

THE STATE OF ALABAMA, }
BALDWIN COUNTY

Circuit Court

To Roselle Crabtree

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 Roy Godwin and H. M. Flowers

as witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Roy Godwin

and Ella Mae Godwin Complainant

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 7th day of Oct, 19 46

Roselle Crabtree

Commissioner's Fee, \$ 2.00

Witness' Fees, \$ _____

R. S. Duck

By Alice J. Duck

Register

D.R.

No. 1736

THE STATE OF ALABAMA
Baldwin County
CIRCUIT COURT

Godwin

VS. Complainant

Godwin

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

ROY GODWIN,
Complainant

E Q U I T Y

CIRCUIT COURT OF BALDWIN

VS

COUNTY, ALABAMA

ELLA MAE GODWIN,
Respondent

The parties to this cause being desirous of settling between themselves all claims of alimony, pendent lite and permanent, it is agreed that in the event a decree of divorce is rendered the Court may, if it sees fit, incorporate in the decree the following provision:

That Complainant pay to Respondent as permanent alimony for her support the sum of TWENTY DOLLARS per week, as long as she remains unmarried.

That Complainant and Respondent own jointly the home in Baldwin County on which the latter now lives though legal title is in Complainant alone. That said decree shall assign to Respondent her undivided half interest and that the entire property shall remain in her exclusive possession and occupancy during her life or until she marry again, in either of which event her rights in Complainant's half interest shall cease. Complainant to execute deed to Respondent for her undivided interest in said realty.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands this the 28th day of September, 1946.

Roy Godwin
Complainant

Ella Mae Godwin
Respondent

Russell Crabtree
Witness to Complainant's signature

Elliot B. Rinehart
Witness to Respondent's signature

1736

RECORDED

ROY GODWIN,
Complainant,

vs

ELLA MAE GODWIN,
Respondent.

.....

AGREEMENT OF PARTIES:

.....

FILED

OCT 5 1946

R. S. DUCK, REGISTER

a.f.p.

ROY GODWIN
Complainant

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

vs

ELLA MAE GODWIN
Respondent

Comes ELLA MAE GODWIN, Respondent in the above styled cause and for answer admits the allegations of the Bill as to names, ages, marriage and residence of the parties, all other allegations she denies.

Respondent hereby accepts notice of demand for oral examination of Complainant's witnesses and waives issue of commission, the right of cross examination and to introduce evidence in her own behalf. She further agrees that this cause may be submitted for final decree at any time, upon the pleading, proof and signed agreement.

Reiskaly & Reiskaly
Solicitors for Respondent

ROY GODWIN
Complainant

VS

ELLA MAE GODWIN
Respondent

ANSWER AND WAIVER

FILED

OCT 5 1946

R. S. DUCK, REGISTER

a.j.d.

Richarby & Richarby

Roy Godwin,
Complainant,
vs
Ella Mae Godwin,
Respondent.

In the Circuit Court of Baldwin
County, Alabama.

In Equity

No. 1736

F. W. HARE
TO THE HONORABLE/JUDGES OF SAID COURT, SITTING IN EQUITY:-

1. Complainant avers that he and respondent are each over twenty-one years of age and that each of them is a bona fide resident citizen of the State of Alabama and have been such for a period of more than one year next immediately preceding the filing of this bill of complaint.

2. Complainant avers that he is the lawful husband of the respondent, they having been lawfully married to each other on April 8th., 1924 at Atmore, Alabama, of which marriage no children were born.

3. Complainant avers that respondent voluntarily abandoned his bed and board without any cause or fault on his part, without his consent and without any intention to return more than one year next immediately preceding the filing of this bill of complaint and that said voluntary abandonment has been continuous and uninterrupted for a period of more than one year next immediately preceding the filing of this bill of complaint.

PRAYER FOR PROCESS

Complainant prays that upon the filing of this bill of complaint that proper process issue to Ella Mae Godwin making her a party respondent and requiring her to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon the final hearing hereof that your Honors will grant to him an absolute divorce from the respondent, award to the respondent alimony and property settlement in accordance with the agreement on file in this cause and grant him permission to remarry in the event he should so care.

