

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

No. *1007*

Myrtle Jefferson
vs.
Fred Jefferson

1007

PLAINTIFF
DEFENDANT

Bill of Costs

Fees of Register		Dollars	Cts.	Brought Forward		
Filing each bill and other papers	<i>4</i>	\$	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.		<i>2 70</i>
Issuing each subpoena			50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. 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 100 words	15	<i>- 1.50</i>
Entering each return thereof			15	Certified copy of decree	1 00	
Docketing each case		1	00	Report of divorce to State Health office Acts 1915	50	<i>4.20</i>
Entering each appearance			25	Total Fees of Register		
Issuing each decree pro confesso on persl ser		1	00			
Issuing each decree pro confesso on publication		1	00	Fees of Sheriff		
Each order appointing guardian		1	00	Serving and returning subpoena on deft.	\$ 1 50	<i>1 50</i>
Any other order by Register			50	Serving and returning subpoena for witness	65	
Issuing commission to take testimony			50	Levying attachment	1 50	
Receiving and filing			10	Entering and returning same	25	
Endorsing each package			10	Selling property attached		
Entering order submitting cause			50	Impaneling Jury	75	
Entering any other order of Court			25	Executing writ of possession	2 50	
Noting all testimony			50	Collecting execution for costs	1 50	
Abstract of cause, etc.		1	00	Serving and returning sci. fa., each	65	
Entering each decree			75	Serving and returning notice	65	
For every 100 words over 500			15	Serving and returning writ of injunction	1 50	
Taking account, etc.		3	00	Serving and returning writ of exeat.	1 50	
Taking testimony, etc.			15	Taking and approving bonds, each	75	
Each report, 500 words or less		2	50	Collecting money on execution		
For every 100 words over 500			15	Making deed	2 50	
Amount claimed less than \$500, etc.		2	00	Serving and returning application, etc.	1 00	
Issuing each subpoena			25	Serving attachment, contempt of court	1 50	
Witness certificate, each			25	Total Fees of Sheriff		<i>1 50</i>
Issuing execution, each			75	Recapitulation		
Entering each return			15	Register's Fees	<i>Richardson</i>	<i>4.20</i>
Taking and approving bond, each		1	00	Sheriff's Fees		<i>1.50</i>
Making copy of bill, etc.			15	Commissioner's Fees		
Each notice not otherwise provided for			50	Solicitor's Fees		
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	Trial Tax	3 00	<i>3 00</i>
Examining each voucher of receiver, etc.			10	Recording Decree in Probate Court		
Examining each answer, etc.		3	00	TOTAL		<i>8.70</i>
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 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						

Received payment this _____ day of _____ 193

Register.

cost Bill to Plf. atty. 2/14/34

Dismissed without prejudice

Circuit Court, Baldwin County, Ala.
In Equity.

No. 1007

Myrtle Defcoat
VS.
Freel Defcoat

Cost Bill

Paid _____ 193

Register.

Moore Printing Co. Bay Minette

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

Now comes your complainant, Myrtle Jefcoat, and presents this, her bill of complaint, against W. Fred Jefcoat, and shows unto your Honor as follows:

That your complainant and the said W. Fred Jefcoat are both over twenty-one years of age, are both bona fide residents of the State of Alabama, and have been for a period of more than three years next prior to the filing of this complaint, both of said parties being residents now of Baldwin County, State of Alabama, and have been for a number of months, having lived prior thereto in Mobile County, Alabama.

Your complainant and the said W. Fred Jeffcoat were lawfully married in Bay Minette, Baldwin County, Alabama, during the month of August 1921, and lived together as man and wife for a long period of time; that there has been born to the said complainant and the said W. Fred Jefcoat four children, the oldest being about ten years of age and the youngest about three, all of said children being with your complainant.

Your complainant further shows unto your Honor that during the month of October 1930, and while your complainant and the respondent were living together as man and wife in Baldwin County, Alabama, that the said respondent, W. Fred Jefcoat, committed actual violence on your complainant by striking her in the face, and which violence was attended with danger to her life 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.

And your complainant further shows unto your Honor that the said respondent, W. Fred Jefcoat, is an ablebodied man, able to work and able to provide for your

complainant and said children, and that she is without funds with which to pay her solicitors or to support herself and said children, except she can secure employment somewhere.

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, W. Fred Jefcoat, 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.

And your complainant further prays that your Honors will order a reference to be held by this Honorable Court to ascertain what will be a reasonable amount of alimony to be allowed her pendente lite, and also what solicitors fees she should be allowed, and that said report when filed be confirmed by this Court and the respondent to make payment of such alimony and solicitors fees.

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 W. Fred Jefcoat, granting her an absolute divorce, granting her the right to marry again, and will also enter a decree ordering the Register to hold a reference to ascertain what would be a reasonable amount of alimony to be allowed your complainant permanently, and that upon the report of said Register your Honor will decree that this respondent be required and compelled to pay such amount as shall be ascertained to be reasonable, and your complainant will ever pray, etc.


