

LAURIE ALLEN WEST,  
Complainant,

versus

HAROLD P. WEST,  
Respondent,

E Q U I T Y .  
CIRCUIT COURT OF  
BALDWIN COUNTY.

COMES Harold P. west, Respondent in the above styled cause and for answer to the bill of complaint says that he denies each allegation of same.

Respondent hereby waives service and notice of demand for the oral examination of Complainant's witnesses, of the issue of commission to take testimony, of the time and place of taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time upon the pleadings and Complainant's evidence as noted by the Register.

*H. P. West*  
Respondent.

Before me, the undersigned notary, personally appeared this day Harold P. West, who is known to me and who acknowledged that he signed the foregoing answer voluntarily with knowledge of its contents,

Witness my hand this the 24<sup>th</sup> day of August, 1935.

*Carle L. Blaham*  
Notary Public, Baldwin County,  
Alabama.

TO THE HONORABLE FRANCIS W. HARE

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

SITTING IN EQUITY.

Comes LAURIE ALLEN WEST and by this her bill of Complaint presented against HAROLD P. WEST respectfully shows:

FIRST: That she and the said Harold West are both over the age of twenty-one years and are now and have been for more than three years next prior to this and bonafide residents of the town of Fairhope, Baldwin County, Alabama.

SECOND: That they were married in Baldwin County on August 7th, 1931 and lived together as husband and wife up to June 28th, 1935 when they separated because of his behavior and have since then lived separate and apart.

THIRD: That on more than one occasions the said Harold West has treated her with great cruelty, striking her with great force so that she was unable to continue to live with him. Among other occasions since their separation he came to her home on Sunday, August 11th, 1935 and struck her in the face with such force that she was knocked against a near by door with such force as to break off the knob and for this reason she fears that to continue to live with him would be in the peril of her life and health.

THE PREMISES CONSIDERED, Complainant prays that Harold P. West be made Defendant to this bill and requested to answer same within the time prescribed by law.

She further prays that upon the hearing of this cause a decree be rendered forever divorcing her from the said Harold P. West granting her the right to resume her former name of Allen, the right to marry again should she so desire and a reasonable sum for counsel fees in this cause together with such other or further relief as to equity may seem meet.

*Clifford S. Rinaldy*  
Solicitor for Complainant.

LAURIE ALLEN WEST,  
Complainant,

versus

HAROLD P. WEST,  
Respondent.

E Q U I R Y  
CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

THE DEPOSITIONS OF LAURIE ALLEN WEST, RHEA ALLEN AND  
RHODA ALLEN, WITNESSES FOR COMPLAINANT.

The above named witnesses, being first duly sworn to tell  
the truth, upon examination by the Solicitor for the Complainant,  
testified as follows:

MRS LAURIE ALLEN WEST.

I am the complainant in this cause. Both the defendant  
and I are over the age of twenty-one years and have been bona  
fide residents of Fairhope, Alabama for more than three years next  
past. We were married on August 7th, 1931 and lived together in  
Fairhope up to the last of June on the present year, 1935 when we  
separated because of his cruel treatment of me. I still live in  
the home which I own with my daughters by a former marriage. We  
did not get on well together as he was cruel to me and frequently  
struck me. I stood this as long as I could and then made him get  
out as I feared that he would do me great harm from the way he  
had treated me in the past. On more than one occasion he had struck  
me with his fist. I do not remember the exact dates when he did  
this but he did it a number of times. In April of this year he  
struck me so violently that he knocked me against a door in my  
house which I fell against so hard that the knob of the door was  
driven through the wall-board of the wall behind it. My youngest  
daughter heard the sound of the blow and came into the room to see  
what was the trouble and I showed her the mark on my face and the  
broken wall. My face was discolored for days after that. After we  
had parted he asked me to meet him on the grounds of the Organic  
School which is not far from my home and I did so. My two daughters  
were with me. After we had talked a little while I told him that  
he had been spoiled by his mother and sisters and he became so en-  
raged that he struck me on the side of my head and knocked me down.  
I have had no relations with him as his wife since we parted in June  
I fear to live with him as I know from the way he has done that he  
will some day hurt me seriously.

*Laurie Allen West*

RHEA ALLEN.

I am a daughter of the Complainant. My Mother and Mr West  
have not gotten on well for the past two years. In that time he has  
been very cruel to her and has done little for her support. He has  
beaten her a number of times from what she has told me but I have  
not seen this with my own eyes but once though I have heard her cry-  
ing out. In 1933, when we were staying a while in Mobile I heard  
him storming at her and heard her cry out for him not to hit her.  
They were upstairs and I down and I then heard the sound of blows  
and she told me afterward that he had hit her then. Again last

April I heard them quarrelling and the the noise of a hard blow and the sound of a body falling against a wall. I went into the room and my mother told me what had hap ened, that he had hit her with his fist and had knocked her against the door. There was a hole in the wall behind the door where the knob had been driven through the wall from the force of her body against it and she had a bruised place on the side of her jaw which later turned back and blue and stayed that way for more than a week.

