

ALBERTA DUFF,) IN THE CIRCUIT COURT OF
Complainant,) BALDWIN COUNTY, ALABAMA,
vs.	IN EQUITY,
JOHN H. DUFF,) NO. 390.
Respondent.	\

And now come the parties hereto, acting by and through their respective Solicitors of record, and agree as follows:

- 1. That Forty-five (\$45.00) Dollars per month is a reasonable amount to be paid by the Respondent to the Complainant, as permanent alimony.
- 2. That Fifty (\$50.00) Dollars is a reasonable amount to be paid by the Respondent to the Solicitors for the Complainant in prosecuting this cause.

IT IS EXPRESSLY UNDERSTOOD that the entering into this agreement does not in any way prejudice the future rights of the parties hereto.

Dated this 16th day of February, 1938.

Solicitors for Complainant.

Solicitor for Respondent.

The State of Alabama Baldwin County

Circuit Court of Baldwin County, Alabama, (In Equity)

ALBERTA DUFF	COMPLAINANT
	VS.
JOHN H. DUFF	RESPONDENT
IROBERT S. DUCK.	· · · · · · · · · · · · · · · · · · ·
	Alberta Duff and Alma Duff
·	
	ral Examination, on the day of _February
1938, at the office of Clerk of the Ci	ircuit Court
in <u>Baldwin County</u> , Alabam	na, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the	truth, the said Alberta Duff
	doth depose and say as follows:

My name is Alberta Duff. I am over twenty-one years of age and a resident of Bay Minette, Baldwin County, Alabama.

The Respondent, John H. Duff, is over twenty-one years of age and a resident of Bay Minette, Baldwin County, Alabama.

The Respondent and I were married at Kingston, in the State of Tennessee, on March 16th, 1909, and we lived together as husband and wife until in January, 1938; that on January 2nd, 1938, and various other times prior thereto, the Respondent cursed, abused and threatened me; that the Respondent is an user, to excess, of strong drinks, and when under the influence of liquor, has an ungovernable temper; that his conduct is such that it renders it absolutely impossible for me to longer live with him; that his conduct is such that I have every reasonable apprehension to believe and do actually believe that if I continue to live with him he will carry out his threats and do actual violence to my person which will necessarily endanger my life and health;

We have one child, a girl, Alma Duff, twelve years old and who is now and has been all of her life living with me. She is now attending school at Bay Minette. The conduct of the Respondent is such, especially when he is drinking, as to make it most disagreeable not only for me, but also for the child. I know that he is not a suitable or a fit or proper person to have the care and management of the said child.

The Respondent is an able-bodied man and employed by the Louisville & Nashville Railroad Company and receives something like \$6.00 per day or a little more; that he usually gets in the neighborhood of \$160.00 to \$175.00 per month, and somemonths when he works over time his salary is increased according to the hours over time that he works. I have no funds nor do I have any property out of which is derived any source of income. I am sure that it will take any where from \$45.00 to \$60.00 or \$75.00 per month for me and the minor child to live as we have been accustomed to.

Jurs. alberta Duff

The State of Al Baldwin County	abama,	} No. 39	90 c ire	CUIT COU	RT IN EQUITY.
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A.	LEERTA DUFF	Vs,	-		Complainant
T	OHN H DITTE	រា		* .	
J(ATTA NE INCL				Defendant
In this cause it appears					
that a summons requiring the	Defendant			·	
		MR A. DI	jrr,		
***************************************	, , , , , , , , , , , , , , , , ,		• • • • • • • • • •		
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to appear and demur, plead t					
after the service of said Sumi	mons upon	*= *=	him		: : :
was served upon him	by the Sheriff	of Bal	dwin	County	y, Alabama, on the
12th day of	January		19.38_		
					!
And the said Defendant.					
to this date, it is now, therefore	ore, on motion	of	BEEBE,	HALL &	BEEBE,
ordered and decreed that the	said Bill of Co	mplaint in t	his cause be	and it bereb	y is in all things
taken as confessed against th					

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,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,					
This 15th					
			P. 5.0		Register

The State of Alabama,	No. 390 CIRCUIT COURT IN EQU	J ITY .
Balawin		

Complainant.... VS. HOHN H. DUFF, Defendant... Motion is hereby made for a Decree Pro Confesso against _____JOHN_H. DUFF, in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant____; and that said summons was duly served according to law, and that said Defendant__ha_S_failed to demur, plead to or answer the Bill of Complaint in this cause to this date. 15th day of February 1938 BEEBE, HALL & BEEBE,

ALBERTA DUFF,

Complainant,

VS.

