

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 181      January      Term, 1936

MARY ESTELLE WILDER ..... , Complainant ..

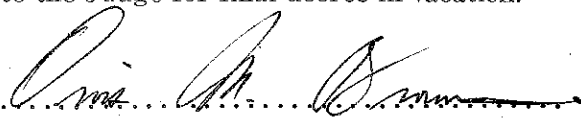
vs.

JAMES B. WILDER ..... , Defendant ..

To ROBERT 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 ORVIS M. BROWN .....

..... 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.

.....  .....  
Solicitor for Complainant.

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CIRCUIT COURT, BALDWIN COUNTY, ALA.,  
IN EQUITY.

Mary Estelle Wilder

No. 151

VS.

James B Wilder

PLAINTIFF  
DEFENDANT

Bill of Costs

Fees of Register		Dollars	Cts.	Brought Forward.....	
Filing each bill and other papers	10	\$ 10		For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000, and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000, and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	
Issuing each subpoena		50	100	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.	
Issuing each copy thereof		40	50	Each Notice sent by mail to creditors	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 Acts 1915	50
Entering each return thereof		15			
Docketing each case		1 00	100	Total Fees of Register	14 20
Entering each appearance		25	25		
Issuing each decree pro confesso on persl ser		1 00		Fees of Sheriff	
Issuing each decree pro confesso on publication		1 00		Serving and returning subpoena on deft.	\$ 1 50
Each order appointing guardian		1 00		Serving and returning subpoena for witness	65
Any other order by Register		50		Levyng attachment	1 50
Issuing commission to take testimony		50	50	Entering and returning same	25
Receiving and filing		10		Selling property attached	
Endorsing each package		10		Impaneling Jury	75
Entering order submitting cause		50	10	Executing writ of possession	2 50
Entering any other order of Court		25	50	Collecting execution for costs	1 50
Noting all testimony		50		Serving and returning sci. fa., each	65
Abstract of cause, etc.		1 00	50	Serving and returning notice	65
Entering each decree		75	75	Serving and returning writ of injunction	1 50
For every 100 words over 500		15		Serving and returning writ of exeat.	1 50
Taking account, etc.		3 00		Taking and approving bonds, each	75
Taking testimony, etc.		15		Collecting money on execution	
Each report, 500 words or less		2 50		Making deed	2 50
For every 100 words over 500		15		Serving and returning application, etc.	1 00
Amount claimed less than \$500, etc.		2 00		Serving attachment, contempt of court.	1 50
Issuing each subpoena		25		Total Fees of Sheriff	
Witness certificate, each		25			
Issuing execution, each		75		Recapitulation	
Entering each return		15		Register's Fees	14 20
Taking and approving bond, each		1 00		Sheriff's Fees	
Making copy of bill, etc.		15		Commissioner's Fees	500
Each notice not otherwise provided for		50		Solicitor's Fees	300
Each certificate or affidavit, with seal		50		Witness Fees	
Each certificate or affidavit, no seal		25		Guardian Ad Litem	
Hearing and passing on application, etc.		3 00		Printer's Fees	
Each settlement with receiver, etc.		3 00		Printer's Fees	
Examining each voucher of receiver, etc.		10		Trial Tax	3 00
Examining each answer, etc.		3 00		Recording Decree in Probate Court	
Recording resignation, etc.		75		TOTAL	22 20
Entering each certificate to Supreme Court		50			
Taking questions and answers, etc.		25			
For all other service relating to such proceedings		1 00			
For services in proceeding to relieve minors, etc., same fees as in similar cases.					
Commission on sales, etc.: 1st \$100, 2 per cent.; 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.					
Sub Total Carried Forward			5 20		

Received payment this 15 day of Jan. 1936

Robert S. Buck Register.

The State of Alabama }  
Baldwin County

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

MARY ESTELLE WILDER

COMPLAINANT

vs.