Graham A. Sullivan
Solicitor for the Complainant -

Roy Godwin
Complainant

No. 1736

CIRCUIT COURT
OF MOBILE COUNTY

BAY MINETTE, ALABAMA
IN EQUITY

ROY GODWIN
Complainant

VS.

ELLA MAE GODWIN
Defendant

ORIGINAL BILL

Filed 5 **October**, 1946

R. S. Buck
Register.

Graham A. Sullivan

Solicitor.

FILED
OCT 5 1946
R. S. BUCK, REGISTER

Roy Godwin,
Complainant,

vs

Ella Mae Godwin,
Respondent.

In the Circuit Court of Baldwin
County, Alabama.

In Equity

No. 1736

F. W. HARE

TO THE HONORABLE/JUDGE OF SAID COURT, SITTING IN EQUITY:-

1. Complainant avers that he and respondent are each over twenty-one years of age and that each of them is a bona fide resident citizen of the State of Alabama and have been such for a period of more than one year next immediately preceding the filing of this bill of complaint.

2. Complainant avers that he is the lawful husband of the respondent, they having been lawfully married to each other on April 8th., 1924 at Atmore, Alabama, of which marriage no children were born.

3. Complainant avers that respondent voluntarily abandoned his bed and board without any cause or fault on his part, without his consent and without any intention to return more than one year next immediately preceding the filing of this bill of complaint and that said voluntary abandonment has been continuous and uninterrupted for a period of more than one year next immediately preceding the filing of this bill of complaint.

PRAYER FOR PROCESS

Complainant prays that upon the filing of this bill of complaint that proper process issue to Ella Mae Godwin making her a party respondent and requiring her to appear and plead, answer or demur to the allegations thereof within the time required by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant prays that upon the final hearing hereof that your Honors will grant to him an absolute divorce from the respondent, award to the respondent alimony and property settlement in accordance with the agreement on file in this cause and grant him permission to remarry in the event he should so care.

Graham A. Sullivan
Solicitor for the Complainant -

Roy Godwin
Complainant

Roy Godwin,

No. _____ VS. }

Ella Mae Godwin,

ORDER OF SUBMISSION

~~This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as~~
noted.

Dated, October 8th., 1946

NOTE OF EVIDENCE

At the hearing of this cause the following note of evidence was taken to wit:

For Complainant

FILED, October 8th., 1946 }
_____ Register }

Original Bill of Complaint
Answer, Waiver and Agreement
Agreement of Parties
Depositions of Roy Godwin and E. M. Flowers

Graham A. Sullivan
Solicitor for Complainant.

For Respondent

Solicitor for Respondent.

No. _____

Roy Godwin,

VS.

Ella Mae Godwin,

ORDER OF SUBMISSION
NOTE OF EVIDENCE

Term, 19____

, 19____

Ent. Min. No. _____ Page _____

Roy Godwin, the complainant, a witness in his own behalf, being first duly sworn, testified as follows:-

My name is Roy Godwin and I am the complainant in this divorce case now pending against Ella Mae Godwin in the Circuit Court of Baldwin County, Alabama. The respondent and myself are each over twenty-one years of age and each of us is a bona fide resident citizen of the State of Alabama and have been such for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I am the lawful husband of the respondent, we having been lawfully married to each other on April 8th, 1924 at Atmore, Alabama. We lived together as husband and wife after our marriage until about two years ago when my wife left me and there were no children born to us. She voluntarily abandoned my bed and board without any cause or fault on my part, without my consent and without any intention to return and this voluntary abandonment of my bed and board by my wife has been continuous and uninterrupted since that time and for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I provided well for my wife and gave her a good home and it was certainly through no fault of mine that she left me. She just seemed to become dissatisfied living with me so she left me and she has refused to live with me since that time. She refused to live with me in our home and she told me to get ^{out} so I left. I do not ever intend to live with her again and I wish this court to grant me an absolute divorce from her and grant me permission to remarry in the event I so care.