JOHN H. DUFF,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

TO JOHN H. DUFF:

Pursuant to an order of reference made in the above entitled cause on the 13th day of January, 1938, by the Honorable F. W. Hare, Judge of the Circuit Court of Baldwin County, Alabama, In Equity, I have appointed James of Court House at Bay Minette, Alabama, for considering the matters thereby referred to me as Register, at which time and place all parties concerned are to attend.

WITNESS my hand this 14th day of January, 1938.

Register of the Circuit Court of Baldwin County, Alabama.

ALBERTA DUFF,

. Complainant,

VS.

JOHN H. DUFF,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard is submitted upon the Prayer of the Complainant that a reference be held to determine the facts hereinafter set out, and it appearing to the Court that the Complainant is entitled to the relief prayed for:

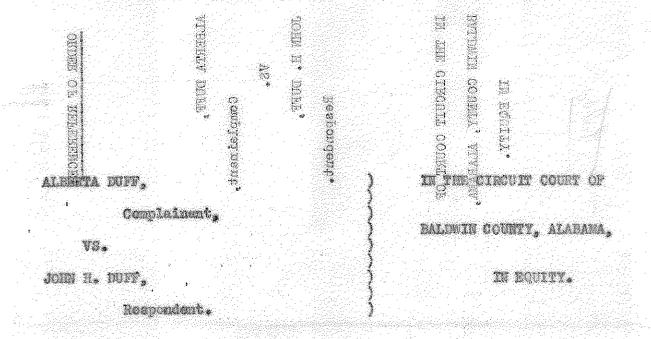
IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED by the Court that the cause be and is hereby referred to the Register of the Circuit Court of Baldwin County, Alabama, to ascertain the following facts:

- 1. The amount to be paid by the Respondent to the Complainant as alimony, pendente lite.
- 2. The amount to be paid by the Respondent to the Complainent as Attorneys' fees in prosecuting said cause.

The Register is ordered to forthwith hold said reference to ascertain the said facts, and that immediately upon the ascertainment thereof to report his finds to the Court for its consideration.

Done at Monroeville, Monroe County, Alabama, this ______ day of January, 1938.

F. W. Hare



This cause coming on to be heard is submitted upon the Prayer of the Complainant that a reference be held to determine the facts bereinsfter set out, and it appearing to the Court that the Complainant is entitled to the relief prayed for:

IT IS, THEREFORE, ORDERED, ADJUICED and DECREED by the Court that the cause be and is hereby referred to the Register of the Circuit Court of Baldwin County, Alabama, to accertain the following facts:

- 1. The amount to be paid by the Respondent to the Complainant as alimony, pendente lite.
- 2. The amount to be paid by the Respondent to the Complainant as Attorneys' fees in prosecuting said cause.

The Register is ordered to forthwith hold said reference to ascertain the said facts, and that immediately upon the ascertainment thereof to report his finds to the Court for its consideration.

Done at Monroeville, Monroe County, Alabama, this _____ day of January, 1938.

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The State of Alabama, Baldwin County

Circuit Court of Baldwin County, In Equity

WE COMMAND T	YOU, That you summon	•		:
WII COMMINIO	JOHN H. DUF			
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	*	:	<u> </u>	
BAIDWIN		, , , , , , , , , , , , , , , , , , , ,		
	cising Chancery jurisdiction, r, plead or demur, without oat			
	ALBERTA DUFF,			
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ainst said	JOHN H. DUFF,	•		·
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	orm what said Judge shall order omit, under penalty, etc. And we	e further comma	and that you r	
	TO ONT CAIO ('Ourt immodiateles es		on tuerent.	
efendant shall in no wise our endorsement thereon, t	to our said Court immediately u	pon me execun		
ur endorsement thereon, t	S. Duck, Register of said Circu			d

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

ALBERTA DUFF,	IN THE CIRCUIT COURT OF
Complainant,) BALDWIN COUNTY, ALABAMA,
VS.	
JOHN H. DUFF,) IN EQUITY.
Respondent.	Ś

