

CHANCERY EXECUTION

BILL OF COSTS

No. 723

Han Beard vs. *Callie Beard*

Plaintiff

Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward.....	\$
Filing each bill and other papers.....	\$	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%.	
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, 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 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	50
Entering each return thereof.....		15	(Acts 1915)	
Docketing each case.....	1	00	Total Fees of Register.....	1077
Entering each appearance.....		25	FEES OF SHERIFF	
Issuing each decree pro confesso on per. ser.	1	00	Serving and returning subpoena on deft.	\$1 50
Issuing each decree pro confesso on publication	1	00	Serving and returning subpoena for witness	65
Each order appointing guardian.....	1	00	Levying attachment.....	3 00
Any other order by Register.....		50	Entering and returning same.....	25
Issuing commission to take testimony....		50	Selling property attached.....	
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 100 words over 500.....		15	Taking and approving bonds, each....	75
Taking account, etc.....	3	00	Collecting money on execution.....	
Taking testimony, etc.....		15	Making deed	2 50
Each report, 500 words or less.....	2	50	Serving and returning application, etc.	1 00
For every 100 words over 500.....		15	Serving attachment, contempt of court	1 50
Amount claimed less than \$500, etc.....	2	00	Total Fees of Sheriff.....	300
Issuing each subpoena.....		25	RECAPITULATION	
Witness certificate, each.....		25	Register's Fees	1075
Issuing execution, each		75	Sheriff's Fees	300
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, etc.	3	00	Recording Decree in Probate Court....	
Each settlement with receiver, etc.....	3	00	Total.....	11275
Exam'ing each voucher of Receiver, etc.		10		
Examining each answer, etc.....	3	00		
Recording resignation, etc.....		75		
Entering each cert. 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, 1½ per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, ¼ of 1 per ct.				
Sub Total Carried Forward.....				

The State of Alabama, } No. _____
 Baldwin County. } Circuit Court, In Equity July Term, 1947

To Any Sheriff of the State of Alabama—GREETINGS:
 You are hereby commanded, That of the goods and chattels, lands and tenements of

Han Beard Defendant.....

you cause to be made the sum of _____ Dollars,

which _____ Plaintiff.....

recovered of _____ on the 4th day of July 1947

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 Resnick and make return of this Writ and the execution thereof, according to law.

Interest from _____ 1947 to date of collection.

Witness my hand, this 1st day of Sept 1947,
Resnick, Register.

STATE OF ALABAMA,)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon CALLIE BYRD 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 VAN BYRD against said CALLIE BYRD, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent 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 28th
day of May, 1941.

R. S. Duck
REGISTER.

VAN BYRD,)
Complainant,)
VS.)
CALLIE BYRD,)
Respondent.)

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

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

And now comes your Complainant, VAN BYRD, and humbly complaining against the Respondent, CALLIE BYRD, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That both your Complainant and Respondent are bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.

SECOND:

That your Complainant and Respondent were married at Bay Minette, in Baldwin County, Alabama, on July 30, 1938, and lived together as husband and wife, in Baldwin County, Alabama, until, on to-wit, in October, 1938.

THIRD:

That, on to-wit, in October, 1938, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said CALLIE BYRD party respondent to this Bill of Complaint, requiring her 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 of this cause, your Honor will give and grant unto him a decree of absolute divorce, forever bearing the bonds of matrimony existing between him and the Respondent, CALLIE BYRD; that your Honor will give and grant unto him such other, further different or general relief as he may be in equity and good conscience entitled to receive, and as in duty bound he will ever pray.

BEEBE & HALL

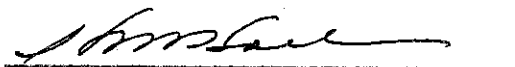
By: *Shirley*
Solicitors for complainant

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

Before me, the undersigned authority in and for said County, in said State, personally appeared H. M. Hall, who is known to me and who being by me first duly sworn deposes and says;

That he is personally acquainted with Callie Byrd, the Respondent in the case of Van Byrd Vs. Callie Byrd matter pending in the Circuit Court of Baldwin County, Alabama in Equity;

That he knows of his own personal knowledge that the said Callie Byrd is not and has not been in the Military or Naval services of the United States.



