

657

EQUITY COST BILL

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

Term, 1941

W. D. ...
No. 657 vs.
...

BILL OF COSTS

REGISTER'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each....	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impanelling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions.....	
Issuing Writs of Injunction, Ne Exeat, each....	1.50		
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*		
Order Appointing Guardian Ad Litem, each.....	1.00*		
Issuing Commissions to Take Testimony, each....	.50		
Taking Testimony, Per Day.....	1.50		
Taking Testimony, Per 100 words.....	.20		
Receiving and Filing Depositions, each pkg.,10		
Indorsing Depositions Published, each pkg.....	.10		
All Entries on Commission Docket, Each Cause....	.50		
Entering Order Submitting Cases for Decree, each..	.50		
Other Orders of Court, each.....	.25		
Noting Testimony on Hearing of Cause, each.....	.50		
Entering Decrees, of 500 Words of Less, each.....	.75		
Per 100 words over 500.....	.15		
Taking Accounts, etc., on Ref., per Day.....	3.00*		
Taking Testimony on Reference Relating to Trustee, etc., per 100 words.....	.15		
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25		
Issuing Witness Certificates, each.....	.25		
All Entries on Subpoena Docket, each Cause....	.50		
Taking and Approving Bonds, each.....	1.00		
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re- ceiver or Trustee.....	3.00		
Settlements with Receiver or Trustee, each.....	3.00		
Examining Vouchers in Settlements, each.....	.10		
Examining Answers on Exceptions, each Answer ..	3.00		
Removal Disabilities on Non-Age.....			
Commissions on Sales.....			
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than That Arising from Sales.....			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each.....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each.....	.50		
Entering Certificates of Supreme Court, each.....	.50		
Transcript for Supreme Court, per 100 words, each.	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
ertificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case.....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
<i>...</i>			
Total Register's Fees	9 10		
		SUMMARY OF FEES, COSTS, AND JUDGMENT	
		Fees in Circuit Court—	
		Register's Fees.....	9 10
		Ex-Register's Fees.....	
		Sheriff's Fees.....	
		Ex-Sheriff's Fees.....	
		Witness Fees.....	
		Commissioner's Fees <i>M. F. ...</i>	5 00
		Guardian Ad Litem.....	
		Publisher's Fees.....	
		Solicitor's Fees.....	
		Court Reporter's Fees, Per Day or fraction thereof	.50
		Trial Tax.....	3 00
		Fees and Costs in Inferior Court:	
		Clerk of Inferior Court Fees.....	
		Sheriff's Fees.....	
		Witness Fees.....	
		Total Fees and Costs in Inferior Court	9 17 10
		Total Fees and Costs	
		Judgment	
		Total Fees, Costs, and Judgment	

The State Of Alabama }
Baldwin County }

Circuit Court of Baldwin County, In Equity.

To Any Sheriff of the State of Alabama—GREETINGS:

WE COMMAND YOU, That you summon

FLORA KAEMMERER

of 1449 Berteau Avenue, Chicago, Ill. 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

HENRY A. KAEMMERER

against said FLORA KAEMMERER

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, R. S. Duck, Register of said Circuit Court, this 14th day of August, 1940.

R. S. Duck, Register

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

HENRY A. KAEMMERER,

Complainant,

vs.

FLORA KAEMMERER,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

PART ONE

Your complainant, Henry A. Kaemmerer, respectfully shows to the Court that he is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, having resided near Elberta therein for more than ten years last past; that the respondent, Flora Kaemmerer, is also over the age of twenty-one years and a non-resident of the State of Alabama, residing at 1449 Ber-teau Avenue, Chicago, Illinois.

PART TWO

Your complainant further alleges and shows to the Court:

1. That your complainant and the respondent were lawfully married in Kenosha, Wisconsin in July, 1931 and shortly thereafter returned to Baldwin County, Alabama where your complainant has resided ever since and the respondent resided until the first day of June, 1937.

2. That your complainant and the respondent had been married before and divorced and the issue of said marriage is one daughter, Lillian Kaemmerer, who is now nineteen years of age.

3. That on or about the first day of June, 1937 the respondent willfully abandoned the bed and board of your complainant, without good cause, and ever since has refused to live with your complainant as his wife and by reason thereof his married life has been rendered intolerable to him.


PRAYER FOR PROCESS

WHEREFORE, your complainant prays that Your Honor will

grant to him the writ of summons of the State of Alabama directed to the respondent, Flora Kaemmerer, commanding her to appear in this Honorable Court and plead to or answer this Bill of Complaint; that the register of this Court may be instructed to cause said writ of summons and a copy of this Bill of Complaint to be served on the respondent by registered mail at her address, 1449 Berteau Avenue, Chicago, Illinois, as provided by law, and your complainant shall ever pray.