Shortly after that they parted but on the second Sunday of this month, August, he asked her to meet him on the Organic School grounds, which are not far from our home and she did so, but my sister and I went with her. After they had talked for a little while, she told him that he was spoiled and he flew into a rage and hit her so hard on the side of her head that it knocked her down. They have lived apart since the last of June of this year and from the way he has treated her it will be dangerous for my mother to continue to live with him.

*Rhea Heloise Allen*

RHODA ALLEN.

I am one of the daughters of the Complainant and am fourteen years of age . I have not been living with my mother till quite recently so do not know anything of the trouble between them except what has been told to me until I went with my mother and sister on the second Sunday of this month to the grounds of the Organic School where Mr West had asked my mother to meet him. He and she talked a little while over their affairs but could not seem to reach any understanding and she told him that he was spoiled by his womenfolks and he flew into a rage and hit her so hard on the side of her head that it knocked her down off the step on which she was standing and she fell to the ground. It is out of the question for my mother to try to live with him. He would sooner or later hurt her badly.

*Rhoda Laurie Allen . . .*

I, E. M. Ninneman, the Commissioner named in the foregoing cause by agreement, hereby certify that I caused the witnesses named above to appear before me at the office of the Complainant's Solicitor in Fairhope, where, after being duly sworn to tell the truth, they testified as is here set forth; that their testimony was reduced to writing and after being read over by them, was signed in my presence.

I further certify that I am not of Counsel of of kin to either party or in anywise interested in the result of the cause.  
WITNESS MY HAND and seal as Commissioner this the 29th day of August, 1935.

*E. M. Ninneman* (SEAL)

# Circuit Court, Baldwin County, Ala., IN EQUITY.

PLAINTIFF

# 185 *Lavinia A. West*  
*Harold P. West* VS.

DEFENDANT

BILL OF COST

	Dollars	Cts.		\$	Cts.
<b>Fees of Register</b>			<b>AMOUNT BROUGHT FORWARD</b>		
Filing each bill and other papers		50	For receiving, keeping and paying out or distributing money, etc. 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.		4 20
Issuing each Subpoena		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.		
Issuing each copy thereof		30	Each Notice Sent by Mail to Creditors	15	
Entering each return thereof		15	Filing, Receipting for and Docketing each Claim, etc	25	
For each Order of Publication		1 00	For all entries on Subpoena Docket, etc.	50	
Issuing Writ of Injunction		1 50	For all entries on Commission Docket, etc.	50	
For each Copy thereof		50	Making Final Record, per hundred words	15	
Entering each return thereof		15	Certified Copy of Decree	1 00	
Issuing Writ of Attachment		1 00	Report of Divorce to State Health Office Acts 1915	50	
Entering each return thereof		15	<b>Total Fees of Register</b>		9 20
Docketing each case		1 00	<b>FEEES OF SHERIFF</b>		
Entering each Appearance		25	Serving and Returning Subpoena on Deft.	\$1 50	
Issuing each Decree Pro Confesso on personal service		1 00	Serving and Returning Subpoena for Witness	65	
Issuing each Decree Pro Confesso on publication		1 00	Levying Attachment	3 00	
Each Order Appointing Guardian		1 00	Entering and Returing same	25	
Any other order by Register		50	Entering and Returning Execution	25	
Issuing Commission to Take Testimony		50	Selling Property Attached	25	
Receiving and Filing		10	Impaneling Jury	75	
Endorsing each package		10	Executing Writ of Possession	2 50	
Entering Order Submitting Cause		50	Collecting Execution for Costs	1 50	
Entering any other Order of Court		25	Serving and Returning Sci. Fa., each	65	
Noting all Testimony		50	Serving and Returning Notice	65	
Abstract of Cause, etc.		1 00	Serving and Returning Writ of Injunction	1 50	
Entering each Decree		75	Serving and Returning Writ of Exeat	1 50	
For Every Hundred Words Over Five Hundred		15	Taking and Approving Bonds, each	1 00	
Taking Account on Reference		3 00	Collecting Money on Execution		
Taking Testimony, etc.		15	Making Deed	2 50	
Each Report, Five Hundred Words or less		2 50	Serving and Returning Application	1 00	
For every Hundred Words Over Five Hundred		15	Serving Attachment, Contempt of Court	1 50	
Amount Claimed, Less than Five Hundred Dollars, etc.		2 00	<b>TOTAL FEES OF SHERIFF</b>		
Issuing each Subpoena		25	<b>Recapitulation</b>		
Witness Certificate, each		25	Register's Fees		7 20
Issuing Execution, each		75	Sheriff's Fees		5 00
Entering each Return		15	Commissioner's Fees		
Taking and Approving Bond, each		1 00	Solicitor's Fees		
Making Copy of Bill, etc.		15	Witness Fees		
Each notice not otherwise provided for		50	Guardian Ad Litem		
Each Certificate or Affidavit, with Seal		50	Printer's Fees		
Each Certificate or Affidavit, no Seal		25	Trial Tax	3 00	
Hearing and passing on application for Receiver or Trustee		3 00	Recording Decree in Probate Court		
Each Settlement with Receiver or Trustee		3 00	<b>Total</b>		15 70
Examining each Voucher of Receiver or Trustee		10			
Examining each Answer on Exception		3 00			
Recording Resignation or Suggestion of Death of Trustee		75			
Entering each Certificate to Supreme Court		50			
Taking Questions and Answers, etc.		25			
For all other service relating to such proceedings		1 00			
For service in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc.: 1st \$100, 2 percent; all over \$100, and not exceeding \$1000, 1 1/2 per cent; all over \$1,000 and not exceeding \$20,000, 1 per cent; all over \$20,000, 1-4 of 1 per cent.					
<b>Sub Total Carried Forward</b>		4 20			4 20

