register

ANNA JEAN PHILLIPS HODGEN	(O)	IN THE CIRCUIT COURT OF
Complainant	X	BALDWIN COUNTY, ALABAMA
-VS-	X	
JAMES RILEY HODGEN	X	IN EQUITY
Respondent	X	4701

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

Your Complainant, Anna Jean Phillips Hodgen, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both residents of the State of Alabama, and over the age of twenty one years.

2.

That your Complainant and Respondent married in Lucedale, Mississippi, June 16, 1958 and lived together as husband and wife until on, to-wit, July 16th, 1959, and Alabama has been the home of the complainant and the Respondent for more than two years the preceeding.

3.

That on July 16, 1959 and on several occasions prior thereto the respondent threatened and abused the complainant and threatened to do actual violence to person which would necessarily endanger her life and health. the Conduct of the Respondent was such as to give the Complainant

There are no children born as fruits of this marriage between the Complainant and the Respondent.

WHEREFORE, the premises considered, your complainant prays that your Honor will by proper procedure make the said James Riley Hodgen 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.

Your Complainant further prays that upon final hearing hereof your Honor will grant to her an absolute divorce forever barring the bonds of matrimony existing between your Complainant and the Respondent.

Your Complainant further prays that she may resume the use of her maiden name, Anna Jean Phillips, and that upon a final hearing of this cause that your complainant be awarded such other, further, different or general relief as she may be in equity and good conscience entitled to received.

THOMPSON & WHITE

FILED

SEP 9 1959

ALICE J. DUCK, Register

Mary Thompson White

SOLICITOR FOR COMPLAINANT

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Grace Nettles

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

Anna Jean Phillips Hodgen

Nonie Phillips

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

Anna Jean Phillips Hodgen

, Complainant

and

James Riley Hodgen

Respondent

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

Witness 9 day of Sept.

, 1959

Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

vs. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

SEP 9 1959

ALICE J. DUCK, Register

ORAL DEPOSITION

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

Anna Jean Phillips Hodgen COMPLAINANT

vs.

James Riley Hodgen RESPONDENT

I, Grace W. Nettles

as Register and Commissioner in said cause

have called and caused to come before me Anna Jean Phillips Hodgen and Mrs.

Nonie Phillips

witnesses named in the requirement for Oral Examination, on the 21 day of August
19 59, at the office of Thompson & White

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 Anna Jean Phillips Hodgen
and Mrs. Nonie Phillips doth depose and say as follows:

That my name is Anna Jean Phillips Hodgen. I am over the age of 21 years, and have been a resident of the State of Alabama all of my life. The Respondent James Riley Hodgen is also over the age of 21 years and is a resident of Escambia County, Alabama. We were married in Lucedale, Mississippi, June 16th, 1958, and lived together in Alabama until July 16, 1959, at which time I was forced to leave the Respondent because he came home in a drunken condition and struck and ~~choked~~ me without any fault on my part, thus I was in fear of my life and health and I was afraid to live with him any longer as husband and wife, we have not lived together since that date. There were no children as fruits of our marriage and no property to be divided. I respectfully ask that I be given a divorce and the right to resume the use of my maiden name.

Anna Jean Phillips Hodgen

That my name is Nonie Phillips. I know both parties to this cause and they are both over the age of 21 years, and have resided in Alabama more than 2 years next preceeding. They were married at Lucedale, Mississippi, on June 16, 1958 and lived together as Husband and wife until July 16, 1959 at which time the Complainant was forced to leave the Respondent without fault on her part. He would come in from time to time in a drunken condition and on this occasion he struck and ~~choked~~ her until she became in fear for her life or health so that she was afraid to live with him any more as husband and wife. I do not believe that they will ever live together again as Husband and Wife. They have no children as fruits of their marriage and no property to be divided.

Nonie Phillips

I, Grace W. Nettles 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 C. LeNoir Thompson 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 _____; 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 August, 1959.

Grace W. Nettles (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

vs.

RESPONDENT

ORAL DEPOSITION

Filed **FILED** _____, 19____

SEP 9 1959

ALICE J. DUCK, Register
RECORDED IN

Record

Vol. _____ Page _____

Register.

Anna Jean Phillips Hodgen

Complainant

vs.

James Riley Hodgen

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, testimony of Anna Jean Phillips Hodgen and Nonie Phillips

and in behalf of Defendant upon waiver and answer

Mary Thompson White

Alis J. Luck

Register.

m

No. -----

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

10657

Note of Testimony

Filed in Open Court this -----

day of **FILED** -----, 19
SEP 9 1959

ALICE J. DUCK, Register Register.