SOLICITORS FOR COMPLAINANT

FOOT NOTE:

The respondent is required to answer each and every paragraph of the foregoing bill of complaint, but not

under oath, his oath thereto being hereby expressly waived.

Gordon Edington Seigh
SOLICITORS FOR COMPLAINANT.

RECORDED

BILL OF COMPLAINT

BILL OF COMPLAINT

*Filed Oct 21st/93/
T. W. Dickinson
Register*

Gordon, Edington & Leigh,
Solicitors for Complainant.

STATE OF ALABAMA,)
COUNTY OF BALDWIN.)

MYRTLE JEFcoat,)
Complainant,)
vs.)
W. FRED JEFcoat,)
Respondent.)

ANSWER

BALDWIN COUNTY.
THE HON. W. F. HARE
SITTING IN EQUITY.

Comes now your Respondent and admits the allegations as set forth in the first count of Complainant's Bill of Complaint.

Your respondent respectfully denies that the Respondent and Complainant were married during the month of August, 1921, and says that they were married on the 1st day of September, 1920, and have lived together as man and wife for a long period of time; that there has been born to the said Complainant and Respondent four children: Aubrey Stewart Jefcoat, a son, age ten years six months; Dorothea Christine Jefcoat, a daughter, age eight years eleven months; Caroline June Jefcoat, a daughter, age seven years and five months; William Fred Jefcoat, Jr., a son, age three years and eight months. Respondent further shows to this Honorable Court that the oldest, Aubrey Stewart Jefcoat, is living with his father, the respondent herein, and has never left the abode of his father to live; that the three youngest children, Dorothea Christine Jefcoat, Caroline June Jefcoat and William Fred Jefcoat, Jr., were taken away by the mother when she left the respondent's home on or about the 15th day of October, 1931.

Your Respondent denies the allegations as set forth in the third count of the Complaint.

Your Respondent denies the allegations set forth in the fourth count of the Complaint and for further answer to said count shows to Your Honor that the Complainant herein has left the children in the care of third persons in Baldwin County and took up her abode in Mobile County, Alabama. Your Respondent further shows to this Honorable Court that he has been denied and is still denied the privilege of seeing the three younger children.

Premises considered, your Respondent, having answered the four paragraphs of the Complaint, demands strict proof of each and every allegation therein not admitted.

Your Respondent further shows to this Honorable Court that he is without funds and has no property other than a farm, which is encumbered over one-half of its value, and that he is unable financially to pay solicitor's fees or alimony pendente lite.

F. F. Nelson
Solicitor
Respondent

W. Fred Jefcoat

Original

STATE OF ALABAMA, }
COUNTY OF BALDWIN. }

MYRTLE JEFFCOAT,
Complainant,

vs.

W. FRED JEFFCOAT,
Respondent.

ANSWER

IN THE CIRCUIT COURT
BALDWIN COUNTY, ALABAMA

Filed Nov 16th 1931
W. F. Nelson
Deputy

W. F. Nelson,
Solicitor for Respondent

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RECORDED

STATE OF ALABAMA, }
COUNTY OF BALDWIN. }

MYRTLE JEFFCOAT, }
Complainant, }

vs.

W. FRED JEFFCOAT, }
Respondent. }

GROSS BILL
IN EQUITY
IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALABAMA

Filed April 16th 1931

J. M. McKeever
Register

F. F. Nelson,
Solicitor for Respondent

RECORDED

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STATE OF ALABAMA, }
COUNTY OF BALDWIN. }

Original

MYRTLE JEFcoat, }
Complainant, }
vs. }
W. FRED JEFcoat, }
Respondent. }

ANSWER

BALDWIN COUNTY,
THE HON. W. F. HARR
SITTING IN EQUITY.

Comes now your Respondent and admits the allegations as set forth in the first count of Complainant's Bill of Complaint:

Your respondent respectfully denies that the Respondent and Complainant were married during the month of August, 1921, and says that they were married on the 1st day of September, 1920, and have lived together as man and wife for a long period of time; that there has been born to the said Complainant and Respondent four children: Aubrey Stewart Jefcoat, a son, age ten years six months; Dorothea Christine Jefcoat, a daughter, age eight years eleven months; Caroline June Jefcoat, a daughter, age seven years and five months; William Fred Jefcoat, Jr., a son, age three years and eight months. Respondent further shows to this Honorable Court that the oldest, Aubrey Stewart Jefcoat, is living with his father, the respondent herein, and has never left the abode of his father to live; that the three youngest children, Dorothea Christine Jefcoat, Caroline June Jefcoat and William Fred Jefcoat, Jr., were taken away by the mother when she left the respondent's home on or about the 15th day of October, 1931.

Your Respondent denies the allegations as set forth in the third count of the Complaint.

Your Respondent denies the allegations set forth in the fourth count of the Complaint and for further answer to said count shows to Your Honor that the Complainant herein has left the children in the care of third persons in Baldwin County and took up her abode in Mobile County, Alabama. Your Respondent further shows to this Honorable Court that he has been denied and is still denied the privilege of seeing the three younger children.

