

(857)

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

Comes your Complainant Elizabeth Nauyokas and humbly
complaining against William A. Nauyokas, respectfully represents
and shows unto your Honor as follows:

FIRST:

That both your Complainant, Elizabeth Nauyokas, and
William A. Nauyokas are bona fide residents of Baldwin County,
Alabama, over twenty-one years of age, and have been such
residents of Baldwin County, Alabama, for more than three years
next preceding the filing of this bill of complaint.

SECOND:

That your Complainant and William A. Nauyokas are wife
and husband, having intermarried at Foley, Baldwin County,
Alabama, on August 10, 1914; that they lived together as such
wife and husband until in to-wit, June, 1929.

THIRD:

That in to-wit, during the year 1929, and up to June,
1929, the Defendant, William A. Nauyokas, cursed and abused your
Complainant, calling her vile names and often threatened to strike
her, and at times threatened to kill her, which conditions con-
tinued until it was impossible for your Complainant to longer
live with him; that the conduct of the Defendant, William A.
Nauyokas, has been and is such that your Complainant can no
longer live with him and that she has reasonable apprehension to
believe and does believe that the Defendant will carry out his
threats and thereby do serious violence to her person, attended
with danger to her life or health.

FOURTH:

That there was born to said marriage between your Complainant

and the said William A. Nauyokas one child, a girl, Benita Nauyokas, now fourteen years old; that the Defendant William A. Nauyokas is not the fit and proper person to have the custody, care and control of said child and that your Complainant is the fit and suitable person to have such custody, care and control of her.

WHEREFORE the premises considered, your Complainant prays that your Honor will by proper process make the said Defendant, William A. Nauyokas, a party Defendant 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.

Your Complainant further prays that upon the final hearing of this cause your Honor will enter an order and decree forever barring the bonds of matrimony existing between her and the said William A. Nauyokas; that your Honor will enter further order and decree awarding the custody, care and control of the daughter, Benita Nauyokas, to your Complainant, Elizabeth Nauyokas, and that your Honor give and grant unto your Complainant such other, further or different relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Beebe & Hall
SOLICITORS FOR COMPLAINANT.

FOOT NOTE:

The Defendant is required to answer each and every allegation of the foregoing bill of complaint numbered first to fourth, inclusive, but not under oath. Oath being hereby expressly waived.

Beebe & Hall
SOLICITORS FOR COMPLAINANT.

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 William A. Nauyokas

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 Elizabeth Nauyokas

against said William A. Nauyokas

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, T. W. Richerson, Register of said Circuit Court, this 23rd day of November 1929

OTR Phelion Register

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

STATE OF ALABAMA)
COUNTY OF BALDWIN)

CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY

ELIZABETH NOUYOKAS,
Complainant,)

VS

ANSWER AND CROSS BILL

WILLIAM A. NOUYOKAS,
Respondent.)

TO ANSWER THE ALLEGATIONS ONE TO FOUR, RESPECTIVELY, AND ARE AS
FOLLOWS:

YOUR RESPONDENT, WILLIAM A. NOUYOKAS, RESPECTFULLY REPRESENTS AND
SHOWS TO YOUR HONOR AS FOLLOWS:

I. Your Respondent admits the allegation in the First
Count hereof, as true.

II. (a) Your Respondent respectfully shows to this
Honorable Court that the Complainant, ELIZABETH NOUYOKAS, and WILLIAM
A. NOUYOKAS are husband and wife, having intermarried at Foley,
Baldwin County, Alabama, August 10, 1914, and that they are now
living together as husband and wife.

(b) Your Respondent further shows that the Complainant
and Respondent are living together in the same condition and in the
same house and on the same property as they have lived for more than
ten (10) years last past.

(c) Your Respondent denies that they are living separ-
ate and apart.

III. (a) Your Respondent shows to this Honorable Court
that the Complainant (Elizabeth Nouyokas) herein is a person of
highly nervous temper--that she has an uncontrollable temper.

(b) The Respondent further avers that the said Com-
plainant (Elizabeth Nouyokas) curses and abuses your Respondent,
that she calls him vile names and uses vile and approbious language
toward him. On many occasions she has used such vile and approbious
words that this Respondent does not care to repeat them, and he says
that such language used by the Complainant toward the Respondent is
wholly unfit to be written.

(c) That on various and divers occasions when your
Respondent was sick and unable to perform the duties on the farm,

that she, the Complainant, told your Respondent, "You are a lazy dog." And on other occasions, she is quoted as saying, "You can work till you drop dead. I don't care." Your Respondent further shows to this Honorable Court that the Complainant accuses your Respondent of being "a lazy, no account dog."

(d) Your Respondent denies his ever having any intention or threatening to kill the Complainant, or that she should ever have any apprehension of his doing so.

