8581 NOTE OF TESTIMONY.

284

Jennie Olsen O'Donnell

vs.

Thomas A. O'Donnell.

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, / Respondent's Answer. Testimony of Jennie Olsen O'Donnell.

and in behalf of Defendant upon

T. W. Richmond

Register

No. 284

THE STATE OF ALABAMA,

BALDWIN COUNTY

IN EQUITY,

CIRCUIT COURT OF BALDWIN COUNTY.

Annie Alma O'Donnell

vs.

Thomas O'Donnell

NOTE OF TESTIMONY.

Filed in Open Court this 2

day of July 1921.

P. W. Kirkman

Register

8550 REQUEST FOR DECREE IN VACATION.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

No. 284. Fall Term, 1921.

Jenny Olson O'Donnell, Complainant

vs.

Thomas O'Donnell, Defendant

To T.W.Richerson, Register:

In the above stated cause a Decree Pro Confesso having been taking 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

Complaiant, by Stone and Stone,

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.

Stone & Stone

Solicitor for Complainant.

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No. 284 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY.

Jennie Olson O'Donnell,

vs.

Thomas O'Donnell,

REQUEST FOR DECREE IN
VACATION.

Filed July, 2nd, 1921

T. W. Redemore

Register

Recorded in Record

Vol. Page

Register

RECORDED

JENNIE OLSEN O DONNELL	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY
VS	)	ALABAMA. 2Ist. Circuit. EQUITY SIDE.
THOMAS O DONNELL	)	COMPLAINT FOR DIVORCE.
	)	

To The Hon. John D Leigh. Judge of the 2Ist. Judicial Circuit.

Your Oratrix Jennie Olsen O Donnell, respectfully represents that she is a resident of Baldwin County, Alabama, and has been for more than three years next immediately preceding the filing of this bill of complaint. That Respondent Thomas O Donnell is a resident of Baldwin County, Alabama, and has been for more than three years next immediately preceding the filing of this bill of complaint, and that both are over the age of 2I years.

Oratrix Charges

Ist.

That Oratrix and Thomas O Donnell were lawfully married at Fairhope, Baldwin County, Alabama, on July 8th. I9I5 and that they lived together as man and wife for some time in Baldwin County Alabama.

2nd.

Oratrix charges that on or about May Ist. I9I6 while living at Belforest in Baldwin County, Alabama, Thomas O Donnell the respondent struck her with his fist in the face over her right eye so that the blood flowed down her face and on her dress, that he subsequently grabbed her by the throat, choked her and threatened to kill her.

That on July I0th. I920 while living at Belforest Baldwin County Alabama respondent Thomas O Donnell threatened to kill her and cut her body up and feed it to the hogs, and also threatened her life with a pistol; That by reason of such repeated acts of violence upon the person of Oratrix and by reason of his repeated threats of personal violence to the life and health of Oratrix, she charges that she is in grievous danger of death or serious bodily harm to life or health, and that she was forced to seek protection of friends and went to live with the family of Rev. Brooks Lawrence at Fairhope where she still resides.

3rd.

That Oratrix is without means of support and earns her own living by her labor, that Thomas O Donnell is a man of large means, owning 200 acres of land in Baldwin County near Belforest and forty acres near Loxley in Baldwin County, Ala and also owns a mortgage for the sum of $2500 for land sold to one Warren Smith in I9I7 besides cash in bank and other personal property, and is able bodied and able to work.

PRAYER FOR PROCESS

The premises considered, complainant prays that such orders and decrees be made and entered as are necessary to make the defendant party respondent to this bill of complaint, requiring him to plead answer or demur to this complaint within the time required by law, and that Your Honor adjudge and decree that a reference be held before the register of this Court to inquire into the financial worth and earning capacity of Respondent and to ascertain a suitable amount to be paid to Oratrix as attorneys fees Alimony Pendente Lite and for counsel fees for the complainant in the prosecution of this cause, suitable to their condition in life and the estate and earning capacity of respondent.

PRAYER FOR RELIEF

Oratrix prays that upon a holding of the reference by the Register of this court that Your Honor will decree a suitable amount to the Oratrix as attorneys fees to complainant for prosecution of the cause and as Alimony Pendente Lite during the pendency of this cause, suitable to the condition in life of Oratrix and the estate and earning capacity of respondent.

That upon a final hearing of this cause that Your Honor will render, adjudge and decree a suitable amount to the complainant from the estate and earning capacity of respondent as permanent alimony and for the support of Oratrix, suitable to her condition in life and the estate and earning capacity of Respondent and that Your Honor will further decree that the Bonds of matrimony heretofore existeing between Oratrix and respondent be forever dissolved and that Your Oratrix may be permitted to marry again if she so desires and resume her former name of Jennie Olsen, and for such other or different or further relief as to Your Honor may seem just and meet. and as in duty bound she will ever pray.