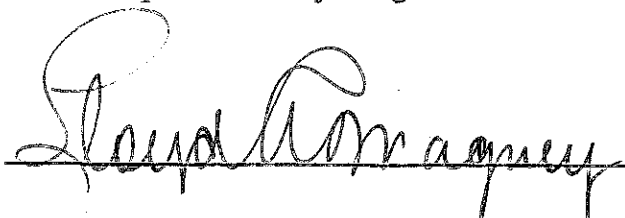
PRAYER FOR RELIEF

Your complainant further prays that upon a final hearing of this cause, Your Honor will grant to him a divorce from the respondent, Flora Kaemmerer, and that he may have such other and further relief in the premises as may be just and equitable.


Solicitor for Complainant

STATE OF ALABAMA)
BALDWIN COUNTY)

Lloyd A. Magney, being first duly sworn on his oath deposes and says that he is solicitor of record for the above named complainant; that the respondent, Flora Kaemmerer is a non-resident of the State of Alabama, residing at 1449 Berteau Avenue, Chicago, Illinois; that this affidavit is made for the purpose of obtaining service upon said respondent by registered mail as provided by law.



Subscribed in my presence and sworn to before me this 13th day of August, 1940.


Notary Public.

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

HENRY A. KAMMERER,
Complainant,

vs.

ELORA KAMMERER,
Respondent.

BILL OF COMPLAINT

Filed August 14, 1940
R.S. Duck, Register

LLOYD A. MAGNEY
ATTORNEY AT LAW
MOBILE, ALABAMA

F. S. DUCK, Register in Chancery

R.S. Duck

I, F. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in County, do hereby certify that I have on the 14th day of August, 1940, mailed a copy of the Bill of Complaint filed in the within cause, together with copy of summons to the respondent, Elora Kammerer, at 1749 Sherman Avenue, Chicago, Illinois, by Registered Mail, postage prepaid, with return receipt requested, and marked for delivery only to the person to whom addressed. Dated this the 14th day of August, 1940.

STATE OF ALABAMA,
BALDWIN COUNTY, MO.

HENRY A. KAEMMERER,
Complainant,
VS.
FLORA KAEMMERER,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN CHANCERY,
NO. 657

And now comes the Respondent, and for answer to the Complainant's Bill of complaint, and to each count thereof and allegation therein, separately and severally says:

1st: That she denies each and every allegation contained therein not herein specifically admitted, and demands strict proof of the same.

2nd: That she admits that the Complainant is over twenty-one years of age and a resident of Baldwin County, Alabama; that she is over twenty-one years of age and at present residing at 1449 Berteau Avenue, Chicago, Illinois, but says that for reason of the acts hereinafter stated she was forced to leave her home in Baldwin County, Alabama, and that she is only sojourning in the State of Illinois.

3rd: Your Respondent admits that she and the Complainant were married in Kenosha, Wisconsin, in July, 1931, and shortly thereafter returned to Baldwin County, Alabama, where they lived together as husband and wife for quite awhile.

4th: That she admits that the Complainant and Respondent have one child, a daughter, Lillian Kaemmerer, who is now nineteen years of age and is living with your Respondent, who has had the responsibility of the care and maintenance of her practically all of her life.

5th: That the Respondent expressly denies that she willfully abandoned the bed and board of the Complainant on the 1st day of June, 1937, without good cause, and further states that for reason of the facts hereinafter set out, she was forced to abandon her home and the home of the Complainant, and has been forced to remain away; that she expressly denies that she has voluntarily remained away from her home and the home of the Complainant.

AND FURTHER ANSWERING THE COMPLAINANT'S BILL OF COMPLAINT, and praying that this may be taken as her cross bill or cross complaint, the Respondent respectfully represents and shows unto your Honor as follows:

1. That she is over twenty-one years of age and at present residing at 1449 Berteau Avenue, Chicago, Illinois, but that her home is in Baldwin County, Alabama, near Elberta; that the Complainant, Henry A. Kaemmerer, is over twenty-one years of

age and a resident of Baldwin County, Alabama.

2. That your Respondent and the Complainant are husband and wife, having lawfully married, and for many years prior to June 1st, 1937, lived together as husband and wife in Baldwin County, Alabama.

3. That your Cross-Complainant and the Cross-Respondent have one child, a daughter, Lillian Kaemmerer, who is now nineteen years of age and living with your Cross-Complainant; that the said daughter has been with your Cross-Complainant all of her life, and that your Cross-Complainant has had the responsibility of caring and providing for her.

