

# CHANCERY EXECUTION

## BILL OF COSTS

No. 668 Flornel Virginia Nelson, Vs. Ralph Nelson,  
*Complainant*  *Respondent*  
Plaintiff  
Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward .....	\$
Filing each bill and other papers .....	5	\$ 10	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	4 35
Issuing each subpoena .....		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof .....		40	Each notice sent by mail to creditor ..	15
Entering each return thereof .....		15	Filing, receiving 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 100 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>	<b>6 85</b>
Docketing each case .....	1	00	<b>FEES OF SHERIFF</b>	
Entering each appearance .....		25	Serving and returning subpoena on deft. \$1	50
Issuing each decree pro confesso on per. ser.	1	00	Serving and returning subpoena for witness .....	65
Issuing each decree pro confesso on publica.	1	00	Levying attachment .....	3 00
Each order appointing guardian .....	1	00	Entering and returning same .....	25
Any other order by Register .....		50	Selling property attached .....	
Issuing commission to take testimony .....		50	Impaneling Jury .....	75
Receiving and filing .....		10	Executing writ of possession .....	2 50
Endorsing each package .....		10	Collecting execution for costs .....	1 50
Entering order submitting cause .....		50	Serving and returning sci. fa., each ..	65
Entering any other order of court .....		25	Serving and returning notice .....	65
Noting all testimony .....		50	Serving and returning writ of injunction	1 50
Abstract of cause, etc. ....	1	00	Serving and returning writ of exeat ..	1 50
Entering each decree .....		75	Taking and approving bonds, each ..	75
For every 100 words over 500 .....		15	Collecting money on execution .....	
Taking account, etc. ....	3	00	Making deed .....	2 50
Taking testimony, etc. ....		15	Serving and returning application, etc.	1 00
Each report, 500 words or less .....		2 50	Serving attachment, contempt of court	1 50
For every 100 words over 500 .....		15	<b>Total Fees of Sheriff .....</b>	<b>3 00</b>
Amount claimed less than \$500, etc. ....	2	00	<b>RECAPITULATION</b>	
Issuing each subpoena .....		25	Register's Fees .....	6 85
Witness certificate, each .....		25	Sheriff's Fees .....	3 00
Issuing execution, each .....		75	Commissioner's Fees .....	5 00
Entering each return .....		15	Solicitor's Fees .....	
Taking and approving bond, each .....	1	00	Witness Fees .....	
Making copy of bill, etc. ....		15	Guardian Ad Litem .....	
Each notice not otherwise provided for ..		50	Printer's Fees .....	
Each certificate or affidavit, with seal ..		50	Trial Tax .....	3 00
Each certificate or affidavit, no seal ..		25	Recording Decree in Probate Court ..	
Hearing and passing on application, etc.	3	00	<b>Total .....</b>	<b>17 85</b>
Each settlement with receiver, etc. ....	3	00		<b>0 00</b>
Examining each voucher of Receiver, etc.		10		
Examining each answer, etc. ....	3	00		
Recording resignation, etc. ....		75		
Entering each certificate to Supreme Court		50		
Taking questions and answers, etc. ....		25		
For all other ser relating to such proceedings	1	00		
For services in proceeding to relieve minors, etc., same fee as in similar cases.				
Commission on sales, etc : 1st \$100, 2 per ct.; all over \$100 and not exceeding \$1,000, 1 1-2 per ct ; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.				
<b>Sub Total Carried Forward .....</b>	<b>4</b>	<b>35</b>		

**The State of Alabama,** { No. 668 *has amt paid 12.85*  
**Baldwin County.** **Circuit Court, In Equity** *January* **Term, 1941**  
 To Any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of  
Flornel Virginia Nelson Defendant  
 you cause to be made the sum of Twelve & 85/100 (\$12.85) Dollars,  
 which \_\_\_\_\_ Plaintiff  
 recovered of \_\_\_\_\_ on the 19 day of October 1941  
 by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of \_\_\_\_\_ Dollars,

costs of suit, and have the same to render to the said \_\_\_\_\_ and make return of this Writ and the execution thereof, according to law.  
 Interest from \_\_\_\_\_ 193 to date of collection.  
 Witness my hand, this 15 day of January 1941  
R. S. Gurch, Register.

STATE OF ALABAMA. )  
BALDWIN COUNTY. )

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon RALPH NELSON 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 FLORENCE VIRGINIA NELSON against said RALPH NELSON, 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.

4<sup>th</sup> WITNESS, R. S. DUCK, Register of said Circuit Court, this day of October, 1940.

R. S. Duck  
Register.

FLORENCE VIRGINIA NELSON, ) IN THE CIRCUIT COURT OF  
Complainant, )  
vs. ) BALDWIN COUNTY, ALABAMA.  
RALPH NELSON, ) IN EQUITY.  
Respondent. )

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

Your complainant, FLORENCE VIRGINIA NELSON, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your complainant and the respondent, Ralph Nelson, are both over twenty-one years of age and bona fide residents of Baldwin County, Alabama, and have been for more than three years next preceding the filing of this bill of complaint.