(e) Your Respondent further avers that the Complainant (Elizabeth Nouyokas), when enraged at times, throws nervous fits, and is a dangerous person, and has, at times, threatened to do bodily harm and violence to this Respondent, and that your Respondent is required to keep a continuous eye on her, the Complainant, to prevent violence from being done him.

IV. Your Respondent further shows to this Honorable Court that the Complainant was a city girl, raised in the city of St. Petersburg, or Petrograd, now Leningrad, Russia, and that he is Lithuanian, and came from the Province of Lithuania, and that they have lived in this country, the Complainant about twenty (20) years, and the Respondent something over twenty-five (25) years.

V. To your Fourth Count, your Respondent says that by the fruits of their marriage, one child, a girl, Benita Nouyokas, now fourteen (14) years of age, was born. Your Respondent avers that he is the father and proper person to have the care, custody and control of said child.

CROSS BILL

I. Your Respondent respectfully shows to this Honorable Court that on or about the 23rd day of November, 1910, WILLIAM A. NOUYOKAS, then a bachelor, bought from the Magnolia Springs Land Company the following described property, to wit: The Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), or Farm Number 4, Section Sixteen (16), Township Seven (7) South (S), Range Four (4) East (E), and that he worked diligently and faithfully and paid for such property, and that thereafter he married to this Complainant, and that on or about the 21st day of February, 1919, after they had been married some

four (4) or five (5) years, that he made a deed to the above and foregoing described property to this Complainant.

II. The Respondent further shows to this Honorable Court that by the labor of his hands and the energy exerted by him on the said farm, and that the proceeds of the farm, together with other work performed by him elsewhere were used in the payment of and for the property now held by this Complainant. ^{That the} Complainant never put any money in the property or helped to pay for it.

III. The Respondent further avers that this Complainant has no interest in the said property, and respectfully asks this Honorable Court to order the Complainant in this cause to convey to this Respondent the above and foregoing described property, and that as such, that a decree be entered forever barring the Complainant herein from in any way molesting, interfering, troubling, or having control in any manner whatever, any of the real or personal property now owned by this Respondent, though deeded to this Complainant; and that this Respondent be declared the owner of the property above described, together with all personal and mixed property connected therewith.

WHEREFORE PREMISES CONSIDERED, Your Respondent, WILLIAM A NOUYOKAS, respectfully asks that the Complainant, ELIZABETH NOUYOKAS, be made a party to the above and foregoing Cross Bill and that she be required to plead, answer or demur in the time required by law, under the penalties prescribed by law. Your Respondent further prays that upon the final hearing of this cause, that the bond of matrimony now existing between the Respondent and the Complainant be forever dissolved, and that Your Honor will further order a decree, warranting the care, custody and control of the daughter, BENITA NOUYOKAS, to this Respondent. That Your Honor further order and decree that the Complainant, ELIZABETH NOUYOKAS, deed, transfer, and convey the above and foregoing described property to your Respondent herein. And that Your Honor will grant such other and further relief as this Court may in equity and good conscience deem just.

Complainant is required to answer each and every allegation in the foregoing Cross Bill, but not under oath. Answer under oath is hereby expressly waived.

J. F. Nelson
attorney for Respondent

J. F. Nelson
attorney for Respondent

STATE OF ALABAMA)
COUNTY OF BALDWIN)

CIRCUIT COURT OF BALDWIN COUNTY,
ALABAMA, IN EQUITY

ELIZABETH NOUYOKAS,
Complainant,)

VS

WILLIAM A. NOUYOKAS,
Respondent.)

ANSWER AND CROSS BILL

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YOUR RESPONDENT, WILLIAM A. NOUYOKAS, RESPECTFULLY REPRESENTS AND
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J. F. Nelson
att'y for Respondent

Complainant is required to answer each and every allegation in the foregoing Cross Bill, but not under oath. Answer under oath is hereby expressly waived.

J. F. Nelson
att'y for Respondent

ELIZABETH NAUYOKAS,
Complainant,

vs

WILLIAM NAUYOKAS,
Respondent.

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

Comes the Complainant in the above styled cause and demurs to Respondent's cross bill and as grounds of demurrers says:

FIRST:

There is no equity in said bill.

SECOND:

The said bill is multifarious.

THIRD:

The said bill prays that a decree of divorce be granted in Respondent's favor as against the Complainant but does not allege any facts upon which this Court could enter such decree.

FOURTH:

The said bill prays that the Complainant be required to deed certain property described in said bill of complaint to the Respondent, but does not allege any facts upon which a Court of Equity could compel this Complainant to convey the said property to the said Respondent.

Beebe + Stace
SOLICITORS FOR COMPLAINANT.