TO HONORABLE F. W. HARE, JUDGE, OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Complainant, ALBERTA DUFF, and humbly complaining against the Respondent, JOHN H. DUFF, respectfully represents and shows unto your Honor and this Honorable Court as follows:

- 1. That both your Complainant and the Respondent are over twenty-one years of age and residents of Baldwin County, Alabama.
- 2. That your Complainant and the Respondent were married at Kingston, Tennessee, on March 16th, 1909, and lived together as husband and wife until on to-wit, January 2nd, 1938.
- 3. That on to-wit, January 2nd, 1938, and various other times prior thereto, the Respondent cursed, abused and threatened your Complainant; that he often drinks to excess, and when under the influence of liquor has an ungovernable temper; that the conduct of the Respondent is such that your Complainant has every reasonable apprehension to believe, and does actually believe that if she continues to live with him, he will carry out his actual threats and do actual violence to her person, which will necessarily be attended with danger to her life and health.
- 4. That the Complainant and Respondent have one minor child: Alma Duff, a girl, twelve years old, and who is now and has been all her life living with your Complainant; that your Complainant is able, capable and willing of caring for said minor; that the conduct of the Respondent is such that he is not a suitable, fit or proper person to have the care, management and control of said minor child.
- 5. That the Respondent is an able-bodied man and employed by the Louisville & Nashville Railroad Company, and receives a salary of approximately Two Hundred (\$200.00) Dollars per month; that your Complainant has no means of making a livelyhood for her and said minor child, except by manual labor; that she has no funds to live on or to employ counsel to prosecute this suit.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said JOHN H. DUFF 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; that your Honor will immediately order a reference to determine the amount of alimony pendente lite and attorneys' fees to be paid by the Respondent to and for the benefit of the Complainant;

Your Complainant further prays that upon a final hearing of this her cause, your Honor will give and grant unto/a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, JOHN H. BUFF; that your Honor will make and enter a decree awarding the care, custody and control of said minor child, ALMA DUFF, to your Complainant; that a proper order and decree be made and enter fixing and adjuding the amount of alimony, permanent, to be paid by the Respondent to the Complainant. The Complainant prays for such other, further different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Mrs. alberta Louff

Solicitors for the Complainant.

FOOT NOTE:

The Respondent, JOHN H. DUFF, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 5, inclusive, but not under eath, eath being hereby expressly waived.

ms. alberta Duff

Solicitors for the Complainant.

ALBERTA DUFF,

Complainant,

VS.

JOHN H. DUFF,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

This cause coming on to be heard was submitted upon the original Bill of Complaint, Decree Pro Confesso and Testimony as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for;

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant be and she is hereby permitted to again contract marriage upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, ALBERTA DUFF, have the custody, care and control of the minor child, Alma Duff, subject to the further orders of this court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay to the Complainant, as permanent alimony, the sum of Forty-five (\$45.00) Dollars per month, the first payment to be made as of the date of this decree, and like payments on the same date of each succeeding month.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay to Hubert M. Hall, as Solicitor for the Complainant, Fifty (\$50.00) Dollars, as Attorney's fee incurred in this cause.

IT IS FURTHER ORDERED that the Respondent pay the costs herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said ALBERTA DUFF shall not again marry, except to the said John H. Duff, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said John H. Duff, during the pendency of the appeal.

Dated at Monroeville, in Monroe County, Alabama, this the day of February, 1938.

Judge of the Circuit Court of Baldwin County, Alabama.

THE STATE OF ALABAMA, CIRCUIT COURT

Personally appeared b	NanAlice Thomp efore me, (1= w= x + c + u + x sow,	oson, Deputy Clerk of the Circuit Court	t in and for Baldw	in County and
State aforesaid	6 THE SAME PROPERTY AND A SAME AS A SAME			
who being duly sworn, on	oath says, that a regular	Chancery		Term
of the Circuit Court of Ba	ldwin County, to-wit: on the_	17thday of	February	-1938
## # # -,	ALBERTA DUFF			
	ast JOHN H. DUFF			
45.00 per month-date of decree.	the first paymen	t to be seed a am	the	
	at said judgment remains v			
supposed to be indebted to	or have effects of the said	JOHN H. DUF	F	
	L. &. N. RA			
	faction of said Judgment.			$on_{\mathfrak{g}}$
is necessary to obtain satisf	designation.			<u></u>