2. That your complainant and the respondent were married at Pensacola, in the State of Florida, on July 15, 1936, and lived together as husband and wife in Baldwin County, Alabama, until the early part of 1939.

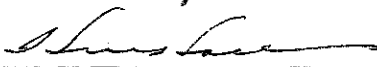
3. That the respondent is a man of violent and ungovernable temper; that soon after they were married, the respondent began

to abuse the complainant and often cursed, threatened and abused her and did actual violence to her person by striking her; that this condition grew worse from time to time until it was absolutely impossible for the complainant to longer live with him as his wife; that the conduct of the respondent was such as to cause your complainant to reasonably believe and she did actually believe that if she continued to live with the respondent as his wife, he would do further violence to her person, which would necessarily endanger her life and health.

WHEREFORE, the premises considered, complainant prays that your Honor will by proper process make the said RALPH NELSON party respondent to this bill of complaint, requiring 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.

Complainant further prays that upon a final hearing hereof your Honor will give and grant to her a decree of divorce forever barring the bonds of matrimony existing between her and the respondent. Complainant prays for such other, further, different or general relief as to your Honor and this Honorable Court may seem meet and proper. And as in duty bound, complainant will ever pray.

BEEBE & HALL,

By   
Solicitors for Complainant.

THE STATE OF ALABAMA, }  
Baldwin County }

CIRCUIT COURT

TO MRS. O'BYRNE J. WHITLEY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Florence Virginia Nelson and John Lewis

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Florence Virginia Nelson

is Complainant  
and Ralph Nelson

is Defendant,

on oath to be by you administered, upon them

to take and certify the depositions of the witnesses and return the same to our Court, with all Convenient speed, under your hand.

Witness 18th day of October, 1940.

*R. S. Dush*

REGISTER

Commissioner's Fee \$ 5.00

Witness' Fees, \$ \_\_\_\_\_

Florence Virginia Nelson,

Complainant,

vs

Ralph Nelson,

Respondent,

In the Circuit Court of Baldwin

County, Alabama.

In Equity

And now comes the Respondent, Ralph Nelson, in his own proper person, and for answer to the Complainant's bill of complaint and to each count thereof separately and severally, says:

1. That he admits the allegations contained in paragraphs 1 and 2 thereof:

2. That he denies the allegations contained in paragraph 3, and demands strict proof thereof.

The Respondent waives notice of the time of taking testimony on behalf of the Complainant, the right to cross examine the Complainant's witnesses, and agrees that this matter be submitted for final decree without further notice.

Ralph Nelson

FLORENCE VIRGINIA NELSON,  
Complainant,  
VS.  
RALPH NELSON,  
Respondent.

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 Waiver of the Respondent, 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.


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 Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant and Respondent 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 FLORENCE VIRGINIA NELSON shall not again marry, except to the said RALPH NELSON, 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 RALPH NELSON, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the costs herein taxed, for which execution may issue.

Dated at Monroeville, Monroe County, Alabama, this 19<sup>th</sup> day of October, 1940.

  
\_\_\_\_\_  
Judge of the 21st Judicial Circuit of Ala.



Executed 10-8-40 19 40  
by serving copy of within Summons and  
Complaint on

Ralph Nielson

W. R. Stuart Sheriff

By \_\_\_\_\_ Deputy Sheriff

RECORDED  
668

FLORENCE VIRGINIA NELSON,  
Complainant,

vs.

RALPH NELSON,  
Respondent.

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

BILL FOR DIVORCE.

Filed October 4, 1940

R. S. Buck  
Register.

Received in Sheriff's Office  
this 4 day of Oct, 1940  
W. R. STUART, Sheriff  
*msk*



**THE STATE OF ALABAMA**

**Baldwin County**

**CIRCUIT COURT**

FLORENCE VIRGINIA NELSON

**Complainant**

**vs.**

RALPH NELSON

**Defendant**

**Commission To Take Deposition**

**COMMISSIONER:**

Mrs. O'Byrne J. Whitley

**Witnesses:**

Florence Virginia Nelson

John Lewis

RECORDED

Florence Virginia Nelson

vs

Ralph Nelson

Answer v Nelson

Filed - October 17th, 1940.  
R.S. Ditch, Registrar

**RECORDED**

FINAL DECREE OF DIVORCE

FLORENCE VIRGINIA NELSON,

Complainant,

VS.

RALPH NELSON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed October 21, 1940*  
*R.S. Durr, Register*

THE STATE OF ALABAMA  
Baldwin County

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

FLORENCE VIRGINIA NELSON

COMPLAINANT

VS.