Sworn to and subscribed before me this 1st day of July, 1941.



Notary Public, Baldwin County, Ala.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO FRANCES BRANTLEY:

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 Van Byrd and D. C. Wilson

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

Van Byrd,

is Complainant

and

CALLIE BYRD#,

is Defendant,

on oath to be by you administered, upon them

to take and certify the deposition^s of the witness^{es} and return the same to our Court, with all Convenient speed, under your hand.

Witness 3rd day of July, 19 41.

R. S. Durb

REGISTER

Commissioner's Fee \$ _____

Witness' Fees, \$ _____

RECORDED

Van Byrd
"
Callie Byrd

Alfredovis

Filed July 1, 1940

R. S. Duch
Register

Executed this
the 28th day of
May 1941 by
serving a copy
of the within bill
of complaint on
Callie Byrd

W.R. Stunt
sheriff

By
W.R. Stunt
DS

723
RECORDED

VAN BYRD, Complainant
VS.
CALLIE BYRD, Respondent

BILL OF COMPLAINT

Filed May 28, 1941
R.S. Duch, Register

VAN BYRD,

COMPLAINANT,

VS

CALLIE BYRD,

RESPONDENT.

)
)
)
)
)
)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY. NO. 723.

DECREE OF DIVORCE.

This cause coming on to be heard is submitted upon the original Bill of Complaint, Decree pro confesso, 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 the Respondent be, and the same are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant be, and he is hereby permitted to again contract marriage upon the payment of the costs in this cause,

IT IS FURTHER ORDERED that the Complainant, VAN BYRD, pay the costs of this cause, for which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the said VAN BYRD shall not again marry, except to the said CALLIE BYRD, until sixty (60) days after this date, and if an appeal is taken within said sixty (60) days, he shall not again marry, except to the said CALLIE BYRD, during the pendency of the appeal.

Dated at Monroeville, Monroe County, Alabama, on the 4th day of July, 1941.

F. W. Hare
Judge of Circuit Court of Baldwin
County, Alabama

VAN BYRD,
Complainant,
VS.
CALLIE BYRD,
Respondent.

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

This cause coming on to be heard is submitted upon the original Bill of Complaint, Decree pro confesso, 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 the Respondent be, and the same are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant be, and he is hereby permitted to again contract marriage upon the payment of the costs in this cause,

IT IS FURTHER ORDERED that the Complainant, VAN BYRD, pay the costs of this cause, for which let execution issue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the said VAN BYRD shall not again marry, except to the said CALLIE BYRD, until sixty (60) days after this date, and if an appeal is taken within said sixty (60) days, he shall not again marry, except to the said CALLIE BYRD, during the pendency of the appeal.

Dated at Monroeville, Monroe County, Alabama, on this 14 day of

July, 1941.

F. W. Hall
Judge of Circuit Court of Baldwin
County, Alabama.

RECORDED

DECREE OF DIVORCE.

Filed July 5, 1941
R. L. Dush, Register

Van Byrd

Complainant,

Vs.

Callie Byrd,

Respondent.

In the Circuit Court.

In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

Callie Byrd

by the Sheriff of Baldwin County, on the 28th day of May

194 1.

And it further appears to the Register, that the said _____

Callie Byrd

_____, the Respondent, having to the date hereof, failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

Hubert M. Hall

on motion of _____ Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said _____

Callie Byrd

This 3rd day of July, 194 1.

R.S. Bush

Register.

RECORDED

No. _____

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

Van Byrd

Complainant,

Vs.

Gallie Byrd,

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 3 day of July,
194 1.

R. S. [Signature]

Register.

The State of Alabama }
Baldwin County

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

VAN BYRD

COMPLAINANT

VS.