Roy Godwin

H. M. Flowers, a witness for the complainant, being first duly sworn, testified as follows:-

My name is H. M. Flowers and I am over twenty-one years of age and a resident of Mobile County, Alabama. I know Roy Godwin, the complainant in this divorce case and his wife, Ella Mae Godwin, the respondent. They are each over twenty-one years of age and each of them is a bona fide resident citizen of the State of Alabama and have been such for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I know that they are husband and wife and they lived together as such until about two years ago when Mrs. Godwin separated from her husband. She voluntarily abandoned his bed and board without any cause or fault on his part, without his consent and without any intention to return and this voluntary abandonment of his bed and board by his wife has been continuous and uninterrupted since that time and for a period of more than one year next immediately preceding the filing of the bill of complaint in this cause. I know that Mr. Godwin provided well for his wife and he gave her a good home and it was certainly through no fault of his that she left him. She just seemed to become dissatisfied living with him so she left him and she has refused to live with him since that time.

I am not related to either party to this cause either by blood or marriage and have no interest in it. I know that the complainant is a sober, industrious and upright man and he bears a good reputation in this community.

H. M. Flowers

CERTIFICATE

I, Roselle Crabtree, the commissioner agreed upon in this cause hereby certify that I, after having first given Graham A. Sullivan, as Solicitor for the Complainant, and Roy Godwin and H. M. Flowers, witnesses for the complainant proper notice, did cause and direct them to come before me in the office of Graham A. Sullivan, 307 Van Antwerp Building, Mobile, Alabama on the 4th. day of October, 1946, and having had them made known to me they were by me sworn to speak the truth, the whole truth and nothing but the truth, and in answer to interrogatories propounded to them by Graham A. Sullivan as Solicitor for the Complainant herein, they testified as is hereinabove set out, and their testimony was by me reduced to writing as nearly as might be in the identical language of said witnesses, and having been read over by them and to them by me, they in my presence and in the presence of each other subscribed their names to said testimony as correct as testified by them. The respondent having failed to answer, plead or demur and having waived notice of the taking of testimony was not present in person or by counsel, no cross examination was had.

I do hereby certify that I am not of counsel nor of kin to any of the parties to this cause, and I am not in anywise interested in the result thereof.

Roselle Crabtree

Commissioner

ROY GODWIN
Complainant

vs

ELLA MAE GODWIN
Respondent

E Q U I T Y
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard was submitted upon Bill of Complaint, Agreement, Answer and Waiver and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complaint is entitled to the relief prayed for in said Bill.

It is therefor 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 ROY GODWIN is forever divorced from the said ELLA MAE GODWIN for and on account of ABANDONMENT.

In accordance with the agreement between the parties on file in this case it is further ORDERED, ADJUDGED and DECREED that Complainant pay to Respondent as permanent alimony for her support, the sum of TWENTY DOLLARS per week as long as she remains unmarried.

It is further ORDERED, ADJUDGED and DECREED that an undivided half interest in the home in which Respondent now lives, the title to which stands in the name of Complainant, be, and the same hereby is vested in Respondent and that Respondent shall have the sole possession and right of occupancy of the entire premises and improvements thereon and emblements thereof for her lifetime or until she again marries, in either of which events her interest in Complainant's half interest will cease.

It is further ORDERED, ADJUDGED and DECREED that Complainant repay to Respondent within two years, the sum of \$153.45 furnished by her out of her personal funds for his medical and hospital expenses during Complainant's recent serious illness and to secure such repayment a lien is hereby declared on Complainant's share in this home jointly owned by the parties to this cause.

It is further ORDERED, ADJUDGED AND DECREED that Complainant execute, or cause to be executed at his expense proper instruments in writing conveying to Respondent her undivided half interest in the lands comprising the home aforesaid and securing by a lien on

Complainant's half interest in said land the repayment of Respondent's advances for Complainant's above mentioned.

This Court will retain control of this cause until suitable papers carrying out the provisions of this decree as to division of property have been properly executed and delivered and the debt secured paid.

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 ROY GODWIN the Complainant pay the cost herein to be taxed, for which execution may issue.

This the 11th day of October, Nineteen Hundred Forty-six.

G. W. Hare

Judge Circuit Court, in Equity.

EQUITY

ROY GODWIN
Complainant

vs

ELLA MAE GODWIN
Respondent

DIVORCE DECREE

2004/11/18

ROY GODWIN, Complainant
and Cross-Respondent

vs.

ELLA MAE GODWIN, Respondent
and Cross-Complainant

EQUITY

NO.

