

STATE OF ALABAMA,
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. 212

Spring

Term, 1936

Druella Carter.

, Complainant

vs.

Henry Carter.

, 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 **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.

Solicitor for Complainant.

The State of Alabama,
Baldwin County.

{ No. **212.**... CIRCUIT COURT IN EQUITY.

Drucilla Carter.

Complainant

vs.

Henry Carter.

Defendant

Motion is hereby made for a Decree Pro Confesso against **Henry Carter.**

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 **11th** day of **May** 19**36**

Beck & Hall

Solicitor.

8581. NOTE OF TESTIMONY

Drucilla Carter.

vs.

Henry Carter.

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,

Decree Pro Confesso. and Testimony of Drucilla Carter.

and in behalf of Defendant upon

Patricia D. ...

Register.

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

212

No. 212

Dwight Carter

VS.

PLAINTIFF

Henry Carter

DEFENDANT

BILL OF COSTS

Fees of Register	Dollars	Cts.	Brought Forward	
Filing each bill and other papers.....	\$	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	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cent of amount received.	
Issuing each copy thereof.....		40	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 hundred 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.....	17 50
Entering each Appearance.....		25	Fees of Sheriff	
Issuing each Decree Pro Confesso on personal service..		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.....	1 50
Any other order by Register.....		50	Entering and Returning same.....	25
Issuing Commission to Take Testimony.....		50	Selling Property Attached.....	75
Receiving and Filing.....		10	Impanelling 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.....	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	1 50
Issuing each Subpoena.....		25	Recapitulation	
Witness Certificate, each.....		25	Register's Fees.....	12 24
Issuing Execution, each.....		75	Sheriff's Fees.....	1 50
Entering each return.....		15	Commissioner's Fees.....	5 00
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	20 70
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 service relating to such proceedings.....		1 00		
For service in proceeding to relieve minors, etc same fee 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				

25-0
8.80
1.70

Received payment this _____ day of _____ 193_____

Register.

DRUCILLA CARTER

Complainant,

VS.

HENRY CARTER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN CHANCERY.

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

Comes your Complainant, DRUCILLA CARTER, and humbly complaining against the Respondent, HENRY CARTER, respectfully represents and shows unto your Honor and this Honorable Court as follows:

FIRST:

That your Complainant is a bona fide resident of Baldwin County, Alabama, over twenty-one years of age.

SECOND:

That the Respondent is over twenty-one years of age, and at present residing in Excel, Monroe County, Alabama.

THIRD:

That your Complainant and the Respondent were married in Escambia County, Alabama, in to-wit, August, 1925, and lived together as husband and wife until September, 1931.

FOURTH:

That in September, 1931, 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 HENRY CARTER 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.

The State of Alabama,
Baldwin County.

No. 212. CIRCUIT COURT IN EQUITY.

Drucilla Carter. Complainant

vs.

Henry Carter. Defendant

In this cause it appears to the Register,
that a summons requiring the Defendant Henry Carter.

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days
after the service of said Summons upon Henry Carter.
was served upon him by the Sheriff of Monroe County, Alabama, on the
6th day of April, 19 36

And the said Defendant having failed to demur, plead to or answer the said Bill of Complaint
to this date, it is now, therefore, on motion of Beebe & Hall.
ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things
taken as confessed against the said Henry Carter.

Defendant aforesaid.

This 6th 11th day of May 19 36

Robert S. Duck Register.

The State of Alabama, }
Baldwin County } Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

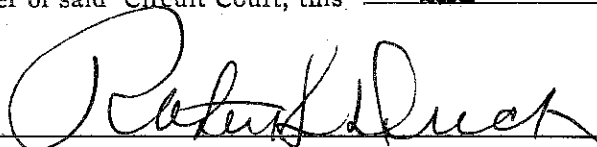
WE COMMAND YOU, That you summon Henry Carter.

of Monroe 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 Drucilla Carter.

against said Henry Carter.

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 2nd day of April. 193

 Register

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

The State of Alabama }
Baldwin County

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

DRUCILLA CARTER,

COMPLAINANT

VS.

HENRY CARTER,

RESPONDENT

I, ROBERT S. DUCK,

as Register and Commissioner of the Circuit Court

have called and caused to come before me Drucilla Carter

witness named in the requirement for Oral Examination, on the 7th day of May,
1936, at the office of clerk of the Circuit Court of Baldwin County,
in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Drucilla Carter

doth depose and say as follows:

My name is Drucilla Carter. I live at Loxley, in Baldwin County, Alabama, and am over twenty-one years of age. Henry Carter, who is over twenty-one years of age, and at present residing at Excel, Monroe County, Alabama, and I were married near Goodway, in Escambia County, Alabama, in August, 1925. We lived together as husband and wife until in September, 1931, when he left me voluntarily and has remained away voluntarily and continuously since that time. Henry Carter has not, since he left me in September, 1931, provided me with anything to eat or with clothes. I have had to support myself.