Received payment this 4 day of Jan 1936

*PD*

NOTE: Unless the above costs in this cause are paid within ten days of the present date, execution will be issued and placed in the hands of Sheriff for collection, creating more costs.

Register.

LAURIE ALLEN WEST,  
Complainant,

versus

HAROLD . P. WEST,  
Respondent,

E Q U I T Y .

CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard in Vacation, was submitted upon the Bill of Complaint, Answer 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.

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 parties are forever divorced each from the other.

IT IS FURTHER ORDERED that neither party marry again, except with the other until sixty days after this date and if an appeal be taken within said sixty days, that neither marry except to the other during the pendency of said appeal and in no case until all costs of this cause have been paid.

IT IS FURTHER ORDERED that the Respondent pay to Complainant the sum of Thirty-five dollars as the Solicitor's fee incurred by her in this cause and also pay the costs of this proceeding and such payments, when made, shall be in lieu of all alimony.

IT IS FURTHER ORDERED that execution may issue for the payment of the sums here decreed against the Respondent.

DONE at Monroeville, Alabama this the 9<sup>th</sup> day of September, 1935.

*A. W. Hare*

Judge of the Circuit Court  
of Baldwin County, Alabama.

RECORDED  
6-193

REGISTERED FOR COMPLAINT

1935

Clerk-Register

Filed this 27 day of Aug 1935  
Robert J. Welch

Letted as to certain way seem meet.  
Complaint filed in this cause together with motion  
for writ of habeas corpus and so forth and so on  
and the court has granted the writ of habeas corpus  
and the defendant has been released from custody  
and the court has ordered that the defendant be  
restored to the custody of the sheriff of the county  
of Franklin, Missouri.

That the defendant is a person of good character  
and is a member of the Grand Lodge of the  
International Order of the Odd Fellows of the  
United States and is a member of the  
Lodge of the Odd Fellows of the  
City of St. Louis, Missouri.  
That the defendant is a person of good character  
and is a member of the Grand Lodge of the  
International Order of the Odd Fellows of the  
United States and is a member of the  
Lodge of the Odd Fellows of the  
City of St. Louis, Missouri.

**Complainant**  
**Defendant**  
**BILL OF COMPLAINT**

27 Aug 35  
Robert J. Welch

That the defendant is a person of good character  
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That the defendant is a person of good character  
and is a member of the Grand Lodge of the  
International Order of the Odd Fellows of the  
United States and is a member of the  
Lodge of the Odd Fellows of the  
City of St. Louis, Missouri.

155

153

RECORDED  
INDEXED  
6-1-92

LAURIE ALLEN WEST

Complainant.

VS

HAROLD P. WEST,

Defendant.

A N S W E R

Filed this 27<sup>th</sup> day of August 1935

*Patrick Rodgers*  
Clerk-Register



Circuit Court, Baldwin County, Ala.  
In Equity.

No. 155

VS.

*W. A. F.*  
*vs.*  
*W. A. F.*  
**Cost Bill**

Paid \_\_\_\_\_, 193

Register.

RECORDED  
155-2-178

Laurie Allen West  
Complainant

vs

Harold P. West,  
Respondent.

D E C R E E .

filed Sept 9, 1935  
Robert J. Black  
Register

155

155

RECORDED  
20  
6-19-35

No. 155

The State of Alabama  
BALDWIN COUNTY

IN EQUITY  
Circuit Court of Baldwin County

LAURIE ALLEN WEST

vs.

HAROLD P. WEST

NOTE OF TESTIMONY

Filed in Open Court this 30th

day of August 1935

*Robert B. Duck*  
a34 REGISTER