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

TO ANY SHERIFF OF THE STATE OF ALABAMA: GREETING:

WHEREAS, on January 20th, 1949, Ella Mae Godwin, Respondent and Cross-Complainant in the above styled cause, filed a petition praying that Roy Godwin, Complainant and Cross-Respondent, be cited to show cause why he should not be held in contempt for disobedience with the order of this Honorable Court made October 10th, 1946, relative to the payment of alimony and,

WHEREAS, on the day set for the hearing of said petition, February 8th, 1949, the parties appeared and the hearing continued to March 8th, 1949 conditioned upon Cross-Respondent's payment of arrears of alimony, and;

WHEREAS, on March 8th, 1949 said Cross-Respondent being called failed to appear and it appearing to the Court that he has failed to make payments of alimony as agreed, it is, therefore, ORDERED, ADJUDGED AND DECREED by the Court:

That the said Roy Godwin is now in contempt of this Court for such default. It is further ORDERED, ADJUDGED AND DECREED that the said Roy Godwin be commanded to appear in this Court on Thursday, March 31st, 1949, at 2:00 P.M. then and there show cause why he should not be committed to jail for such contempt.

NOW, therefore, you are required and commanded to forthwith serve upon the said Roy Godwin a copy of this order and make due return thereof.

Done at Bay Minette, Alabama this Eleventh day of March, 1949.

TELFAR J. MASHBURN, JR.
CIRCUIT JUDGE.

250

1736

Roy Godwin

vs.

Ella Mae Godwin

RECEIVED

RETURNED

Not found in my County after diligent search and inquiry.

W. H. HOLCOMBE, Sheriff

By *W. F. [Signature]* D.S.

Filed 5-3-49
Alicia French
Register

ROY GODWIN,
Complainant

-vs-

ELLA MAE GODWIN,
Respondent

E Q U I T Y

No.

CIRCUIT COURT OF

BALDWIN COUNTY,

ALABAMA

RECORDED
This day came ELLA MAE GODWIN and filed herein her verified petition praying for an order upon Roy Godwin to show cause why he should not be punished as for a contempt; a true and verified copy of the petition being hereto attached, and now upon consideration of the same, it is

ORDERED, ADJUDGED and DECREED by the Court:

(1) That the said Roy Godwin do appear before the Court in his own proper person at Bay Minette, Alabama, at 1:30PM o'clock on the Eighth day of February, 1949, then and there to show cause, if any he have, why he should not be punished as for a contempt of Court for and on account of the matters and things set out in the verified petition of the said Ella Mae Godwin.

(2) That the Sheriff of Baldwin County, Alabama do forthwith cause to be served upon the said Roy Godwin a copy of this Order and a copy of the petition and make due return thereof.

Done this 24th day of January, 1949.

Jeffrey G. Madlener, Jr.

Judge, Circuit Court of Baldwin County, Alabama

RECORDED

ROY GODWIN,
Complainant

-VS-

ELLA MAE GODWIN,
Respondent

RULE TO SHOW CAUSE

FILED

JAN 24 1949

ALICE L. DICK, CLERK

BY SERVICE ON

1st
3rd
Day of Feb
1949

1st
3rd
Day of Feb
1949

1st
3rd
Day of Feb
1949

1st
3rd
Day of Feb
1949

FILED

RECEIVED

ROY GODWIN, Complainant
and Cross-Respondent

E Q U I T Y

No.

-vs-

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

ELLA MAE GODWIN, Respondent
and Cross-Complainant

TO ANY SHERIFF OF THE STATE OF ALABAMA; GREETING:

WHEREAS, on January 20th, 1949, Ella Mae Godwin, Respondent and Cross-Complainant in the above styled cause, filed a petition praying that Roy Godwin, Complainant and Cross-Respondent, be cited to show cause why he should not be held in contempt for disobedience with the order of this Honorable Court made October 10th, 1946 relative to the payment of alimony and,

WHEREAS, on the day set for the hearing of said petition, February 8th, 1949, the parties appeared and the hearing continued to March 8th, 1949 conditioned upon Cross-Respondent's payment of arrears of alimony, and;

WHEREAS, on March 8th, 1949 said Cross-Respondent being called failed to appear and it appearing to the Court that he has failed to make payments of alimony as agreed, it is, therefore, ORDERED, ADJUDGED and DECREED by the Court:

That the said Roy Godwin is now in contempt of this Court for such default. It is further ORDERED, ADJUDGED and DECREED that the said Roy Godwin be commanded to appear in this Court on Thursday, March 31st, 1949, at 2:00 P.M. then and there to show cause why he should not be committed to jail for such contempt.