Jennie Olsen Odonnell

By Stone & Stone
Solicitors for complainant.

Foot Note
The respondent is required to answer each and every paragraph of the foregoing bill of complaint from First to Third inclusive, but not under oath, answer under oath being expressly waived.

Jennie Olsen Odonnell

By Stone & Stone
Solicitors for complainant.

JENNIE OLSEN O'DONNELL, Complainant,	)	IN THE CIRCUIT COURT
	(	BALDWIN COUNTY, ALABAMA.
-vs-	)	IN EQUITY.
THOMAS O'DONNELL, Defendant,	(	

Comes the Respondent in the above styled cause and admits the allegation of paragraph one and all the allegations of said bill prior to paragraph one.

He denies each and every allegation of paragraph two and demands strict proof of the same.

For answer to paragraph three he says that he and the said complainant have agreed as to alimony, pendente lite, permanent alimony and attorney's fee, copy of which agreement is hereto attached, marked Exhibit A. and made a part of this answer.

Rickarby & Buche
Solicitors for Defendant

Respondent waives all notice required by the practice of this court to be given to him and consents that said cause be set down for final hearing upon motion of complainant's solicitors without further notice to him or his attorney.

Rickarby & Buche
Solicitors for Deft

"Exhibit A"

AGREEMENT

Jensine Olsen O Donnell — Divorce and Alimony.

vs.

Thomas O Donnell.

It is agreed between the parties hereto Jensine Olsen O Donnell and Thomas O Donnell, that Thomas O Donnell is to convey to Jensine Olsen O Donnell, in lieu of Attys. Fees, alimony pendente Lite and permanent and in settlement of all demands against the said Thomas O Donnell of every kind and description the following lands in Baldwin County. Alabama. To-wit.

The North Half of th North East Quarter and the SE¼ of the NE¼ ~~xxxxxxx~~ ~~xxxxxxxxxxxx~~ of section 3I and the NW¼ of the NW¼ of Section 32 Township 5 South Range 3 East, by Warranty Deed, subject to agrement of Thomas O Donnell with W C Beebe Esq as to liability on warranty. and the said Jensine Olsen O Donnell is to quit claim to the said Thomas O Donnell all her claim of dower or other interest in the following lands in Baldwin County, Ala. to-wit:-

The NW¼ of the NE¼ of Section 6 and the SW¼ of the NE¼ of Section 3I Township 5 South Range 3 East.

Thomas O Donnell is to pay an attorneys fee of $I00.oo and all costs of Court.

The above settlement also includes the right of Jensine Olsen O Donnell to go upon the premises of Thomas O Donnell and to take all personal property belonging to her without hindrance from said O Donnell.

This is to be a settlement in full of all demands of every kind of the said Jensine O Donnell against the said Thomas O Donnell.

Witness onthands and seals this Jan. I8th. I92I.

In Presence of

Frank H Moore — Jensine Olsen O'Donnell

W C Beebe — Thomas O'Donnell

Baldwin Times Print.

8587 SUMMONS—Original.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Thomas O' Donnell

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Jenie Olsen O' Donnell,

against said

Thomas O' Donnell,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 4th day of January, 1921.

T. W. Richerson

Register.

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

2nd Original

Serve on Thomas O' Donnell,
Belforest

Circuit Court of Baldwin County
In Equity

No. 284.

SUMMONS

Jenie Olsen O' Donnell,

vs.

Thomas O' Donnell.

Near Belforest,

RECORDED

Solicitor for Complainant

Rocorded in Vol. ..... Page .....

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this 4th,
day of January, 1920 192..

Sheriff

Executed this 17th day of
January 1921
by leaving a copy of the within summons with
~~Thos O' Donnell~~
Thos O' Donnell
Defendant

W.R. Stuart
Sheriff

By .....
Deputy Sheriff

8558 DECREE OF DIVORCE. Baldwin Times Print.

The State of Alabama, Baldwin County.

No. 284 CIRCUIT COURT, IN EQUITY

JENSINE OLSEN O DONNELL Complainant

vs.

THOMAS O DONNELL Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

It is further ordered adjudged and decreed by the court that Thomas O Donnell convey to Jensine Olsen O Donnell in lieu of Attorneys fees al imony pendente Lite, Permanent Alimony The N½ of NE¼ and SE¼ of NE¼ of Section 31. Township5 South of Range 3 East and the NW¼ of the NW¼ Section 32 Township 5 South Range 3 East Baldwin County Ala, as per agrement between the parties on file in this cause., and that Complainant Jensine Olsen O Donnell may resume her maiden name of Jensine Olsen.