GARNISHMENT ON JUDGMENT

The State of Alabama, BALDWIN COUNTY

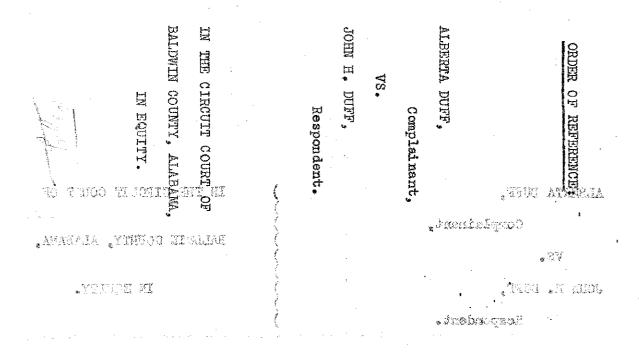
CIRCUIT COURT BALDWIN COUNTY

October TERM,#190# 1938

WHEREAS, At a regular	Chancery Term, 1928, of the Circuit Court of Baldwin Count
to-wit: On the 17th	day of February - 1938, 1888 being a regular day of
said term	, was some a regular day to
A LBE	RTA DUFF,
recovered judgment against JOHI	N H. DUFF,
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and affidavit having been made by that process of garnishment is believ following named persons or corporat	
L. &. N.	. RAILROAD COMPANY, a Corporation,
14	, 01,001,011,
	their
ias or is believed to have in	their possession, or under their control money
or effects belonging to said defenda	JOHN H. DUFF or that L. &. N. Railroad Co., is, or tendant JOHN H. DUFF or to be liable to them, or to one of them on a
	Commanded to Summon
Lo &o No	RAILROAD COMPANY, a Corporation
	le the Civil Court Dilling
be and appear before the honorable	le the Circuit Court for Baldwin County, at the Court House thereof, in
ne City of Bay Minette, on the nen and there within the three first d	Monday in A. D. 192 days of the term, to answer on oath, whether at the time of the service of
ne garnishment, or at the time mak	sing their answer, or at any time intervening the time of serving
ne garnishment and making the an	nswer they were indebted to said defendant
ohn H. Duff and whether	er they will not be indebted in future to said do
ndant John H. Duff by a con, or are, liable to said defendants for any be discharged by the delivery of the said the delivery of the delivery	or the delivery of personal property, or for the payment of money which
they have has not in t	their possession or under their control money or
Sorta balancina to the Tell 1	Towns of the second of the sec
ects belonging to the defendant	JUHN H. DUFF.
	JOHN H. DUFF.
Herein fail not, and have you	then and there this Writ.
Herein fail not, and have you R.S. DUCK, Witness, ###################################	then and there this Writ. 22nd Clerk of said Court, this.
Herein fail not, and have you R. S. DUCK, Witness, WHAN HEREIN October	then and there this Writ. 22nd 7, Clerk of said Court, this
Herein fail not, and have you R. S. DUCK, Witness, ###################################	then and there this Writ. 22nd 22nd 21, Clerk of said Court, this 22nd 22nd 21, 1938 A. D#192## 22nd
Herein fail not, and have you R. S. DUCK, Witness, WHAN HERENOW day of October	then and there this Writ. 22nd 7, Clerk of said Court, this
Herein fail not, and have you R. S. DUCK, Witness, ###################################	then and there this Writ. 22nd 22nd 21, Clerk of said Court, this 22nd 22nd 21, 1938 A. D#192## ATTEST:
Herein fail not, and have you R. S. DUCK, Witness, AHAW #RACHERSON day of October	then and there this Writ. 22nd 22nd 21, Clerk of said Court, this 22nd 22nd 21, 1938 A. D#192## 22nd

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BEEBE, HALL & BREBE, Solicitor for Complainan			Respondent.	JOHN H. DUFF,	YD.				Albania bors,	TOMONA NITH	e de la company de la comp	SUMMONS	No. 590	Court of Baldwin County IN EQUITY	
dain		. .												Ì	
		D.y	U	MI		Hone	by leaving a copy of the Within	Harman	Executed this			day of	Received in office this		

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"He cause coming on to be heard in submitted apparation frague of the Complaint into feedinafter set out, and it appearing to the Complainment in artificial to the relief prayed for:

Of TO SHERFFORE, CHUIND, ALMONED and INCHOLD by the Court that the cause to and is horely referred to the Degister of the Circuit Court of the Court of the Courty, Alabama, to ascertain the following factor.

