

CHANCERY EXECUTION

BILL OF COSTS

No. 758. Leroy Barnes,

Vs. Hattie Barnes.

Plaintiff

Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward.....	*	\$
Filing each bill and other papers.....	\$	40	For Receiving, keeping and paying		
Issuing each subpoena.....	50	50	out or distributing money, etc.; 1st		
Issuing each copy thereof.....	40	40	\$1,000, 1%, all over \$1,000, and not		
Entering each return thereof.....	15	15	over \$5,000, 3-4 of 1%; all over \$5,-		
For each order of publication.....	1 00		000 and not exceeding \$10,000, 1-2		
Issuing writ of injunction.....	1 50		of 1%, all over \$10,000 1-4 of 1%.		
For each copy thereof.....	50		Receiving, keeping and paying out		
Entering each return thereof.....	15		money paid into court, etc., 1-2 of		
Issuing Writ of Attachment.....	1 00		1% of amount received.		
Entering each return thereof.....	15	1 00	Each notice sent by mail to creditor...	15	
Docketing each case.....	1 00		Filing, receipting for and docketing		
Entering each appearance.....	25	25	each claim, etc.....	25	
Issuing each decree pro confesso on	1 00		For all entries on subpoena docket,		
per. ser.	1 00		etc.	50	
Issuing each decree pro confesso on	1 00		For all entries on commission docket,		
publication	1 00		etc.	50	
Each order appointing guardian.....	1 00		Making final record, per 100 words	15	
Any other order by Register.....	50		Certified copy of decree.....	1 00	2 25
Issuing commission to take testimony...	50		Report of divorce to State Health		
Receiving and filing.....	10		Office	50	
Endorsing each package.....	10		(Acts 1915)		
Entering order submitting cause.....	50	25	Total Fees of Register.....	6 05	
Entering any other order of court.....	25		FEES OF SHERIFF		
Noting all testimony.....	50		Serving and returning subpoena on		
Abstract of cause, etc.....	1 00		deft.	\$1 50	1 50
Entering each decree.....	75		Serving and returning subpoena for		
For every 100 words over 500.....	15		witness	65	
Taking account, etc.....	3 00		Levying attachment.....	3 00	
Taking testimony, etc.....	15		Entering and returning same.....	25	
Each report, 500 words or less.....	2 50		Selling property attached.....		
For every 100 words over 500.....	15		Impaneling Jury.....	75	
Amount claimed less than \$500, etc.....	2 00		Executing writ of possession.....	2 50	
Issuing each subpoena.....	25		Collecting execution for costs.....	1 50	1 50
Witness certificate, each.....	25	75	Serving and returning sci. fa., each	65	
Issuing execution, each	75	15	Serving and returning notice.....	65	
Entering each return	15		Serving and returning writ of injunc-		
Taking and approving bond, each	1 00		tion	1 50	
Making copy of bill, etc.....	15		Serving and returning writ of exeat.	1 50	
Each notice not otherwise provided for	50		Taking and approving bonds, each....	75	
Each certificate or affidavit, with seal ...	50		Collecting money on execution.....		
Each certificate or affidavit, no seal.....	25		Making deed	2 50	
Hearing and passing on application, etc.	3 00		Serving and returning application,		
Each settlement with receiver, etc.....	3 00		etc.	1 00	
Examining each voucher of Receiver, etc.	10		Serving attachment, contempt of		
Examining each answer, etc.....	3 00		court	1 50	
Recording resignation, etc.....	75		Total Fees of Sheriff.....		3 00
Entering each cert. to Supreme Court....	50		RECAPITULATION		3 00
Taking questions and answers, etc.....	25		Register's Fees		6 05
For all other ser. relating to such	1 00		Sheriff's Fees		3 00
proceedings	1 00		Commissioner's Fees		
For services in proceeding to relieve			Solicitor's Fees		
minors, etc., same fee as in similar			Witness Fees		
cases.			Guardian Ad Litem.....		
Commission on sales, etc.: 1st \$100, 2 per			Printer's Fees		
ct.; all over \$100 and not exceeding			Trial Tax	3 00	3 00
\$1,000, 1½ per ct.; all over \$1,000,			Recording Decree in Probate Court....		
an dnot exceeding \$20,000, 1 per ct.;			Total.....		12 05.
all over \$20,000, ¼ of 1 per ct.					
Sub Total Carried Forward.....	3 80				

The State of Alabama, }
Baldwin County. }

No. 758.

Circuit Court, In Equity — Feb. — Term, 1943

To Any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded; That of the goods and chattels, lands and tenements of

Leroy Barnes,

Defendant.....

you cause to be made the sum of 12 05 Costs only.

Dollars,

which _____ Plaintiff.....

recovered of Case Was Dismissed. on the 1st Feb. day of 1943

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 R S Duck,
and make return of this Writ and the execution thereof, according to law.

Interest from _____ 194 _____ to date of collection.

Witness my hand, this 15th day of March. 194 3.

R S Duck

Register.

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

HATTIE BARNES

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 LEROY BARNES,

against said HATTIE BARNES,

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 23rd day of September, 1941.

R. S. Duck, Register

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

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

Comes LEROY BARNES, your complainant, and humbly complaining against HATTIE BARNES, respectfully represents and shows unto your Honor as follows:

FIRST

That your complainant, LEROY BARNES, and the said HATTIE BARNES, defendant, are each over the age of twenty-one years and are residents of Baldwin County, Alabama, and have been for more than five years next preceding the filing of this bill of complaint.

SECOND

That your complainant and the defendant were married in the town of Bay Minette, Baldwin County, Alabama, September 25th, 1936.

THIRD

That your complainant and the said defendant lived together as husband and wife until, to-wit, July 1939 at which time the said defendant committed acts of adultery with one Bob McReynolds and has continued to commit said acts of adultery with the said Bob McReynolds down to this date and your complainant has not condoned such acts on the part of the defendant.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your Honor will by proper process make the said HATTIE BARNES, a party defendant to this bill of complaint, requiring her to plead, answer or demur within the time prescribed by law and under the penalties of this Honorable Court.

PRAYER FOR RELIEF

And your complainant further prays that your Honor will give and grant unto him an absolute decree of divorce, forever barring the bonds of matrimony heretofore existing between the said complainant and the said defendant. And your complainant further prays that your Honor will grant unto him the right to remarry; and your complainant prays for such other, further and different relief as he may be entitled to the premises.


ATTORNEY FOR COMPLAINANT.

The State of Alabama }
Baldwin County

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

LEROY BARNES

COMPLAINANT

VS.

HATTIE BARNES

RESPONDENT

I, _____

as Register and Commissioner _____

have called and caused to come before me _____

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

193____, at the office of _____

in _____, Alabama, and having first sworn said witness _____ to speak the

truth, the whole truth, and nothing but the truth, the said _____

_____ doth depose and say as follows:

My name is Leroy Barnes. I am the complainant in the above entitled cause. I am 38 years old and a resident of Bay Minette, Baldwin County, Alabama, and I have lived here all my life. I married Hattie Barnes in Bay Minette, Alabama, September 25, 1936. She and I lived together as husband and wife until sometime in July, 1939 when she committed acts of adultery with one Bob McReynolds. These acts of adultery were committed at my own house while I was away.

At one time in November, 1939, I returned to my house at night and found Hattie and Bob McReynolds in bed together. Since July, 1939, I have refused to live with her as husband and wife and have not condoned such acts of adultery on the part of Hattie Barnes.

Leroy Barnes