Premises considered, your Respondent, having answered the four paragraphs of the Complaint, demands strict proof of each and every allegation therein not admitted.

Your Respondent further shows to this Honorable Court that he is without funds and has no property other than a farm, which is encumbered over one-half of its value, and that he is unable financially to pay solicitor's fees or alimony pendente lite.

W. Fred Jefcoat

J. F. Nelson

Solicitor for

Respondent

STATE OF ALABAMA, }
COUNTY OF BALDWIN. }

MYRTLE JEFcoat, }
Complainant, }
VS. }
W. FRED JEFcoat, }
Respondent. }

CROSS BILL

IN EQUITY

IN THE CIRCUIT COURT

OF BALDWIN COUNTY, ALA.

Comes now your Respondent, W. FRED JEFcoat, and shows to this Honorable Court that he has answered all of the allegations set forth in Complainant's Bill of Complaint, and further shows to this Honorable Court:

First: That the Complainant on or about the 15th day of October, 1931, left his home on the farm where they were living about four miles east of Robertsdale, Alabama, and took with her the three youngest children, namely, Dorothea Christine Jefcoat, Caroline June Jefcoat and William Fred Jefcoat, Jr., and that your Complainant, without just cause or legal excuse, left the home provided for by your Respondent and went away to the home of her mother.

Second: That the Complainant, after remaining a few days in Baldwin County, Alabama, left the County of Baldwin and left her three children with her mother and has since resided in Mobile County, Alabama, and that the said three youngest children, namely, Dorothea Christine Jefcoat, Caroline June Jefcoat and William Fred Jefcoat, Jr., are away from their mother and father and are residing with their grandmother; and that your Respondent is prohibited to visit the premises or take care of the three youngest children, the fourth one remaining with this Respondent.

Third: Your Respondent further shows to this Honorable Court that he is in possession of and has a small farm consisting of forty acres of land; that he has no money, but that he has a home whereby he provided food, clothing, shelter and sustenance for his children and Complainant, furnished them means and ways and sent the children that were of school age to school.

Fourth: Your Respondent further shows to this Honorable Court that he is willing to provide, care for and maintain all of his said children, and that he has a home wherein they may remain and have the comforts of a home, but that he has no other property and is unable to pay alimony pendente lite or permanent alimony.

Wherefore, premises considered, your Respondent prays that notice of this Cross Bill be served upon the Complainant, MYRTLE JEFcoat, according to the rules of this Honorable Court and the laws of this state in such manner pertaining, and that she be required to answer, plead or demur to this Cross Bill as the time allowed by law. Your Respondent further prays that an order issue out of this court entrusting and giving to the Respondent his said children until the final hearing of this cause, and that upon the final hearing of this cause, that he be granted the care and custody and control of all of the said

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 Myrtle Jefcoat,

of Mobile 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 Sum-
mons, and there to answer, plead or demur, without oath, to ^{AMENDED} a Bill of Complaint lately exhibited by
W. Fred Jefcoat,

against said

Myrtle Jefcoat,

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 16th day of

November, 1931

T. W. Richerson Register.

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

133 Original

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

W. Fred Jefcoat,

vs.

Myrthe Jefcoat,

*Deane Cotton Brothers
Caldwells & Deigh
Attys for Myrthe Jefcoat
Worcester National Bank
Mobile Ala*

F. F. Nelson

Cross

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

**The State of Alabama,
BALDWIN COUNTY.**

Received in office this 16

day of Nov. 1931

W. H. Plummer Jr.
Sheriff.

Executed this 17 day of

Nov. 1931

by leaving a copy of the within Summons with

A. E. Hodson one of the

*Attys of Myrthe, Calvington &
Deigh*
Defendant.

A. H. Oleander Jr.
Sheriff.

By *Wm. B. Bunnell*

Deputy Sheriff.

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 W.Fred Jefcoat

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 Myrtle Jefcoat

against said W.Fred Jefcoat

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 21st day of

October 1931

T. W. Richerson Register.

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

Original

Serve on _____

Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Mertle Jefcoat

vs.

W. Fred Jefcoat

Gordon, Edington & Leigh
Solicitor for Complainant.

Recorded in Vol. _____ Page _____

Robert L. C. Allen

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 1931

Sheriff.

Executed this 26th day of

Oct. 1931

by leaving a copy of the within Summons with

Summons

W. Fred Jefcoat,
Defendant.

W. A. Stewart
Sheriff.

By *J. B. Wilson*
Deputy Sheriff.

Wherefore, cross-respondent says that she should be given the care and custody of the said children and prays for such a decree to such effect.

Gordon Douglas Leigh
ATTORNEYS FOR CROSS-RESPONDENT

RECORDED

Myrtle Dickson

-28-
Dr Good & Co.

Wm. D. Boardman

Recd Apr 28th 1884
J M McLean
Register