

1318

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1318 June, Term, 1945

R. R. Britain.

Complainant

Vs.

E. Lindsey. Britain

Defendant

Motion is hereby made for a Decree Pro Confesso against E Lindsey W. Britain

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 16th day of June 1945

746 Code

M. H. Hawkins

Solicitor.

RECORDED

No. 1318 Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

Britain

Complainant _____

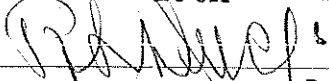
Vs.

Britain

Defendant _____

Motion for Decree Pro Confesso
on Publication

Filed June 16th 19 45



Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 1381 June, Term, 1945

R.R. Britain. Complainant

Vs.

E. Lindsey W. Britain. Defendant

In this cause it appears to the Register R S Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 19th day of April, 1945, in the Baldwin Times, a newspaper published in Baldwin, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 16th day of April, 1945 and

And it now further appearing to the Register R S Duck, that the said

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register R S Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said E. Lindsey W Britain

This 16th day of June, 1945

Register.

NOTICE TO NON-RESIDENT

TIMES PRINTING CO., BAY MINETTE

R R Britain

The State of Alabama,

No. 1318

County.

vs.

Circuit Court, in Equity

E Lindsey W Britain

This the _____ day of

_____, 194____

In this cause it being made to appear to the Clerk of this Court by the affidavit of

W H Hawkins

that the Defendant E. Lindsey W Britain

is a non-resident of the State of Alabama

and further, that, in the belief of said Affiant the Defendant is over the age of 21

years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper pub-

lished in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

the said E Lindsey W. Britain

to answer or demur to the Bill of Complaint in this cause by the 14th day of

May 1945, or after thirty days therefrom a decree Pro Confesso may be

taken against her

W H. Hawkins

Register.

Solicitor for Complainant

14
RECORDED

R. S. DUCK

Register and
Clerk

Of The
Circuit Court



BALDWIN COUNTY

BAY MINETTE, ALA.

State of Alabama

Baldwin County

Before me, the undersigned authority within and for said County in said State, Personally appeared W H Hawkins who being duly sworn disposes and says the he is the Solicitor for the Complainant in the case of R R Britain vs E Lindsey W Britain and to the best of his knowledge the respondant is a non-resident of the state of Alabama and her wherabouts ~~xxxx~~ is unknown ~~axxxx~~

12/2

RECORDED

[Faint handwritten signature]

[Handwritten signature: W H Hawkins]

Sworn to and subscribed before me this the 16th day of April 1945

[Handwritten signature: R S Duck]
Clerk Circuit Court Baldwin County
Alabama

1318

RECORDED

1944

1944

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1944

Bill of Complaint.

R. R. Britain, Complainant.

Circuit Court of Baldwin County, Ala.

vs.

E. Lindsay W. Britain, Respondent.

In equity.

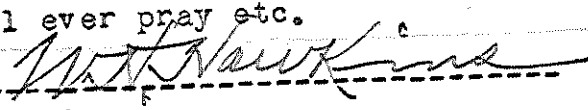
To the Hon. F. W. Hare, Judge of the 21st. Judicial Circuit:

Your complainant R. R. Britain, respectfully represents unto your Honor, that he and respondent, E. Lindsay W. Britain were married in Pascagoula, Miss. in December 1929 and that both, your complainant and respondent are over the age of 21 years.

That your complainant has been a bona fide resident of Alabama next preceding the filing of this bill of complaint for more than 16 years, and since his return from overseas last November, he has been living near Daphne, Baldwin County, Alabama.

Complainant avers that on or about May 1933, respondent voluntarily abandoned me, and since said abandonment I have never heard nor seen her and her whereabouts are unknown.

Premises considered, complainant requests that respondent be made a party defendant by proper process, and publication be made as required by law for non-residents, and that on proper proof, your complainant may be granted an absolute divorce from respondent, and that he be permitted to marry again, and for such and further relief, as in equity may seem proper and your complainant will ever pray etc.


Solicitor for complainant.

CHANCERY EXECUTION

BILL OF COST

No. _____

Vs.