NOW, therefore, you are required and commanded to forthwith serve upon the said Roy Godwin a copy of this order and make due return thereof.

Done at Bay Minette, Alabama this Eleventh day of March, 1949.

Jeffrey J. Maslbury, Jr.
Circuit Judge.

Received in Sheriff's Office
this 15 day of March 1949
TAYLOR WILKINS, Sheriff

Returned 30 day of March 1949
found in my county after diligent search and in-
y.

Taylor Wilkins, Sheriff

By 167 Hall
Deputy Sheriff

CLERK OF COURT
BY
TAYLOR WILKINS, Sheriff

Mobile
RECORDED

ROY GODWIN, Complainant
and Cross-Respondent

-vs-

ELLA MAE GODWIN, Respondent
and Cross-Complainant

JUDGMENT NISI

Filed 3-15-49
Alice J. Duck
Register

1949

[Handwritten signature]
CLERK OF COURT

ROY GODWIN,
Complainant and Cross-Respondent

vs

ELLA MAE GODWIN,
Respondent and Cross-Complainant

E Q U I T Y
CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

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

Comes ELLA MAE GODWIN, Respondent and Cross-Complainant in
the above styled cause and respectfully shows:

That on January 20, 1949, ROY GODWIN, Complainant and Cross-
Respondent, was cited to appear before this Honorable Court to show
why he should not be held in contempt for disobedience to the order
heretofore made in this cause on October 10, 1946, commanding him
to pay alimony to Petitioner.

Petitioner further shows that on February 8, 1949, the day
set for hearing of this petition, the parties appeared and said
hearing was continued to March 8, 1949, conditioned upon Cross-
Complainant ROY GODWIN, paying arrears in alimony, and:

WHEREAS on March 8, 1949, the said ROY GODWIN being called,
failed to appear and it appearing to the Court that he has failed
to make payments of alimony as agreed, was thereupon adjudged by
this Honorable Court as being in contempt of this Court because of
disobedience of orders to pay such alimony as heretofore ordered and
decreed.

Petitioner further shows that since said date ROY GODWIN has
secreted himself so that further process of this Court could not be
had upon him, but she is now informed and believes that the said ROY
GODWIN is now temporarily in the Town of Atmore in Escambia County,
Alabama, where he can now be located and required to appear before
this Court for such further orders as may be deemed proper.

THE PREMISES CONSIDERED Petitioner prays that an order of
arrest issue out of this Court requiring any Sheriff of the State of
Alabama to take said ROY GODWIN into his custody and produce his body

in this Court instant for further orders.

Etta Mae Gadsden
Respondent and Cross-Complainant

Subscribed and sworn to before me this the 8th day of
June, 1950.

Elbert B. Rinehart

Notary Public, State of Alabama at Large.

RECORDED

E Q U I T Y

ROY GODWIN,
Complainant and Cross-
Respondent

vs

ELLA MAE GODWIN,
Respondent and Cross-
Complainant

.....

PETITION
FOR
ARREST
OF
COMPLAINANT AND CROSS-RESPONDENT

.....

FILED

JUN 10 1950

ALICE J. DUCK, Clerk

Richarby & Richarby
Solicitors

ROY GODWIN,
Complainant and Cross-Respondent

vs

ELLA MAE GODWIN,
Respondent and Cross-Complainant

No: 1736 1/2

E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA:

TO

ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS on the tenth day of June, 1950 a decree was rendered by the Honorable Telfair J. Mashburn, Jr., Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity; directing the Register to issue a writ directed to any Sheriff of the State of Alabama, requiring him to produce Roy Godwin before this Court instantner to have and to receive what may be ordered in the premises.

You are therefore hereby commanded to attach the said Roy Godwin and have him before this Court instantner.

Herein fail not, and show by your return how you have executed this writ.

WITNESS my hand this the 10th day of June, 1950.

