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The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Claudia S. Allen Complainant

VS

John Henry Allen Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Defendants Answer~~ 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 Claudia S. Allen is forever divorced from the said

John Henry Allen

for and on account of intolerable cruelty

It is further ordered and decreed that the Complainant shall have the right to resume the use of her maiden name, namely, Claudia Simon,

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 said Claudia S. Allen

be, and is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that John Henry Allen

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

This 11th day of May, 1943

J. M. Stone 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.

The State Of Alabama Baldwin County

CIRCUIT COURT IN EQUITY

Charles E. Allen

John Gary Allen

No. Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

It is hereby ordered that the parties to this case shall...

Charles E. Allen

It is hereby ordered that the parties to this case shall...

John Gary Allen

It is hereby ordered that the parties to this case shall...

Charles E. Allen

It is hereby ordered that the parties to this case shall...

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

Comes CLAUDIA S. ALLEN, and by this Bill of Complaint presented against JOHN HENRY ALLEN, respectfully shows:

FIRST: That she is over the age of eighteen years and said John H. Allen over the age of twenty-one years and that both are bona fide residents of the State of Alabama, now living in the City of Fairhope. That they were married on the 11th day of May 1942 and have since that time lived together as husband and wife up to April 30th, 1943 when she left him for the reason later set out.

SECOND: That the said John Allen since said marriage has shown an unreasonably suspicious and jealous disposition, and though Complainant has studiously avoided giving any grounds or reason for complaint he has repeatedly charged her with an undue interest in any man who may come to the house even though it be but to see said Allen. In addition, of late he has started to drinking heavily and when under the influence of liquor has made threats of violence, which threats he carried into effect on Friday, April 30th when, with no reason whatsoever, he flew into a rage and dragging her from the lawn in front of the house in which they were then staying and where she was sitting talking with other people of the household, choked and beat her severely.

THIRD: That for fear for her life, Complainant at once left said Allen and is now living separate and apart from him in fear of further injury, her side still paining her from his treatment. From his actions in recent months, his intemperate habits, his groundless jealousy and recent severe mistreatment, she feels that to return to him would be to needlessly endanger her personal safety and probably her life.

FOURTH: That Defendant is an able-bodied man steadily employed as a first class welder in a shipyard in Mobile whose weekly paycheck averages seventy dollars.

THE PREMISES CONSIDERED, Complainant prays that the said John Henry Allen be made party defendant to this bill and by ap-

appropriate process be required to answer same within the time prescribed by law.

Complainant further prays for an order of reference, directing the Register of this Court to ascertain and report a suitable amount to be allowed Complainant as alimony pendente lite and to be allowed her as permanent alimony for her future support, also a proper amount to be allowed her as counsel fees for the prosecution of this cause. That upon such report being made, that an order be made requiring the payment of said temporary alimony and counsel fees as a predicate to any action on the part of Defendant.

Complainant further prays that upon the hearing of this cause a decree be rendered, forever divorcing her from the said John Henry Allen, granting her the right to resume her maiden name, to marry again, should she so desire, and ordering the payment to her by Defendant of such sum for her support as shall be proper in the premises, together with such other, further or different relief as to Equity may seem meet.

Elliott B. Rinsley
Solicitor for Complainant.

CLAUDIA

~~Claudia~~ Simon Allen
Complainant

vs

John Henry Allen
Respondent

: In Equity

: Circuit Court

: Baldwin County

: Alabama.

Comes the Respondent in the above styled cause and for answer to The Bill of Complaint says that he denies each and every allegation therein set forth except such allegations as relate to residence, ages, dates, and the existence of said marriage.


Respondent further waives notice of demand for oral examination of Plaintiff's witnesses, the issue of formal commission to take testimony, notice of the time and place of taking same and the right to cross examine or introduce evidence in his own behalf and agrees that this cause may be submitted for final decree at any time without further notice to him on the pleadings and Plaintiff's testimony as noted by the Register.


Respondent.

State of Alabama
Baldwin County

Before me, E. Cramer, a Notary Public in and for said County and State, personally appeared John Henry Allen who acknowledged that he executed the foregoing answer with full knowledge of its contents.

Given under my hand and official seal this 5th day of May, 1943.


m NOTary Public, Baldwin County
Alabama.

(Seal)

933

RECORDED

Filed MAY 9 1943

R. S. DUCK Clerk Register

The State of Alabama, } Circuit Court of Baldwin County, Alabama
 Baldwin County. } (In Equity.)

Claudia Simon Allen Complainant.

VS.

John Henry Allen Respondent.

I, Frances G. Crawford

as Register and Commissioner

have called and caused to come before me

Claudia Simon Allen and Edna Kring

witnesses named in the Requirement for Oral Examination, on the 5th day of May

1943, at the office of E. Cramer, Attorney

in Fairhope, Alabama, and having first sworn said witness^{es} to speak the

truth, the whole truth, and nothing but the truth, the said Claudia Simon Allen

doth depose and say as follows:

John Henry Allen and I were married at Port Arthur, Texas, on May 11th 1942.

He came to Texas from Alabama for our wedding. I am now 19 years of age and

he is 22 years old. We lived in Fairhope, Alabama, immediately after our

marriage and continued living there as man and wife until April 30th 1943.

He had been living in Fairhope prior to our marriage since January, 1942.

Shortly after we were married, he began to use abusive and threatening language

to me and, on August 27th 1942, he beat me. On April 30th 1943, he beat me

again and I decided then that we could not continue together. He has been

abusive to me constantly and I am afraid of him/ (and that he will injure me.) If I am granted a divorce,

I would like to have the right to use my maiden name again.

Claudia Allen

And the said ~~Edna~~ Kring doth depose and say:

I know the parties to this suit and am a neighbor of theirs. I saw Mr. Allen

beat Mrs. Allen on April 30th 1943 and have heard him use abusive language

toward her several times.

Edna Kring

ORAL EXAMINATION.

I, FRANCIS G. CRAWFORD, as Register and Commissioner hereby certify that the foregoing deposition 1 on Oral Examination was taken down in writing by me in the words of the witness ls and read over to them and they signed the same in the presence of myself

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ls or had proof made before me of the identity of said witness ls; 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 5th day of MAY 1943
Francis G. Crawford (L. S.)

NO. 932

PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent

Oral Deposition

Clerk Register

Filed MAY 9 1943 1943

per R.S. DUCK
Register

Recorded in

Record

Vol. Page

Register

 Claudia S Allen.

 VS.

 John Henry Allen.

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 Testimony of Claudia Allen and Edna Kring.

and in behalf of Defendant upon _____ Answer and Waiver.

R. Deuch Register.

RECORDED

No. 933.

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

Claudia S Allen

VS.

John Henry Allen.

NOTE OF TESTIMONY

Filed in Open Court this 9th

day of May 194 3


Register

Moore Printing Co.