Plaintiff
Defendant

	Dollars	Cents		Dollars
FEES OF REGISTER				
Filing each bill and other papers.....	\$	10	Brought Forward.....	
Issuing each subpoena.....		50	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 copy thereof.....		40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Entering each return thereof.....		15	Each notice sent by mail to creditor	15
For each order of publication.....	1.00		Filing, receipting for and docketing each claim, etc.	25
Issuing writ of injunction.....	1.50		For all entries on subpoena docket, etc.	50
For each copy thereof.....		50	For all entries on commission docket, etc.	50
Entering each return thereof.....		15	Making final record, per 100 words	15
Issuing writ of attachment.....		1.00	Certified copy of decree	1 00
Entering each return thereof.....		50	Report of divorce to State Health Office	50
Docketing each case.....	1.00		(Acts 1915)	
Entering each appearance.....		25	Total Fees of Register	
Issuing each decree pro confesso on per. 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	Levying attachment.....	3 00
Issuing commission to take testimony.....		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	Executing writ of possession	2 50
Entering any other order of court.....		25	Collecting execution for costs	1 50
Noting all testimony.....		50	Serving and returning sci. fa., each... ..	65
Abstract of cause, etc.....	1.00		Serving and returning notice	65
Entering each decree.....		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	2 50
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	RECAPITULATION	
Issuing execution, each.....		75	Register's Fees	1250
Entering each return.....		15	Sheriff's Fees	
Taking and approving bond, each.....	1.00		Commissioner's Fees	
Making copy of bill, etc.....		15	Solicitor's Fees	
Each notice not otherwise provided for.....		50	Witness Fees	
Each certificate or affidavit, with seal.....		50	Guardian Ad Litem	724
Each certificate or affidavit, no seal.....		25	Printer's Fees	300
Hearing and passing on application, etc.....	3.00		Trial Tax	3 00
Each settlement with receiver, etc.....	3.00		Recording Decree in Probate Court ...	
Examining each voucher of receiver, etc.....		10	Total	2279
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 fees 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 all over \$20,000, 1-4 of 1 per ct..				
Sub Total Carried Forward.....				

THE STATE OF ALABAMA, } No. _____
 Baldwin County. } **CIRCUIT COURT, IN EQUITY** _____ **TERM, 194** _____

To any Sheriff of the State of Alabama—GREETINGS:
 You are hereby commanded, That of the goods and chattels, lands and tenements of _____ Defendant
 you cause to be made the sum of _____ Dollars,
 which _____ Plaintiff.....
 recovered of _____ on the _____ day of _____ 194_____
 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 _____ 194_____ to date of collection.
 Witness my hand, this _____ day of _____ 194_____
 _____, Register.

No. _____

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY

vs.

CHANCERY EXECUTION
Fi. Fa.

\$

Total \$

Fee Book _____ Page _____

Execution Docket _____ Page _____

Complainant's Solicitor.

THE STATE OF ALABAMA,
Baldwin County.

ha _____ duly waived _____ right
to the exemption of personal property as to
the collection of the debt for which this exe-
cution is issued.

Register.

Received in office this _____
day of _____ 194____.

Sheriff.

Execution Docket _____ Page _____

THE STATE OF ALABAMA,
Baldwin County.

By virtue of the within execution I have levied

Table with 12 vertical columns for recording details.

The **BALDWIN**

ALABAMA'S BEST COUNTY'S- *Times* BEST NEWSPAPER

BAY MINETTE, ALABAMA

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Ford Cook, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

R. R. Britain

VS

E. Lindsey W. Britain

COST STATEMENT

162 WORDS @ *4 1/2* cents \$ *7.29*

I hereby certify this is correct, due and unpaid (~~paid~~).

Ford Cook
Publisher.

Was published in said newspaper for *4 1/2* consecutive weeks in the following issues:

- Date of 1st publication *April 19*, 194*5* Vol. *56* No. *12*
- Date of 2nd publication *April 26*, 194*5* Vol. *56* No. *13*
- Date of 3rd publication *May 3*, 194*5* Vol. *56* No. *14*
- Date of 4th publication *May 10*, 194*5* Vol. *56* No. *15*

Subscribed and sworn before the undersigned this _____ day of _____ 194*5*.

Notary Public, Baldwin County.

Ford Cook
Publisher.

NOTICE TO NON-RESIDENTS
R. R. BRITAIN
 vs
 No. 1318
E. LINDSEY W. BRITAIN
 State of Alabama, Baldwin County
 Circuit Court in Equity

This the 18th day of April, 1945.
 In this cause it being made to appear to the Clerk of this Court by the affidavit of W. H. Hawkins that the Defendant, E. Lindsey W. Britain, is a non-resident of the State of Alabama, and further, that, in the belief of said Affiant, the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said E. Lindsey W. Britain to answer or demur to the Bill of Complaint in this cause by the 14th day of May, 1945, or after thirty days therefrom a decree Pro Confesso may be taken against her.

R. S. DUCK, Register.
 W. H. HAWKINS,
 Solicitor for Complainant 12-4tc