David J. Smith
Register, Circuit Court, Baldwin County, Alabama

ROY GODWIN,
Complainant and Cross-Respondent

vs

ELLA MAE GODWIN,
Respondent and Cross-Complainant

E Q U I T Y

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA:

TO

ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WHEREAS on the tenth day of June, 1950 a decree was rendered by the Honorable Telfair J. Mashburn, Jr., Judge of the Circuit Court of Baldwin County, Alabama, Sitting in Equity; directing the Register to issue a writ directed to any Sheriff of the State of Alabama, requiring him to produce Roy Godwin before this Court instantner to have and to receive what may be ordered in the premises.

You are therefore hereby commanded to attach the said Roy Godwin and have him before this Court instantner.

Herein fail not, and show by your return how you have executed this writ.

WITNESS my hand this the 10th day of June, 1950.

Alice J. [Signature]
Register, Circuit Court, Baldwin County, Alabama

Received in Sheriff's Office
this 10 day of June 1958
TAYLOR WILKINS, Sheriff

RECORDED

RECORDED

No. 1736 1/2
EQUITY

ROY GODWIN,
Complainant and Cross-
Respondent

VS

ELLA MAE GODWIN,
Respondent and Cross-
Complainant

WRIT OF ARREST
OF COMPLAINANT AND CROSS-
RESPONDENT
.....

NOT FOUND IN
THIS COUNTY
AFTER DILIGENT
SEARCH

F. F. FOUNTAIN
Sheriff
Escambia County

ROY GODWIN, Complainant
and Cross-Respondent

E Q U I T Y

No.

-vs-

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

ELLA MAE GODWIN, Respondent
and Cross-Complainant

TO ANY SHERIFF OF THE STATE OF ALABAMA; GREETING:

WHEREAS, on January 20th, 1949, Ella Mae Godwin, Respondent and Cross-Complainant in the above-styled cause, filed a petition praying that Roy Godwin, Complainant and Cross-Respondent, be cited to show cause why he should not be held in contempt for disobedience with the order of this Honorable Court made October 10th, 1946 relative to the payment of alimony and,

WHEREAS, on the day set for the hearing of said petition, February 8th, 1949, the parties appeared and the hearing continued to March 8th, 1949 conditioned upon Cross-Respondent's payment of arrears of alimony, and;

WHEREAS, on March 8th, 1949 said Cross-Respondent being called failed to appear and it appearing to the Court that he has failed to make payments of alimony as agreed, it is, therefore, ORDERED, ADJUDGED and DECREED by the Court:

That the said Roy Godwin is now in contempt of this Court for such default. It is further ORDERED, ADJUDGED and DECREED that the said Roy Godwin be commanded to appear in this Court on Thursday, March 31st, 1949, at 2:00 P.M. then and there to show cause why he should not be committed to jail for such contempt.

NOW, therefore, you are required and commanded to forthwith serve upon the said Roy Godwin a copy of this order and make due return thereof.

Done at Bay Minette, Alabama this Eleventh day of March, 1949.

Jelfair J. Madlibury, Jr.
Circuit Judge.

1949.

Done at DAY Minette, Alabama this Eleventh day of March,
one return thereof.

With serve upon the said Roy Godwin a copy of this order and make
known, therefore, you are notified and commanded to forth-
should not be committed to jail for such contempt.

March 31st, 1949, at 5:00 P.M. then and there to show cause why he
the said Roy Godwin be commanded to appear in this Court on Thursday,
for such default. It is further ORDERED, ADJUDGED and DECREED that

that the said Roy Godwin is now in contempt of this Court
ORDERED, ADJUDGED and DECREED by the Court:

ordered to make payments of alimony as agreed; it is, therefore,
called failed to appear and it appearing to the Court that he has
violation of alimony, and;
to which 31st, 1949 conditioned upon Cross-Respondent's payment of

alimony, and, 1949, and, also, ordered and the parties continued

relative to the balance of alimony and, . . . the parties continued

with the order of judgment and made October 10th, 1949
to show cause why he be not held in contempt of this Court

breaching the said Roy Godwin, Complainant
and Cross-Respondent, the parties continued

TO VIKA SHELL, OR HER ATTORNEY, OF VADAWAY, ALABAMA;
TO VIKA SHELL, OR HER ATTORNEY, OF VADAWAY, ALABAMA;