JAMES B. WILDER

RESPONDENT

I, CLAUDIA LE NOIR,

as Register and Commissioner

have called and caused to come before me Mary Estelle Wilder, Mrs. Harold  
Yates, and George Steele, of Fairhope, Alabama

witnesses named in the Requirement for Oral Examination, on the 2nd day of January  
1938, at the office of Amos Garrett

in Robertsdale, Alabama, and having first sworn said witnesses to speak the  
truth, the whole truth, and nothing but the truth, the said Mary Estelle Wilder, Mrs.  
Harold Yates and George Steele, doth depose and say as follows:

My name is Mary Estelle Wilder, my age is twenty five  
years old, I am the wife of James B. Wilder, we were married  
in Pensacola, Fla. in January 1934 and lived together until  
November 6th, 1934. There were no children born to us.

We never did get along very good together, he always  
was disagreeable, and fighting and finally in November and  
October of 1934, he abused me on several occasions striking me  
in the face and in the stomach. At the time this all occurred we  
were living at Fairhope, Alabama, this is where we lived  
until he left me in the first part of November 1934.  
I tried very hard to get along with him and did everything that  
I knew to try to please him but everything that I did he  
found fault.

He assaulted me and beat me in the face in November 1934 and  
then left without my knowledge or consent and he has not lived  
with me since.

When he left this time he staid gone and I have not seen him  
but later learned that he had gone to South Carolina.

On several occasions while my sister Mrs. Harold Yates  
was visiting with me he assaulted me and abused me in her  
presence, but we thought it best to try to get along if we  
could.

On one occasion while we were at a party he assaulted me in  
the presence of several people.

James B. Wilder, is 29 years of age.

I have not lived with him since he left on November  
6th, 1934 and I will not condone his offences, as he abused  
me from the time that we were first married.

I was a nervous wreck the whole time that he lived with  
me and since he left I have gained several pounds.

Mary Estelle Wilder

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To Claudia LeNoir.

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 Mrs. Harold Yates, of Fairhope, Ala, and  
George Steele, of Fairhope, Alabama

as witnesses in behalf of the Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Mary Estelle Wilder

Complainant  
and James B Wilder

Defendant,  
on oath to be by you administered, upon said witnesses  
to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 16 th day of December. 1935

*C. L. Duck*

REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESS' FEES, \$ 3.00 to be added by Court

MARY ESTELLE WILDER,

Complainant,

VS.

JAMES B. WILDER,

RESPONDENT.

IN THE CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA, IN EQUITY,

NO. \_\_\_\_\_

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

Now comes your complainant, MARY ESTELLE WILDER, and presents this her Bill of Complaint, against JAMES B. WILDER, and shown unto your Honor as follows:-

FIRST:

That your Complainant and the said James B. Wilder, are both over the age of twenty-one years, that your Complainant is a bona fide resident of the State of Alabama, and the County of Baldwin, and has been for over a year next prior to the filing of this complaint, that your complainant is a resident of Baldwin County and has been for a year <sup>next</sup> preceding the filing of this complaint, that your Respondent James B. Wilder, is a resident of the State of South Carolina, and of the city of Fort Moultrie, and has been for the past several months.

SECOND:

That your Complainant and the said James B. Wilder, were lawfully married in Pensacola, Florida, on January 1st, 1934, and lived together as man and wife until November 6th, 1934, and that there are no children of said marriage.

THIRD:

Your complainant further shows unto your Honor that during the month of October 1934, and while your complainant and the respondent were living together as man and wife in Baldwin, County, Alabama, that the said Respondent James B. Wilder, committed


actual violence on your complainant by strikeing her in the face and which violence was attended with danger to her life ~~and~~ or health; and your complainant further avers that since said assault and battery she has not lived with the said respondent as his wife and that she cannot and will not condone said assault.

PRAYER FOR PROCESS:

The premises considered, your complainant prays that Your Honor will take jurisdiction of the cause made by this Bill of Complaint, will cause notice thereof to be served on the respondent, James B. Wilder, according to the rules of this Honorable Court and the laws of this State in such matters pertaining, and make him respondent to said Bill of Complaint requiring him to answer, plead or demur within the time allowed by law.


PRAYER FOR RELIEF:

AND Your Complainant further prays that upon the final hearing of this cause your Honor will grant her a decree dissolving the bonds of Matrimony now existing between your complainant and the said James B. Wilder, granting ~~her~~ and absolute divorce, granting her the right to marry again, and granting her the right to use her maiden name of Mary Estelle Steele, and your complainant prays for such other and further relief as in Equity and good conscience she may be entitled to in the premises for which she will every pray.