CHANCERY EXECUTION

BILL OF COSTS

No. 857

Elizabeth Nayokar
Vs.
William A. Nayokar

Plaintiff

Defendant

FEES OF REGISTER

	Dollars	Cents
Filing each bill and other papers	\$	10
Issuing each subpoena		50
Issuing each copy thereof		40
Entering each return thereof		15
For each order of publication	1	00
Issuing writ of injunction	1	50
For each copy thereof		50
Entering each return thereof		15
Issuing Writ of Attachment	1	00
Entering each return thereof		15
Docketing each case	1	00
Entering each appearance		25
Issuing each decree pro confesso on per. ser.	1	00
Issuing each decree pro confesso on publica.	1	00
Each order appointing guardian	1	00
Any other order by Register		50
Issuing commission to take testimony		50
Receiving and filing		10
Endorsing each package		10
Entering order submitting cause		50
Entering any other order of court		25
Noting all testimony		50
Abstract of cause, etc.	1	00
Entering each decree		75
For every 100 words over 500		15
Taking account, etc.	3	00
Taking testimony, etc.		15
Each report, 500 words or less	2	50
For every 100 words over 500		15
Amount claimed less than \$500, etc.	2	00
Issuing each subpoena		25
Witness certificate, each		25
Issuing execution, each		75
Entering each return		15
Taking and approving bond, each	1	00
Making copy of bill, etc.		15
Each notice not otherwise provided for		50
Each certificate or affidavit, with seal		50
Each certificate or affidavit, no seal		25
Hearing and passing on application, etc.	3	00
Each settlement with receiver, etc.	3	00
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 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, 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

Dollars	Cents
3	60

Brought Forward

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%.	
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Each notice sent by mail to creditor	15
Filing, receipting for and docketing each claim, etc.	25
For all entries on subpoena docket, etc.	50
For all entries on commission docket, etc.	50
Making final record, per 100 words	15
Certified copy of decree	1 00
Report of divorce to State Health Office (Acts 1915)	50

Total Fees of Register

FEES OF SHERIFF

Serving and returning subpoena on deft.	\$1 50
Serving and returning subpoena for witness	65
Levyng attachment	3 00
Entering and returning same	25
Selling property attached	
Impaneling Jury	75
Executing writ of possession	2 50
Collecting execution for costs	1 50
Serving and returning sci. fa., each	65
Serving and returning notice	65
Serving and returning writ of injunction	1 50
Serving and returning writ of exeat	1 50
Taking and approving bonds, each	75
Collecting money on execution	
Making deed	2 50
Serving and returning application, etc.	1 00
Serving attachment, contempt of court	1 50

Total Fees of Sheriff

RECAPITULATION

Register's Fees	
Sheriff's Fees	
Commissioner's Fees	
Solicitor's Fees	
Witness Fees	
Guardian Ad Litem	
Printer's Fees	
Trial Tax	3 00
Recording Decree in Probate Court	

Total

The State of Alabama,

No. 857

Baldwin County.

Circuit Court, In Equity

Term, 1934

To Any Sheriff of the State of Alabama—GREETING:

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

Elizabeth Nayokar Defendant

you cause to be made the sum of _____ Dollars,

which *William A. Nayokar* Plaintiff

recovered of _____ on the 22 day of Aug 1934

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of

600 and 35/100 Dollars,

costs of suit, and have the same to render to the said *M. A. Stone* and make return of this Writ and the execution thereof, according to law.

Interest from 1934 to date of collection.

Witness my hand, this 11 day of Sept 1934

M. A. Stone 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 execu-
tion is issued.

Register.

Received in office this _____

day of _____ 193 ____

Sheriff

Execution Docket _____ Page _____

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama,
Baldwin County.

By virtue of the within execution I have levied _____

Copy

STATE OF ALABAMA)
COUNTY OF BALDWIN)

ELIZABETH NOUYOKAS,
Complainant,)

VS

WILLIAM A. NOUYOKAS,
Respondent.)

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY

ANSWER

and

CROSS BILL

Filed Dec 18th 1929
J. W. Richardson
Register

F. F. NELSON,
Solicitor for Respondent

3 Original

STATE OF ALABAMA }
COUNTY OF BALDWIN }

ELIZABETH NOUYOKAS,
Complainant, }

VS

WILLIAM A. NOUYOKAS,
Respondent. }

CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, IN EQUITY

Recorded on I.R.

ANSWER

and

CROSS BILL

Filed Dec 18th/1929
T. M. Williamson
Register

F. F. NELSON,
Solicitor for Respondent

ORIGINAL

SERVE ON William A. Nauyokas

**Circuit Court of Baldwin County
In Equity.**

No. _____

SUMMONS

Elizabeth Nauyokas

vs.

William A. Nauyokas

Beebe & Hall

Solicitor for Complainant

Recorded in Vol. _____ Page _____

2
**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Received in office this _____

day of _____ 192 _____

Sheriff.

Executed this 29th day of

November 192 9

by leaving a copy of the within Summons with

William A. Nauyokas

Defendant.

C. Devin

Sheriff.

By _____

Deputy Sheriff.

Recorded on F R