- the Magnet to be paid by the Masposdest to the Complainant as aliment, pendente litte.
- to the complainant as poid by the Respondent to the Complainant as Attorneys: Tees in preseating said same.

'the Register is ordered to forthmith hold said reference to ascertain the said facts, and that immediately upon the escertainment thereof to report his finds to the Court for its someiderables.

Done at Merceville, Mearoe County, Alebane, this _____ day of Jemany, 1920.

 ∇S

Complainant,

JOHN H. DUFF,

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

JOHN H. DUFF,

Respondent.

BALDWIN COUNTY, ALABAMA, IN THE CIRCUIT COURT OF

IN EQUITY.

Page.....

The State of Alabama, Baldwin County.

CIRCUIT COURT, IN EQUITY

ALBERTA DUFF,

Complainant,

VS.

JOHN H. DUFF,

Respondent.

DECREE PRO CONFESSO ON PERSONAL SERVICE

sued_February_15th____1938

R S. Duck

Register.

ore Printing Company, Bay Minette, Ala.

No. 390 RECORDED -- 299 Page

The State of Alabama, Baldwin County.

CIRCUIT COURT, IN EQUITY

A IBERTA DUFF,

Complainant,

JOHN H. DUFF,

Respondent.

CONFESSO ON PERSONAL SERVICE MOTION FOR DECREEPRO

Filed February 15th 19 38

RS. Due Register.

Recorded in..... Record,

Register.

Meore Printing Company, Bay Minette, Ala.

I,R. S	DUCK		_as Register and (Commissioner hereby certify
that the foregoing d				writing by me in the words
of the witness_es_ar	nd read over to	them and _	they signed	the same in the presence of
myself and				
at the time and plac	e herein mentioned	; that I have p	oersonal knowledge	of personal identity of said
witness es. or had	proof made befor	e me of the ide	entity of said witne	essas; that I am not of
counsel or of kin to	any of the parties	to said cause, o	rany manner intere	sted in the result thereof
I enclose the	said Oral Examinat	tion in an envel	ope to the Register	of said Court.
Given under r	my hand and seal, t	his_ /6 da	y of February	1938
				Duck (L. S.)
			7	(L. S.)
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C No. of the Control		$ \underline{\tilde{\Delta}} $	JOHN H.	E STA BA CIRCU
	R. S.		1 1 .	STATE OF ALABAM BALDWIN COUNTY CIRCUIT COURT, IN EQUITY BERTA DUFF
	RECC.		DUFF	TT CO
	S. Que	ן ס	VS.	
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, Re	-, 19 -, Reg	SPON	MPLAI	BA
Record Register	, 193 F	ORAL DEPOSITION	COMPLAINANT	STATE OF ALABAMA, BALDWIN COUNTY CIRCUIT COURT, IN EQUITY BERTA DUFF
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AGREEMENT OF PARTIES:

ALBERTA DUFF,

Complainant,

Respondent.

IN THE CIRCUIT COURT OF

BALLWIN COUNTY, ALABAMA,

IN EQUITY,

No. 390.

Fried this 15 day AM. 1938

VS.

JOHN H. DUFF,

Circuit Court, Baldwin County

ALEBRUA DUFF

Complainant,

VS. } GARNISHMENT ON JUDGMENT

L. &. N. RAIDROAD CO., a Corp., JOHN H. DUFF, Respondent.

Issued 22nd ...day of.... day of Oct,

Returnable.

HALL & BREEF Attorney.

Gill Ptg. Co., Mobile

BEEBE,

FINAL DECREE:

ALBERTA DUFF,

Complainant,

ΔS

JOHN H. DUFF.

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed this 18 day 3th 1938
R. S. D. A. Olerk-Register

CIRCUIT COURT

ALBERTA DUFF,

Complainant,

VS.

JOHN H. DUFF,

Respondent.

AFFIDAVIT

Filed in Office,

October 22nd, 1938

Clerk.

