

4390

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY WEST

Complainant

vs.

CHARLES G. WEST

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Confession~~ 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 Mary West is forever divorced from the said Charles G. West for and on account of

Cruelty

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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Mary West the Complainant pay the cost herein to be taxed, for which executed may issue.

This 10th day of October 1958

[Signature]

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.

No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

*filed 10-18-06
Dee J. [unclear]
[unclear]*

MARY WEST

vs.

CHARLES G. WEST

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
answer and waiver, and testimonies of Mary West and Jean McBride, as set
out in the oral deposition.

and in behalf of Defendant upon

James G. Shadrip

Alice J. Shuck
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MARY WEST

VS.

CHARLES G. WEST

Note of Testimony

Filed in Open Court this

day of

FILED

19.....

OCT 10 1958

Register.

ALICE J. DUCK, Register.
MOORE PRINTING CO., BAY MINNETTE, ALA.

THE STATE OF ALABAMA }
Baldwin County }

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

MARY WEST

COMPLAINANT

vs.

CHARLES G. WEST

RESPONDENT

I, _____

as ~~Register and~~ Commissioner _____

have called and caused to come before me MARY WEST and JEAN MCBRIDE

witnesses named in the requirement for Oral Examination, on the _____ day of October

1958, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Mary West and Jean McBride

doth depose and say as follows:

My name is Mary West. I am over the age of twenty-one years and a resident of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this Bill of Complaint. Charles G. West is over the age of twenty-one years and a resident of Baldwin County, Alabama, and have been for more than one year. Charles and I were married on October 31, 1956, at Kingston, Georgia. On September 12, 1958, Charles hit, beat, assault, and strike me, he has committed actual violence on my person attended with danger to my health or life; he has made numerous threats of doing me physical harm and from his manner and conduct toward me, I am reasonably convinced that he will commit an actual violence upon my person; the last of such assaults did occur on September 12, 1958, and as a result, we have not lived together since that time as husband and wife. We had no children, and there is no property to be divided.

Mary West

I, _____ as Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses and 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 witnesses or had proof made before me of the identity of said witnesses; 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 ____ day of October, 1958.

(L.S.)

My name is Jean McBride; I have known Mary West and Charles G. West, for more than the past year; they are both over 21 years old and have lived here in Baldwin County, for more than the past year. They were married on October 31, 1956, at Kingston, Georgia. On September 12, 1958, I was visiting with Mary West at night around 10:00; shortly after 10:00 her husband, Charles West, came home and had been drinking rather heavily, at that time he hit Mary West with his fist some 6 or 8 times around the face and sholders and she still has bruises from this beating and this has been almost a month ago now. Mary had done nothing to provoke this assault which occured on September 12, 1958. I understand that they have not lived together since that time as husband and wife; They had no children.

Jean M^e McBride

I, Sam Freeman, as Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and James L. Newkirk, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; 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 6th day of October, 1958.

Sam Freeman (L.S.)

THE STATE OF ALABAMA
Baldwin County



Circuit Court

TO: SAM FREEMAN

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Mary West and Jean McEride

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

, Complainant

and Charles G. West is

Respondent

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

Witness day of

, 195
Alice J. Duck
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

OCT 10 1958

ALICE J. DUCK, Register

| | | |
|------------------|---|-------------------------|
| MARY WEST, |) | |
| Complainant, |) | IN THE CIRCUIT COURT OF |
| vs. |) | BALDWIN COUNTY, ALABAMA |
| CHARLES G. WEST, |) | IN EQUITY. |
| Respondent. |) | |

ANSWER AND WAIVER

Comes now the Respondent, CHARLES G. WEST, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

Charles G. West

 Charles G. West.

Sworn to and subscribed before me this the 4 day of October, 1958.

James G. Hendrix

 Notary Public, Baldwin County, Alabama.

STATE OF ALABAMA)

BALDWIN COUNTY)

MARY WEST,)
Complainant,) IN THE CIRCUIT COURT OF
vs.) BALDWIN COUNTY, ALABAMA
CHARLES G. WEST,) IN EQUITY.
Respondent.)

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant MARY WEST, humbly complaining of the Respondent, CHARLES G. WEST, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Mary West, is over the age of twenty-one years and is a resident of Elberta, Baldwin County, Alabama, and has been a bond fide resident of said State for more than one year next preceding the filing of this Bill of Complaint; that Respondent is over the age of twenty-one years and is a resident of Elberta, Baldwin County, Alabama, and has been a bond fide resident of said State for more than one year next preceding the filing of this Bill of Complaint.

SECOND: That your Complainant and Respondent were married on October 31, 1956, at Kingston, Georgia.

THIRD: Your Complainant avers and charges that the said Respondent did on or about the 12th day of September, 1958, and many times prior thereto assault, beat, hit and strike complainant; that said Respondent has committed actual violence on her person attended with danger to her health or life; Complainant avers and charges that Respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life or health; the last of such assaults did occur on September 12, 1958, and as a result of said threats Complainant and Respondent have not lived together since that time as husband and wife.

FOURTH: Your Complainant would further aver and show unto your Honor that there were no children born to the union of the Complainant and Respondent; there is no property to be divided.

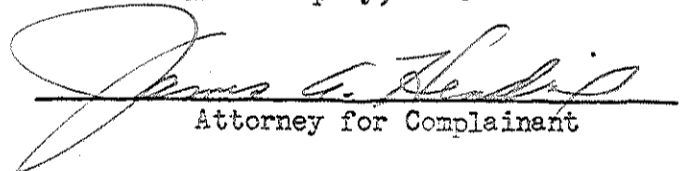
PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said Charles G. West, be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he is required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF.

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of said decree the Complainant will be granted the right to again contract marriage.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.


Attorney for Complainant