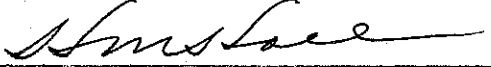
4. That, on to-wit, June 1st, 1937, and at various times prior thereto, the Cross-Respondent cursed, abused and threatened your Cross-Complainant, and on said date and various times prior thereto, did violence to her person by actually striking her, which conduct necessarily endangered the life and health of your Cross-Complainant; that the Complainant and Cross-Respondent, on various occasions, attacked Lillian Kaemmerer, the daughter of the Complainant and Cross-Complainant, and when the Cross-Complainant interfered, the Complainant knocked her down and beat her severely; that said attack occurred at the rate of at least once a week for a period of at least one year prior to the date that the Cross-Complainant was forced to leave the home of the Complainant; that since the Cross-Complainant was forced by said acts of cruelty toward her and her daughter to leave the home of the Complainant, the Complainant has contributed nothing toward her support and the support of their minor daughter; that your Cross-Complainant has no income or means of livelihood for herself and their minor daughter, other than that which she is able to make by her own labor; that the Complainant and Cross-Respondent is an able-bodied man, with quite a bit of real and personal property in Baldwin County, Alabama, the exact value of which your Cross-Complainant does not know; that he is able, physically and financially, to maintain and support your Cross-Complainant and her minor daughter; that your Cross-Complainant has no funds with which to defend the proceeding filed by the Complainant and Cross-Respondent against her and to prosecute this her cross-complaint against the Complainant and Cross-Respondent, Henry A. Kaemmerer.

WHEREFORE, the premises considered, the Cross-Complainant and Respondent prays that your Honor will take and accept this as her cross-complaint against the said Henry A. Kaemmerer, and by proper process make him a cross-respondent to this complaint, re-

quiring 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 order a reference to determine a reasonable alimony to be paid by the Complainant and Cross-Respondent, Henry A. Kaemmerer, to your Cross-Complainant, pendente lite, for her maintenance and the maintenance of their said minor child, and also a reasonable attorney's fee to be paid by said Cross-Respondent to the Cross-Complainant.

The Cross-Complainant further prays that upon a final hearing of this cause, this Honorable Court will award to her such alimony as to your Honor may seem mete and proper under the facts herein recited, for the maintenance of your Cross-Complainant and her minor daughter, and that your Honor will enter a further decree granting unto her such other, further, different or general relief as she may be in equity and conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: 
Solicitors for Respondent and
Cross-Complainant.

HENRY A. KAEMMERER,)
Complainant,)
Cross-Respondent,)
VS.)
FLORA KAEMMERER,)
Respondent,)
Cross-Complainant.)

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

This STIPULATION and AGREEMENT made and entered into on this the 30th day of December, 1940, by and between the respective parties hereto, acting by and through their respective Solicitors of record, WITNESSETH:

FIRST:

That the said parties agree that the testimony on behalf of the Respondent-Cross-Complainant, Flora Kaemmerer, be taken before M. F. Unger of the City of Chicago, State of Illinois, as Special Commissioner; that the necessity of the issuance of commission to the said M. F. Unger is hereby expressly waived.

SECOND:

That the Complainant and Cross-Respondent waives his right to cross-examine or appear at the time of the examination of the witnesses on behalf of the Respondent and Cross-Complainant, and agrees that the testimony of said witnesses shall have the same probative force as if taken strictly in accordance with law.

THIRD:


That this cause be submitted forthwith for final decree without further notice.


FOURTH:

That any and all notices required to be given the Complainant and Cross-Respondent, or the Respondent and Cross-Complainant, are hereby expressly waived, and this cause is to be tried as though all proceedings had been had in strict accordance with the statute and the laws of the State of Alabama.

FIFTH:

It is further stipulated and agreed that, a property settlement having been consummated between the parties, such decree as may be entered by the Court shall contain no provision for the payment of alimony, suit money or attorneys' fees by the complainant, but shall provide for the payment of court costs by the complainant.


Solicitor for Complainant-Cross Respondent


Solicitor for Respondent-Cross Complainant

HENRY A. KAEBBECKER,

Complainant,
Cross-Respondent,

VS.

FLORA KAEBBECKER,

Respondent,
Cross-Complainant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Cross-Bill of the Respondent, Stipulation and Agreement between the parties, and proof 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, and that the Respondent and Cross-Complainant is entitled to the relief prayed for in her cross-bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the said HENRY A. KAEBBECKER and FLORA KAEBBECKER be and the same are hereby dissolved, and the said FLORA KAEBBECKER is forever divorced from the said HENRY A. KAEBBECKER.