Drucilla Carter

ORAL EXAMINATION

I, ROBERT S. DUCK, 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 and read over to her and she signed the same in the presence of myself and _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proof made before me of the identity of said witness; 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 6 day of June 1956.

Robert S. Duck (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

DRUCILLA CARTER

COMPLAINANT

VS.

HENRY CARTER

RESPONDENT

ORAL DEPOSITION

Filed June 6, 1956

Robert S. Duck, Register.

RECORDED IN

_____ Record

Vol. _____ Page _____

_____, Register

Estell
Marion Estey

Serve on Henry Carter.
Circuit Court of Baldwin County
IN EQUITY

No. 212

S U M M O N S

Drucilla Carter.

vs.

Henry Carter.

Exec. Po. Mr. Gardner

Beebe & Hall.

Solicitor for Complainant

Recorded in Vol. _____ Page _____

(97)

RECORDED
Arch
6. 366

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this 9

day of April, 1936

M. W. Dennis
SHERIFF

Executed this 6 day of

Apr 1936

by leaving a copy of the within Summons with

Henry Carter

Defendant

W. S. Daniels

Sheriff

By _____
Deputy Sheriff

Coste

Circuit Court, Baldwin County, Ala.
In Equity.

No. 212

Coste

VS.

Coste

Cost Bill

Paid _____, 193

Register

Moore Ptg. Co.

RECORDED
Duck
6.366
BILL OF COMPLAINT.

DRUCILLA CARTER,
Complainant,

VS.

HENRY CARTER,
Respondent.

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

Filed April 2, 1936
Robert S. Duck,
Register

RECORDED
Shute
6-380

No. 212,.....

Page.....

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Drucilla Carter.

vs.

Henr Carter.

DECREE PRO CONFESSO ON
PERSONAL SERVICE

Issued ~~MAY~~ **MAY** 11th 1936

Richard D. ...
Register.

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

Dea Bank
Payee 377
VS.

Cost Bill

Paid _____, 193_____

Register

Moore Ptg. Co.

Handwritten calculations:
15.00
35.50
9.50
15.00
0000

75.00
15.00

90.00
15.00

105.00
15.00

120.00

Handwritten calculations:
21.20
15.00

6.70

RECORDED
Duck
6-380

N812 _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Drucilla Carter.

VS.

Henry Carter

NOTE OF TESTIMONY

Filed in Open Court this 8th
day of June. 1936

Ruth Duck

REGISTER

check
RECORDED
6-379

No. 212.-----

Page-----

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Drucilla Carter.

vs.

Henry Carter.

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

Filed **May 11th** 19**36**

Ruby Lewis

Register.

Recorded in----- Record,

Vol.----- Page-----

Register.

Check
RECORDED

No. 212.

Page 6-380

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Drucilla Carter

vs.

Henry Carter.

REQUEST FOR DECREE IN
VACATION

FILED June 8th 1936

O. P. [Signature]

Register

RECORDED IN RECORD

VOL. PAGE

Register

Complainant further prays that upon a final hearing of this cause your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, HENRY CARTER. Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

notarizing
Henry & Family
1913
substituted

FOOT NOTE:

The Respondent, HENRY CARTER, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs First to Fourth, inclusive, but not under oath, oath being hereby expressly waived.

Beale & Hall
Solicitors for Complainant.

Beale & Hall
Solicitors for Complainant.

IN CHANCERY
VICTORIA COUNTY
IN THE CIRCUIT COURT
OF THE STATE OF VIRGINIA
IN AND FOR THE COUNTY OF
VICTORIA
AC
BILL OF COMPLAINT

Complainant further prays that upon a final hearing of this cause your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, HENRY CARTER. Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BILL OF COMPLAINT.

See
 PRUCILLA CARTER,
 Complainant,
 vs.
 HENRY CARTER,
 Respondent.

IN THE CIRCUIT COURT OF
 HALEWEN COUNTY, ALABAMA,
 IN CHANCERY.

Filed April 2, 1936
 Robert S. Duct,
 Register

The Respondent, HENRY CARTER, in response to and answer to the foregoing bill of complaint, in paragraphs first to fourth, inclusive, but not under oath, each being hereby expressly waived.

Robert S. Duct
 Solicitors for Complainant