CALLIE BYRD

RESPONDENT

I, FRANCES BRANTLEY

~~as Register and~~ Commissioner

have called and caused to come before me VAN BYRD and D. C. WILSON

witnesses named in the requirement for Oral Examination, on the 23rd day of July

1934¹, 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 VAN BYRD

doth depose and say as follows:

My name is Van Byrd. I am a resident of Baldwin County, Alabama and over twenty-one years of age. The Respondent, Callie Byrd, is also a resident of Baldwin County, Alabama, and Over twenty-one years of age. Callie Byrd and I were married at Bay Minette, Alabama, July 30th, 1938. We lived together as husband and wife in Bay Minette, Alabama, until in October, 1938. In October, 1938 the said Callie Byrd voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time; that we have not lived together as husband and wife since she went away.

Van Byrd

D. C. WILSON, WITNESS FOR COMPLAINANT, HAVING BEEN FIRST DULY SWORN DEPOSES AND SAYS:

My name is D. C. Wilson. I live at Bay Minette, Alabama, in Baldwin County. I am personally acquainted with Van Byrd and Callie Byrd. I remember when Van Byrd and Callie Byrd were married. They lived together only a short time. I know that they have not lived together since the latter part of 1938.

D. C. Wilson

ORAL EXAMINATION

I, FRANCES BRANTLEY as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness ES and read over to THEM and THEY signed the same in the presence of myself and H. M. HALL

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 22nd day of July 19 41.

Frances Brantley (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed July 3, 1941

R. S. Luck, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

and
and this written request to deliver the papers in this cause to the judge for final decree in vaca-

tion of records now files with the Register of this

defence having been interposed, the Complainant, by

conference having been taken, and the cause being ready for adjudication for final decree, and no

in the above stated cause a Decree Pro Confesso having been taken against the Defendant, and

No. _____ Register.

RECORDED

No. _____	Page _____
The State of Alabama, Baldwin County CIRCUIT COURT, IN EQUITY	
VS. _____	
REQUEST FOR DECREE IN VACATION	
Filed _____	194 _____
<i>R. S. Sewell</i> Register.	
Recorded in _____	Record _____
Vol. _____	Page _____
Register.	

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 723 July Term, 1941.

VAN BYRD,

Complainant

Vs.

CALLIE BYRD

Defendant

To R. S. Duck, Register

In the above stated cause a Decree Pro Confesso having been taken 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 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 [Signature]

Solicitor for Complainant.

VAN BYRD,
Complainant,
VS.
CALLIE BYRD,
Respondent.

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

This cause coming on to be heard is submitted upon the original Bill of Complaint, Decree pro confesso, 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 the Respondent be, and the same are hereby dissolved and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant be, and he is hereby permitted to again contract marriage upon the payment of the costs of this cause.

IT IS FURTHER ORDERED that the Complainant, VAN BYRD, pay the

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, in equity, hereby certify that the above and foregoing is a full, true, and correct copy of the decree rendered by the said Court, on the 4th day of July, 1941, in the cause of VAN BYRD, Complainant, Vs, CALLIE BYRD, Respondent, as the same appears on file in said Court.

Witness my hand and seal of said Court on this 5th day of July, 1941.

R. S. Duck
Register.

Certified copy of Deed

BEEBE & HALL
LAWYERS
BAY MINETTE, ALABAMA

VAN BYRD

VS.

CALLIE BYRD

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, Motion for Decree pro confesso; Commission to take testimony; Decree pro confesso, and Testimony

of Van Byrd and D. C. Wilson; Request for Decree in vacation;

and in behalf of Defendant upon

R. E. Smith

Register.

The State of Alabama,
Baldwin County.

No. _____ CIRCUIT COURT IN EQUITY.

VAN BYRD

Complainant

vs.

CALLIE BYRD

Defendant

Motion is hereby made for a Decree Pro Confesso against

CALLIE BYRD

Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 28th day of June 1941

Beale & Dale
by [Signature]

Solicitor.

RECORDED

No. _____ Page _____

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed July 2, 1941

R. S. Dush

Register.

Recorded in _____ Record,

Vol. _____ Page _____

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 3rd

day of July 1941

R. S. Church

REGISTER