IT IS FURTHER ORDERED that the said FLORA KAEBBECKER and HENRY A. KAEBBECKER be and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said FLORA KAEBBECKER shall not again marry, except to the said HENRY A. KAEBBECKER, 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 HENRY A. KAEBBECKER, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said HENRY A. KAEBBECKER PAY the costs herein taxed, for which execution may issue.

Dated at Monroeville, Monroe County, Alabama, this 3rd day of January, 1941.

G. W. Hare
Judge of the 21st Judicial Circuit of Alabama.

RECORDED

ANSWER AND CROSS-BILL

HENRY A. KAEMMERER,

Complainant,

VS.

FLORA KAEMMERER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN CHANCERY,

NO. 657.

Filed September 9, 1940
R. S. Dwyer, Register

I certify that the within is a true and correct Bill of Costs in the within styled cause.

ATTEST: R. S. Beach
Register Circuit Court, Baldwin County, Ala.

Received payment this _____ day of _____ 194_____

ATTEST: _____
Register Circuit Court, Baldwin County, Ala.

No. 657 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT

John W. Williams
vs. George W. Smith
Plaintiff

John W. Williams
Defendant

EQUITY COST BILL

January Term, 1941

Fee Book Book 10, Page 1657

Charles D. Williams
Plaintiff's Attorney.

John W. Williams
Defendant's Attorney.

RECORDED

FINAL DECREE OF DIVORCE

HENRY A. KAMMERER,
Complainant,
vs. Cross-Respondent,

VS.

FLORA KAMMERER,
Respondent,
Cross-Complainant.

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

Filed this 24 day January 1941
R. S. Beach
Clerk-Register

RECORDED

STIPULATION AND AGREEMENT:

HENRY A. KAMMERER,

Complainant,
Cross-Respondent.

VS.

FLORA KAMMERER,

Respondent,
Cross-Complainant.

Filed this 22nd day of January, 1947.
R.S. Buch
Clerk-Register

RECORDED AND INDEXED

the undersigned:
each of whom are of legal age and of sound mind and memory and
are of legal age and of sound mind and memory, have read the
contents of the foregoing and have agreed to the same and have
voluntarily and lawfully executed the same for the purposes and
in the manner therein expressed and have agreed to the same.

SIGNED:

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

HENRY A. KAEMMERER _____, Complainant

Vs.

FLORA KAEMMERER _____, Defendant

To HON. R. S. DUCK _____, Register :

an Answer and Cross-Bill having been filed by the Respondent,

In the above stated cause ~~xxx Decree xxx Confesso xxx having xxx been xxx taken xxx against xxx the xxx Defendant;~~

and evidence having been taken, and the cause being ready for submission for final decree, ~~and xxx~~

~~xxx defense xxx having xxx been xxx interposed,~~ the Complainant, by Beebe & Hall, _____

_____ 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

By: *Wm Hall* _____

Solicitor for Complainant.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

HENRY A. KAMMERER, _____

Vs.

FLORA KAMMERER _____

**REQUEST FOR DECREE IN
VACATION**

Filed January 2nd, _____, 1934

H.S. Hunt
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

HENRY A. KAEMMERER,

Complainant,

Cross-Respondent

VS.

FLORA KAEMMERER,

Respondent,

Cross-Complainant

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, _____

Answer and Cross-Bill of the Respondent, Stipulation and Agreement between the

parties, Service on Respondent, Cross-Complainant, by Registered Mail, August

19th, 1940, and Testimony of Flora Kaemmerer and Lillian Kaemmerer, and Request

for Decree in Vacation.

and in behalf of Defendant upon _____

R.S. Duck

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

HENRY A. KAMMERER,

Complainant,

Cross-Respondent

VS.

FLORA KAMMERER,

Respondent,

Cross-Complainant.

NOTE OF TESTIMONY

Filed in Open Court this 2nd

day of January 1934

H. S. White

REGISTER

Post Office Department
OFFICIAL BUSINESS

NEVER FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE

REGISTERED MAIL

No.

INSURED PARCEL

No.

Return to

NAME OF SENDER

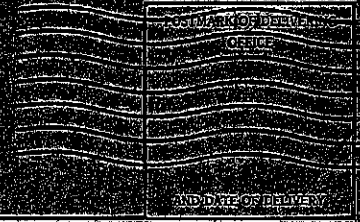
Street and Number
or Post Office Box

Post Office at

State

R37-2-24

62-511



RETURN RECEIPT

Handed to
R.S. [unclear]
[unclear]

Received from the Postmaster the Registered or Insured Article, the original of which appears on the face of this Card.

Signature of addressee

Signature of addressee's agent