RALEPH NELSON

RESPONDENT

I, O'Byrne J. Whitley

as ~~Register~~ Commissioner

have called and caused to come before me Florence Virginia Nelson and John Lewis

witnesses named in the Requirement for Oral Examination, on the 18th day of October

1940, at the office of Beebe & Hall

in Bay Minette, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Florence Virginia Nelson

doth depose and say as follows:

My name is Florence Virginia Nelson. I am a resident of Baldwin County, Alabama, and have been all of my life. I am over twenty-one years of age. The Respondent, Ralph Nelson, is over twenty-one years of age and a resident of Baldwin County, Alabama.

The Respondent and I were married at Pensacola, Florida, on to-wit, July 15th, 1936. We lived together as husband and wife, in Baldwin County, Alabama, until sometime during the early part of 1939. The Respondent is a man now about 70 years old, and has a violent and ungovernable temper. Soon after the Respondent and I were married, the Respondent, for some unknown reason, began mistreating me, and real often cursed, threatened and abused me, and on several occasions he did actual violence to my person by striking me. Conditions grew worse from time to time from immediately after we were married until it became such that it was impossible for me to live with him in his home and as his wife. The conduct of the Respondent was such as to cause me to have every reasonable apprehension to believe, and I did actually believe that if I continued to live with him, he would do further violence to my person, which would necessarily endanger my life and health. We, during the time I lived with him, lived at what is known as "Nelson's Point", on Fish River, and many times there was nobody near for me to call upon for assistance. I finally had to leave him and have not since that time lived with him.

Mrs. F. Virginia Nelson

JOHN LEWIS, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is John Lewis. I live at Robertsdale, in Baldwin County, Alabama. I am personally acquainted with Florence Virginia Nelson and have known her something over a year. I have, during the past year, had occasion to see Mrs. Nelson real often, and have also had people discuss with me the conditions that surrounded her living down at Nelson's Point, on Fish River, with the Respondent, Ralph Nelson. I have also had occasion to talk with people who often visited down there and have learned that the Respondent real often cursed, abused and threatened the Complainant, and on many oc-

**ORAL EXAMINATION**

I, W. Byrne J. Whitley, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition~~s~~ on Oral Examination was taken down in writing by me in the words of the witness~~s~~ and read over to them and they signed the same in the presence of myself and Hubert M. Hall

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness~~s~~ or had proof made before me of the identity of said witness~~s~~; 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 18th day of October, 1940

W. Byrne J. Whitley (L. S.)  
Commissioner

No. \_\_\_\_\_ Page \_\_\_\_\_

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN CIRCUIT COURT, IN EQUITY**

FLORENCE VIRGINIA NELSON,

Complainant

Vs.

RALPH NELSON

Respondent

**ORAL DEPOSITION**

Filed October 18th, 1940

R. S. Dyer, Register

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Register \_\_\_\_\_, Register

and  
casions did actual violence to her person, that it was often necessary for her to leave the place and to seek the assistance of some of the neighbors living in that community. The Complainant, after being forced away, on two or three occasions went back and tried to live with the Respondent, but each time the Respondent was worse. I know of my own personal knowledge and from such information as I have been able to obtain that it was absolutely impossible for the Complainant to live with the Respondent as his wife.

John Lewis.

STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. \_\_\_\_\_ Term, 193\_\_\_\_\_

FLORENCE VIRGINIA NELSON \_\_\_\_\_, Complainant

Vs.

RALPH NELSON \_\_\_\_\_, Defendant

To HON. R. S. DUCK \_\_\_\_\_, Register :

In the above stated cause ~~an Answer and Waiver having been filed by the Defendant,~~  
~~an Answer and Waiver having been filed by the Defendant,~~  
~~an Answer and Waiver having been filed by the Defendant,~~  
~~an Answer and Waiver having been filed by the Defendant,~~  
~~an Answer and Waiver having been filed by the Defendant,~~  
and evidence having been taken, and the cause being ready for submission for final decree, and no  
defense having been 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.

FLORENCE VIRGINIA NELSON,

\_\_\_\_\_

\_\_\_\_\_

VS.

RALPH NELSON

\_\_\_\_\_

\_\_\_\_\_

**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, \_\_\_\_\_  
Commission to Take Deposition, Testimony of Florence Virginia Nelson and  
John Lewis, and Request for Decree in Vacation

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in behalf of Defendant upon Answer and Waiver

\_\_\_\_\_  
\_\_\_\_\_

*R. S. Dusk*

Register.



**RECORDED**

No. \_\_\_\_\_

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
Circuit Court of Baldwin County

FLORENCE VIRGINIA NELSON,

VS.

RALPH NELSON,

**NOTE OF TESTIMONY**

Filed in Open Court this 18th

day of October 19340

*R. S. Buck*

REGISTER

RECORDED

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**The State of Alabama,**

Baldwin County.

**CIRCUIT COURT, IN EQUITY**

FLORENCE VIRGINIA NELSON,

Vs.

RALPH NELSON

**REQUEST FOR DECREE IN  
VACATION**

Filed October 18th, 193<sup>x</sup> 40

*R. S. Duck*

Register.

Recorded in \_\_\_\_\_ Record

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Register.