Gill Printing Co., Mobile, Ala.

Deputy-Lerk.

Register.

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by

BEEBE, HALL & BEEBE,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

BEEBE, HALL & BEEBE,

√o. <u>390</u>	Page	
The	State of Alaba	ama,
	Baldwin County.	
CIRCI	UIT COURT, IN EQ	UITY
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ALE	BERTA DUFF,	
1 / 14 1		;
	Complainan	: و أ
	Vs.	; ;
JOH	IN E. DUFF,	
4.		<u>.</u>
````````````````	Respondent.	
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RECORDER

RECORDED 2-35-3

	11.		
No	390	 į	

The	State	of	Alabama	
	BALDWI	N CO	UNTY	

## IN EQUITY Circuit Court of Baldwin County

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ALBE	RTA	DUFF,			
:					
.;	Cor	aplaina	nt,		

:

JOHN H. DUFF,

Respondent.

NOTE OF TESTIMONY

VS.

Filed in Open Court this 16th

day of -

February 193 8

193 0

REGISTER

THE STATE OF ALABAMA (COUNTY OF ESCAMBIA )

BERNICE GODWIN (Complainant)

Oombremment.

VS

Defendant

IN THE CIRCUIT COURT OF ESCAMBIA COUNTY, ALABAMA.

Tro.

Comes AIBERT GODWIN, the person named as Defendant in this case and for answer to the Bill of Complaint herein says he denies each and every allegation therein, and demands strict proof of the same. He also waives service by the Sheriff of supcena on said bill, a copy of the interrogatories filed in the cause, notice of the filing of them, waives the ten days allowed by law to cross them, the right to cross them, and agrees that testimony may be taken before the register or a commissioner on oral examination and consents that the cause be submitted to the Judge for decree an vacation on note of testimony to be made by the register. The Defendant also requests that in the event a divorce is granted he be given also the right to again marry.

Albert K. Hodeni

OTATE OF AN ADARKA	CIRCUIT CO	URT, IN EQUITY.
STATE OF ALABAMA, BALDWIN COUNTY	No	Term, 193
Service	- Sadmin	, Complainant
alher -	Safuin	, Defendant
To P.S. Dufp	, Register :	
In the above stated cause a I and evidence having been taken, and defense having been interposed, the Com	the cause being ready for su	
defense having been interposed, the com	prairient, by	iles with the Register of this Court
this written request to deliver the paper	rs in this cause to the Judge for	Solicitor for Complainant.

Register.

BERNICE GODWIN,	THE STATE OF ALABAMA
Complainan	Baldwin County
VS.	
· .	IN EQUITY
ALBERT GODWIN,	Circuit Court of Baldwin County
Respondent.	)
الله الله الله الله الله الله الله الله	SO BEDETIMENTAL OF DEFELLED VOLUMEN CARA AND
Hammond; Request for	Testimony of Bernice Godwin and E. C. Decree in Vacation.
Hammond; Request for	Decree in Vacation.
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Hammond; Request for	Decree in Vacation.
Hammond; Request for	Decree in Vacation.  Answer & Waiver.
Hammond; Request for	Decree in Vacation.
Hammond; Request for	Decree in Vacation.

(39)

BERICE	GODVIN
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Complainant

WY

IN THE CIRCUIT COURT OF BOCKERIA COUNTY, ALABAMA

ALBERT GODWIN

Defendant

NO

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF THE STATE OF ALABAMA, SITTING IN EQUITY.

Now 60mes your Oratrix, Bernice Godwin, humbly complaining of the Defendant, Albert Godwin, in a matter of divorce as will hereinafter appear, and represents and shows unto your Honor as follows:-

FIRST: That the Complainant is over the age of eighteen years of age, and that the Defendant is over the age of twenty-one years, and that they both have resided in said County for more than three years next preceeding the filing of this Bill of Complaint.

SECOND: That on, to-wit, the 24th day of December, 1934 the Complainant and Defendant were married to each other in Baldwin County, Alabama, and lived immediately thereafter as man and wife.

THIRD: That on, to-wit, the 1st day of October, 1936, this Defendant commenced to treat the Complainant in a cruel and unhuman manner; that he would on occasions threaten to kill her or do her serious bodily harm, and that on, to-wit, the 13th day of October, 1936, the Defendant struck the Complainant about her pace and body and threatened to kill her; that this cruelty was attended with grave danger to her life and health, and that she can no longer with any degree of comfort or safety continue to live with the Defendant. That this cruelty was not caused by any fault on her part, and that she has not condoned him for the same.