ROY GODWIN, Complainant
and Cross-Respondent

ELLA MAE GODWIN, Respondent
and Cross-Complainant

JUDGMENT NISI

Filed 5-3-49
Deane J. Leach
Registrar

ELLA MAE GODWIN, Respondent
and Cross-Complainant

ROY GODWIN, Complainant
and Cross-Respondent

BAWDWIN COUNTY, ALABAMA
CIRCUIT COURT OF
No.
E 6 U I T Y

ROY GODWIN,
Complainant and Cross-Respondent

vs

ELLA MAE GODWIN,
Respondent and Cross-Complainant

E Q U I T Y

CIRCUIT COURT OF

BAIDWIN COUNTY, ALABAMA:

In this cause it appearing to the Court that heretofore on, to-wit: March 11, 1949, a decree was rendered in this cause adjudging ROY GODWIN in contempt of Court for disobedience to its lawful orders, who has since secreted himself so that further process could not be served upon him, but that said GODWIN is now reported to be temporarily located in Atmore, Alabama:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Register of this Court is ordered and directed to issue a writ directed to any sheriff of Alabama, commanding him to take the said ROY GODWIN into his custody and produce the body of said GODWIN into this Court on the day of June, 1950, for further orders.

The said ROY GODWIN be taxed with all costs accrued in this cause.

Done and ordered at Bay Minette, Alabama, this the day of June, 1950.

Circuit Judge in Equity, Sitting.

ORDER OF ARREST

OF THE

STATE OF

IN

THE

OF

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

THE

ORDER OF ARREST
OF
COMPLAINANT AND CROSS-RESPONDENT

ELLA MAE GODWIN,
Respondent and Cross-
Complainant

vs

ROY GODWIN,
Complainant and Cross-
Respondent

EQUITY

ROY GODWIN, Complainant
and Cross-Respondent

E Q U I T Y

No.

-vs-

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

ELLA MAE GODWIN, Respondent
and Cross-Complainant

TO ANY SHERIFF OF THE STATE OF ALABAMA; GREETING:

WHEREAS, on January 20th, 1949, Ella Mae Godwin, Respondent and Cross-Complainant in the above styled cause, filed a petition praying that Roy Godwin, Complainant and Cross-Respondent, be cited to show cause why he should not be held in contempt for disobedience with the order of this Honorable Court made October 10th, 1946 relative to the payment of alimony and,

WHEREAS, on the day set for the hearing of said petition, February 8th, 1949, the parties appeared and the hearing continued to March 8th, 1949 conditioned upon Cross-Respondent's payment of arrears of alimony, and;

WHEREAS, on March 8th, 1949 said Cross-Respondent being called failed to appear and it appearing to the Court that he has failed to make payments of alimony as agreed, it is, therefore, ORDERED, ADJUDGED and DECREED by the Court:

That the said Roy Godwin is now in contempt of this Court for such default. It is further ORDERED, ADJUDGED and DECREED that the said Roy Godwin be commanded to appear in this Court on Thursday, March 31st, 1949, at 2:00 P.M. then and there to show cause why he should not be committed to jail for such contempt.

NOW, therefore, you are required and commanded to forthwith serve upon the said Roy Godwin a copy of this order and make due return thereof.

Done at Bay Minette, Alabama this Eleventh day of March, 1949.

Jeffrey J. Masbury, Jr.
Circuit Judge.

Copy for
Roy Godwin

C O P Y

ROY GODWIN, Complainant
and Cross-Respondent

-vs-

ELLA MAE GODWIN, Respondent
and Cross-Complainant

.....

JUDGMENT NISI

.....

Filed 3-15-49
Alice J. Leach
Register

*My wife and I signed
this document*

ROY GODWIN,
Complainant

-vs-

ELLA MAE GODWIN,
Respondent

E Q U I T Y

No. _____

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

TO THE HONORABLE T. J. MASHBURN, JR., JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Petitioner, ELLA MAE GODWIN, Respondent
in the above styled cause and respectfully shows:

FIRST: That on October 10th, 1946, this Honorable
Court rendered a decree in the above styled cause divorcing your
Petitioner from the Complainant Roy Godwin, a copy of which original
decree of divorce is hereto attached and made a part of this petition.

SECOND: That in said decree the Court, pursuant
to an amicable and signed agreement between the parties, ordered
the Complainant, Roy Godwin, to pay to Petitioner as permanent alimony
the sum of Twenty Dollars per week/as long as she remained unmarried.