It is further ordered, that the said Jensine Olsen O Donnell & Thomas O Donnell be, and are he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Thomas O Donnell pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Thomas O Donnell

It is further ordered, adjudged and decreed that said Jensine Olsen O Donnell shall not again marry except to said Thomas O Donnell until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Jensine Olsen O Donnell during the pendency of said appeal.

This 20th August day of ~~July~~ 1921. 192

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, BALDWIN COUNTY. | CIRCUIT COURT, IN EQUITY.

I, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the day of 192, in the cause of Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the day of 192

Register.

No. .....

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY.
BALDWIN COUNTY, ALA.

Jensine O. O'Donnell

Vs.

Thomas O. O'Donnell

DECREE OF DIVORCE.

Filed in office this 22 nd

day of August, 192 7

T. W. Richmond

Register.

E. O. M. .....

RECORDED

DEPOSITION TAKEN BEFORE REGISTER ON ORAL EXAMINATION, Code 3139. (Box 715.) 85605 MARSHALL & BRUCE CO., NASHVILLE

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Jensine Olsen O'Donnell Complainant

vs.

Thomas O'Donnell Defendant

Oral examination before the Register of the following witnesses:

Jensine Olsen O'Donnell, the complainant, and ~~William~~ W. West, witnesses for the complainant

who reside in Alabama, said examination being conducted in Bay Minette, Alabama, on this the 14th day of February, 1921, and there being present Solicitors for complainant, Stone & Stone,

The said witnesses being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

Jensine Olsen O'DOnnell, the complainant and a witness for the complainant testified as follows:-

My name is Jensine Olsen O'Donnell. I am the wife of Thomas O' Donnell and I am the complainant in this cause. Both myself and my husband are over the age of twenty one years; we are both residents of Baldwin County, Alabama and have been for more than three years next immediately preceeding the filing of this bill of divorce by me.

Myself and my husband were lawfully married at Fairhope in Baldwin County, Alabama on July 8th., 1915 and we lived in Baldwin County Alabama ever since.

my husband, Thomas O'Donnell has been cruel to me. He has commmitted actual violence on my person in such a manner as to endanger my life and health and by reason of such violence committed by him I was compelled to leave him and seek shelter in the home of Rev. Brooks Lawrence of Fairhope, Baldwin County, Alabama, where I work as house servant.

During 1916, shortly after we were married my husband struck me in the face with his fist, hitting me over the [redacted] eye, causing the blood to flow freely from the wound. Mr. William West saw this. He also grabbed me in the neck, choked me and threatened to kill me.

During 1920, about the month of July, and shortly before I left my husband, he threatened to kill me, telling me at the time that "I will cut your body up and feed it to the hogs." "You Damn Bitch." He not only committed actual violence on my person but his actions were such that I had apprehensions that he would endanger my life and health as he had done before if I stayed with him any longer. It was then, and not until then that I left him. I had stood his mistreatment and

and abuse as long as I could. He was at all times cross and surly and continuously abusing me and calling me vile names.

Jensine Olsen O'Donnell

W m

~~WILLIAM~~ W. WEST, a witness for complainant testified as follows:-

My name is W m ~~William~~ W. Est. I am a resident of Baldwin County, Alabama, lving near Belforest in this county. I am 67 years, will be 68 in March. I know both Thomas O'Donnell and his wife Jensine Olsen O'Donnell. I have been knowing Mr. O'Donnell for about one year before he married Mrs. Jensine Olsen O'Donnell. I have been knowing Mrs. O'Donnell about ten years or more.

I remeber the time they were married. I was not present at the ceremony however, but I know they lived near me as man and wife for several years, from the time they were married until during this last year.

I have seen Thomas O'Donnell mistreat his wife in a very bad manner. I have seen him grab her neck, seen him hit her in the face and make the blood run out of it. Mrs. O'Donnell was doing nothing to him that I could see when he hit her. I had been at their place and was leaving when I heard some very loud talking by Mr. O'Donnell and when I turned around I saw him strike her in the face.

As long as they lived near me I have constantly been around them and have ~~never heard him treat her in an~~ heard him on many occasions talk to her mighty rough.

He committed actual violence on her person when I saw them.

Wm W. West

No. ..... Page .....

The State of Alabama,

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Jessie Ellen O'Donnell

vs. Complainant,

Thomas O'Donnell

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of Complainant

Wilmer

Filed 14 day of Feb, 1921

Published by order of the Court, ...

day of ....., 19....

D M Roberson

Register.

MARSHALL & BRUCE CO., NASHVILLE