#### PRAYER FOR PROCESS

To the end that equity may be had in the premises, your Oratrix, the Complainant, prays that the said Albert Godwin be made party to this Bill of Complaint and that summons be issued and served upon him requiring him to plead, answer or demur to the Bill of Complaint within the time and under the penalties perscribed by law and the rules of this Honorable Court.

### PRAYER FOR RELIEF

Premises considered, your Oratrix, the Complainant, prays that on a final hearing of this Cause your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between the Complainant and the Defendant and granting to your Oratrix the right to again marry should she so desire. Your Oratrix prays such other, further and general relief to which she maybe entitled, the premises considered, and your Oratrix will ever pray, etc.

HORNE & HODNETTE, Solicitors for the

Home & Admitte

Complainant.

FOOT NOTE: -

Defendant is required to answer each and every paragraph of the foregoing Bill of Complaint, numbered "FIRST," "SECOND", and "THIRD", but not under eath answer under eath being hereby expressly waived.

SOLICITORS FOR THE COMPLAINANT.

Home + Hotmette

### The State of Alabama, Baldwin County

### CIRCUIT COURT, IN EQUITY

	·	Complainant
	vs.	
	ALBERT GODWIN,	Respondent
This name coming o		
		Bill of Complaint, Decree Pro/Contesso
Answer and Wall consideration thereof, the Consideration thereof, the Consideration thereof, the Consideration and the Consideration	ourt is of the opinion that the Compla	nony as noted by the Register, and upor inant is entitled to the relief prayed for
		urt that the bonds of matrimony heretone same are hereby, dissolved, and that
he said	BERNICE GODWIN,	
s forever divorced from th	e said	
	ALBERT GODWIN,	
or and on account of		
	cruelity <b>,</b>	and the state of t
	그는 이렇게 그녀는 그리를 함께 살아 있다.	
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lays, neither party shall aga It is further ordered t	ain marry except to each other during that BERNICE GODWIN and	
this suit.		
It is further ordered t	hat ALBERT GODW	IN,
it is in the ordered		
	pay the cost herein to be taxed,	
he Respondent,		for which execution may issue.
he Respondent,	day of January	for which execution may issue.
he Respondent,		for which execution may issue.  , 19 38  WHARE
he Respondent,		for which execution may issue.
he Respondent,	Court for Baldwin County, foregoing is a correct copy	Judge Circuit Court, in Equity.  Register of the Circuit Alabama, do hereby certify that the of the original decree rendered by the in the above stated cause, which sai
the Respondent,	Court for Baldwin County, foregoing is a correct copy Judge of the Circuit Court decree is on file and enrolled	Judge Circuit Court, in Equity.  Register of the Circuit, Alabama, do hereby certify that the of the original decree rendered by the in the above stated cause, which sailed in my office.
the Respondent,	Court for Baldwin County, foregoing is a correct copy Judge of the Circuit Court decree is on file and enrolled.  Witness my hand and	Judge Circuit Court, in Equity.  Register of the Circuit Alabama, do hereby certify that the of the original decree rendered by the in the above stated cause, which sailed in my office.
the Respondent,	Court for Baldwin County, foregoing is a correct copy Judge of the Circuit Court decree is on file and enrolled.  Witness my hand and	Judge Circuit Court, in Equity.  Register of the Circuit, Alabama, do hereby certify that the of the original decree rendered by the in the above stated cause, which saided in my office.
the Respondent,	Court for Baldwin County, foregoing is a correct copy Judge of the Circuit Court decree is on file and enrolled.  Witness my hand and	Judge Circuit Court, in Equity.  Register of the Circuit Alabama, do hereby certify that the of the original decree rendered by the in the above stated cause, which saided in my office.

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## The State of Alabama BALDWIN COUNTY

### IN EQUITY Circuit Court of Baldwin County

BERNICE GODWIN,

Complainant,

VS.

ALBERT GODWIN,

Respondent.

### NOTE OF TESTIMONY

Filed in Open Court this 6th

day of ______193_8