THIRD: That though Complainant for a number of months
complied with the mandate of this Court by paying the amount of
weekly alimony ordered and is a man of ability with steady employ-
ment, since the First of the year 1948 he has reduced the sum of
weekly alimony to Fifteen Dollars and is now indebted to Petitioner
for back alimony in a sum approximating Four Hundred Dollars, and
that since December 19th, 1948, he has failed to make any payments
whatsoever to Petitioner and has persistently evaded her since said
date, though repeated requests by Petitioner's solicitors have been
made.

FOURTH: That Petitioner, who, since her separation
from her former husband has been able to supplement the allowance made
by him by her own labor, is now out of employment and in bad health
and for this reason urgently in need of the support which Complainant
had voluntarily promised to make.

THE PREMISES CONSIDERED, your Petitioner respectfully prays that this Court make an order requiring the said Roy Godwin to be and appear before the Court at such time and place as your Honor may direct then and there to show cause, if any he have, why he should not be punished as for a contempt. She further prays that she have such other or further relief as is proper in the premises.

Ella Mae Godwin
Petitioner.

STATE OF ALABAMA:

COUNTY OF BALDWIN:

Before me, a Notary Public in and for said State and County, personally appeared Ella Mae Godwin, known to me, and who being duly sworn by me, doth depose and say that she has read the foregoing petition, has knowledge of the facts stated therein, and that said facts are true as stated.

Given under my hand and official seal this the 18th day of January, 1949.

Elaine S. Rinkley

Notary Public, Baldwin County, Alabama.

RECORDED

ROY GODWIN,
Complainant

vs.

ELLA MAE GODWIN,
Respondent

E Q U I T Y
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

This cause coming on to be heard was submitted upon Bill of Complaint, Agreement, 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 ROY GODWIN is forever divorced from the said ELLA MAE GODWIN for and on account of ABANDONMENT.

In accordance with the agreement between the parties on file in this case it is further ORDERED, ADJUDGED and DECREED that Complainant pay to Respondent as permanent alimony for her support, the sum of TWENTY DOLLARS per week as long as she remains unmarried.

It is further ORDERED, ADJUDGED and DECREED that an undivided half interest in the home in which Respondent now lives, the title to which stands in the name of Complainant be, and the same hereby is vested in Respondent and that Respondent shall have the sole possession and right of occupancy of the entire premises and improvements thereon and emblements thereof for her lifetime or until she again marries, in either of which events her interest in Complainant's half interest will cease.

It is further ORDERED, ADJUDGED and DECREED that Complainant repay to Respondent within two years, the sum of \$153.45 furnished by her out of her personal funds for his medical and hospital expenses during Complainant's recent serious illness and to secure such repayment a lien is hereby declared on Complainant's share in this home jointly owned by the parties to this cause.

It is further ORDERED, ADJUDGED and DECREED that Complainant execute, or cause to be executed at his expense proper instruments in writing conveying to Respondent her undivided half interest in the lands comprising

267

the home aforesaid and securing by a lien on Complainant's half interest in said land the repayment of Respondent's advances for Complainant's above mentioned.

This Court will retain control of this cause until suitable papers carrying out the provisions of this decree as to division of property have been properly executed and delivered and the debt secured paid.

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 ROY GODWIN the Complainant pay the cost herein to be taxed, for which execution may issue.

This the 10th day of October, Nineteen Hundred Forty-Six.

F. W. HARE

Judge Circuit Court, in Equity.

I, ALICE J. DUCK, 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 11th day of October, 1946.

ALICE J. DUCK

Register of Circuit Court, in Equity.

In the Circuit Court of Baldwin County,
Alabama. In Equity

Roy Godwin, Complainant,

vs

Ella Mae Godwin, Respondent.

Depositions of Roy Godwin and H. M.
Flowers, witnesses for the compt.

Hon. Robert S. Duck, Register
Bay Minette, Alabama

GRAHAM A. SULLIVAN
ATTORNEY AT LAW
VAN ANTWERP BUILDING
MOBILE, ALABAMA

My commissioner's fee
\$5.00 has not been paid.

Boyle Carter
Commissioner

Roselle Crabtree
Commissioner

Roselle Crabtree
Commissioner

Roselle Crabtree
Commissioner