  
Solicitor for Complainant.

FOOT NOTE

The respondent is required to answer, but not under oath the same being hereby expressly waived, as to each and every paragraph of the foregoing Bill of Complaint, numbering from One to Three both inclusive.

  
Solicitor for Complainant.

THE STATE OF ALABAMA, }  
Baldwin County.

No. 181 Circuit Court, In Equity

MARY ESTELLE WILDER ..... Complainant  
vs.

JAMES B. WILDER ..... 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.

ON ACCOUNT OF CRUELTY

It is further ordered that the said MARY ESTELLE WILDER be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause. and permitted to resume the use of her maiden name, Mary Estelle Steele.

It is further ordered, that the said MARY ESTELLE WILDER 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 be issued against the said

MARY ESTELLE WILDER

It is further ordered, adjudged and decreed that said MARY ESTELLE WILDER shall not again marry except to said JAMES B. WILDER until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said JAMES B. WILDER

..... during the said pendency of appeal

*The Respondent, James B. Wilder is permitted to again contract marriage on the above conditions*

This 10<sup>th</sup> day of Jan. 1936

*A. W. Harris*

Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }  
Baldwin County.

Circuit Court, In Equity.

I, ROBERT S. DUCK 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 ..... 1936 in the cause of

MARY ESTELLE WILDER ..... Complainant

vs.

JAMES B. WILDER ..... Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the .....

day of ..... 1936

Register

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 James B Wilder.

of \_\_\_\_\_ 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

Mary Estelle Wilder.

against said James B Wilder.

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, Robert S. Duck, Register of said Circuit Court, this 23 day of November. 1935

*Robert S. Duck*

Register

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



Mary Estelle Wilder,  
Complainant -

Vs ANSWER

James B. Wilder,  
Respondent -

IN EQUITY -

Circuit Court,

Baldwin County,  
Alabama.

Comes the respondent, James B. Wilder, in the above styled cause and for answer to same denies each and every allegation contained therein and demands strict proof of the same. He waives service of process by the sheriff and by publication, notice to take testimony on oral or written examination as well as the right to cross examine witnesses and consents that this cause may be submitted for decree on note of testimony as made by the register either in term time or in vacation. Dated this 7th day of December, 1935.

James B. Wilder  
Respondent -

Witnesses -

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The State of Alabama }  
Baldwin County

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

MARY ESTELLE WILDER

COMPLAINANT

vs.

JAMES B. WILDER

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*Mary Estelle Wilder*

E 1 RECORDED  
Duck  
6-26-21

Edgar Duck  
SS

MARY ESTELLE WILDER,

Complainant,

vs.

JAMES B. WILDER,

Respondent.

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,

Testimony of Mary Estelle Wilder and Mrs. Harold Yates and  
George Steele

and in behalf of Defendant upon Answer and Waiver

*Robert L. Duck*

Register.

Accepting employees will place initials in space below  
return receipt fee *25* in person *25*  
Delivery restricted to addressee or order *25* Special delivery fee  
Postmaster, per *25* 5-5850



Post Office Department  
OFFICE OF INSPECTION  
REGISTERED ARTICLE  
No. *1000*  
INSURED PARCEL

DELIVERY FOR POSTAGE USE AND PAYMENT OF POSTAGE REQUIRED



Address of *Robert L. Duck*  
Post Office at *Bay Minette*

Post Office at *Bay Minette*  
State *Alabama*

11-53 2

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INDEXED  
6-26-27

No. 181

The State of Alabama  
BALDWIN COUNTY

IN EQUITY  
Circuit Court of Baldwin County

MARY ESTELLE WIDDER,  
Complainant,

vs.

JAMES B. WIDDER,  
Respondent.

NOTE OF TESTIMONY

Filed in Open Court this Jan. 8

day of \_\_\_\_\_ 193 6

*Richard M. ...*  
REGISTER

MOORE PRINTING CO., BAY MINNERS, ALA.