P.S. Quel

REGISTER

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Moor	e Ptg. Co.	Bay Minette

Register.

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(391)

BERNICE GODWIN, Complainant,

VS.

ALBERT GODWIN, Respondent.

AIVER & ANSWER

2. S. Duck, Register

ERNICE GODWIN,

RECORDED Oud

**V**S. •

AIBERT GODWIN, Respondent.

ILL OF COMPLAINT:

filed Jamesy! 1938 R.S. Duck Physter

Register.

DECREE

Respondent.

Filed this the // day of January, 1938

DIVORCE

VIBERT CODWIN,

Complainant.

The State of Alabama

In Circuit Court, In Equity

Baldwin County

No. 391

Aprilia de Marie de Ambril de Abrillo

## The State of Alabama }

Circuit Court of Baldwin County, Alabama, (In Equity)

	BERNICE	GODWIN -		COMPLAINANT	
		vs.			
	ALBERT	GODWIN,		respondent	
I,	Robert S. D	uck,			, <u>, , , , , , , , , , , , , , , , , , </u>
as Register a	and Commissioner				
have called ar	nd caused to come before	e me	, , , , , , , , , , , , , , , , , , , ,		
	Bernice	Godwin a	nd E.C.	. Hammond,	· · · · · · · · · · · · · · · · · · ·
witness_s_ na	nmed in the requirement				• •
193 <u>8</u> , at the	e office of	R. S. D	uck, Regis	ter in Equity	
in Bay	Minette, , A	lahama and hav	ing first swor:	n said witness es to s	peak the
•	ole truth, and nothing bu				
		doth	depose and sa	y as follows:	
				•	
thereafter Outober, I and I am of the age of commenced he would to on, the 13 my face are and have re opinion, to	My name is factte, Ala., Dece as man and wife 1936. We are both over eighteen year on or about the to treat me in a threaten to kill 3th day of october of body and threaten to lived with his ce safe. That this and health and continue to lived	ember 24th, le until on, the residents are of age, cs. he lst day of a cruel and me, or do mer, 1936, the atened to kill im since. An is cruelty we I can no lo	934. And we to-wit, the of Baldwin and the defendance of the defen	ne 13th day of in County, Alaba endant is over 1936, the defance. That on, bodily harm. And the struck me about I escaped frodo so would not any degree of endant degree of the county degree of the county, and th	er ama, endant accasions nd that out om him, t in my anger
<del></del>			Boss	de l'adioin	
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I, R. S. DUCK,	as Register and Commissioner hereby certify
that the foregoing deposition ${\tt S}^{}$ on Oral Examination	was taken down in writing by me in the words
of the witness esand read over to them and	they signed the same in the presence of
myself and	
at the time and place herein mentioned; that I have	personal knowledge of personal identity of said
witness as or had proof made before me of the ide	entity of said witness <u>es</u> ; that I am not of
counsel or of kin to any of the parties to said cause, of	erany manner interested in the result thereof.
I enclose the said Oral Examination in an envel	lope to the Register of said Court.
Given under my hand and seal, this 6th da	ay of January 19 38. (L. S.)

RECORDED IN Record Record Vol Page, Register	ORAL DEPOSITION  Filed January 6th , 193 7  P. S. Dank Register.	BERNICE GODWIN,  COMPLAINANT  VS.  ALBERT GODWIN,  RESPONDENT	THE STATE OF ALABAMA, BALDWIN COUNTY IN CIRCUIT COURT, IN EQUITY
----------------------------------------------	------------------------------------------------------------------	---------------------------------------------------------------	------------------------------------------------------------------

My name is E. C. Hammond. I live at Bay Minette, Baldwin County, Alabama, and I know the complainant and the respondent. They are both bona fide residents of Baldwin County, Alabama. They were married to each other at Bay Minette, Ala. on the 24th day of December, 1934. And they lived together thereafter as man and wife, until on, to-wit, the 13th day of October, 1936. I know that the defendant commenced to treat the complainant cruely, about the first of October, and he would often threaten her, and attempt to do her serious bodily harm. That on, to-wit, the 13th day of October, 1936, he struck her about the face and body. The late blue, a late of the face and body. The late blue, a late of the face and health. And that she can no longer, in my judgment, continue to live with the said Albert Godwin, with any degree of comfort or safety.

lettamuse