245

ARTHUR HOLK.

Complainant,

-V3-

FREDRICK T. HOYT, as the Executor of the last will and testiment of NATHAN M. Mackay, deceased.

and

FREDRICK T. HOYT, as the administrator of the estate of ROBERT MacKAY, deceased.

Defendants.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.
CASE #
ORIGINAL BILL.

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

Comes your complainant, ARTHUR HOLK, and shows the following facts to your Honor as the basis for the relief hereinafter prayed.

one years of age and a resident of Baldwin county, Alabama and that the defendant FREDRICK T. HOYT, as the executor of the last will and testiment of Nathan M. MacKay, deceased was appointed as such by the Probate Court of Baldwin county, Alabama and the defendant Fredrick T. Hoyt, as the administrator of the estate of Robert MacKay deceased is a non-resident of the state of Alabama and a reside dent of Gook County, Illinois, and his post office address is:

Fredrick T. Hoyt, Esquire, 160 North LaSalle Street, Chicago, Illinois.

That the property upon which this lien is sought to be enforced against is at Magnolia Springs, Alabama, in Baldwin county, Alabama. And that thes cause of action arose in and was preformed in Baldwin county, Alabama.

SECOND: That Nathan N. MacKay, in his lifetime owned the following described property, viz:

Start at the Northwest corner of Section thirty three run east 25.75 chains; thence south 3.54 chains to the Northwest corner of Bemis let in town of Magnolia Springs; thence south continuing same line 8.50 chains

to the North bank of East prong of Fish River; thence up said river regardless of meanderings 400 feet to a post; thence north 10 chains to stake on north line of said lot and being also south line Oak Avenue; thence west 100 feet to place of begining, containing 1.38 acres more or less. All in Section 33, township 7 south of range 3 east and in Baldwin county, Alabama.

That on his death this land desended by will to his executor, one of the dedendants above named. That the said Executor did lease this property thethe deceased Robert MacKay in the lifetime of the said Robert MacKay for the sum of one dollar a year and said lease has at least two years to run. That the said Robert MacKay was an heir and divisee of the said Nathan Ma MacKay and as such had an interest in the property above described.

THREE: That Robert MacKay did employ this complainant to furnish labor and material in repairs, altering and beautifying said premises as shown by an itemized and verified statement filed herewith and evidencing this account. That said work was completed and the money due thereon on to-wit the twenty-second day of January, 1936 in the sum of six hundred and ten dollars and seventeen cents.

FOUR: That the said Robert MacKay died and Fredrick T. Hoyt was appointed the administrator of his estate by the Probate Court of Cook County, Illinois.

FIFTH: That within six months from the completion of said work this complainant filed in the Probate Court a verified statement in writing containing the amount of the demand secured by lien and the name of the owner and description of the property as required by section 8863 of the Code of Alabama.

COMPLAINANT PRAYS that the defendants be made parties respondent to this bill by registered mail and required to plead, answer or demur to the same as required by law.

COMPLAINANT FURTHER PRAYS that upon a hearing of this cause the Court will ascertain the facts herein alleged and determin the interests of the several defendants in the above mentioned property and the defendants lien thereon both as to the land and buildings or improvements therein and order that the property be sold to satisfy said lien.

Complainant also prays for such other, further and

and different relief as to Equity may seem meet.

As solicitor for Complainant

FOOT NOTE: The defendants seperately are required to answer each and every paragraph of the foregoing bill of complaint but not under oath, oath being hereby expressly waived.

As solicitor for Complainant.

STATE OF ALABAMA, COUNTY OF BALDWIN.

Before me, E. G. Rickarby, Jr., a notray public in and for said state and county personally appeared ARTHUR HOLK who being by me first duly sworn deposed and says: In his belief the defendant Fredrick T. Hoyt, as the executor of the last will and testiment of Nathan M. MacKay, deceased is a non-resident of the state or Alabama and a resident of Cook County, Illinois and that Reedrick T. Hoyt, as the administrator of the Estate of Robert MacKay is the same man as the Executor of the last will of Nathan M. MacKay and therefor a nonresident of the state of Alabama and that he is over the age of twenty-one years of age and that his post office address is:

Fredrick T. Hoyt, Esquire, 160 North LaSalle Street, Chicago, Illinois.

Wherefore this complainant requests that service be had on him by registered mail, for both defendants.

achin Soch.

Subscribed and sworn to before me on this the (10) day of July, 1936.

Notary Public, Baldwin county,

Ala bama .

STATE OF AIABAMA, BALDWIN COUNTY.

Arthur Holk's account for rendered on the MacKay Property.

Shower unit and building complete as per contract	00 . 00\$
Tearing out rotten sills and putting in new sills, all new outside baseboards and trimmings, labor 51.25, material \$47.00	
	98.25
Gravel for driveway, 10 loads 37675#	93.92
Dog yards and extra netting	60.00
Extra Floor in dog kennells	9.00
Railroad irnon and labor in cattle guard	16.00
20 foot extention ladder	8.00
Replace sills and other material in pump house	5.00
Painting as per contract, material and labor	350.00
Extra painting, fence posts, birdhouse and stand, painting bathroom, varnishing floors, material and labor,	5 .
	43.50
Cement curb in driveway, 450 feet	90.00
Cement walk east of garage 40 feet X 30 inches,	22.00
Cement Curb crossing 4'X10'	8.50
New screen wire and labor	1.40
Nails	1.60
6 gallon creosote	3.00
December 22nd, 1935,	\$1010.17
Credited by check on account	200.00 810.17
April 4th, 1936m Credited by check on account	200.00
Work completed and payment due January 22nd, 1936.	610.17
Subscribed and sworn to before me on this th	1 New
day of July, 1936.	

Notary Public, Baldwin dougty,

autus Stock.

ARTHUR HOLK.

Complainant,

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FREDRICK T. HOTT, as the Executor of the last will and testiment of NATHAR M. Mackay, deceased.

nnd

FREDRICK T. HOYT, as the administrator of the estate of ROBERT Mackay, deceased.

Defandants.

IN THE CIRCUIT COUNT OF BALDWEN COUNTY, ALABAMA. IN ECULTY.

CASE #

OHCING Bid.

TO THE HONORABLE FRANCIS HARE, JUDGE OF THE CIRCUIT GOURT OF BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY.

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That the property upon which this lien is sought to be enforced against is at Magnolia Springs, Alabama, in Baldwin county, Alabama. And that thes cause of action arose in and was proformed in Baldwin county, Alabama.

SECOND: That Nathan N. MacKay, in his lifetime owned the following described property, viz:

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That on his death this lend decended by will to his executor, one of the decendents above named. That the said Executor did lease this property to the deceased Robert MacKey in the lifetime of the said Robert MacKey for the sum of one dollar a year and said lease has at least two years to run. That the said Robert MacKey was an heir and divises of the said Nathan MacKey and as such had an interest in the property above described.

THREE: That Robert MacKay did employ this complainant to furnish labor and material in repairs, altering and beautifying said precises as shown by an itemized and verified statement filed herewith and evidencing this account. That said work was completed and the money due thereon on to-wit the twenty-second day of January, 1936 in the sum of six hundred and ten dollars and seventeen cents.

FOUR: That the said Mobert MacKey Gled and Fredrick T. Hoyt was appointed the administrator of his estate by the Probate Court of Gook County, Illinois.

SINTH: That within six months from the completion of said work this completional filed in the Probate Court a verified statement in writing containing the amount of the demand secured by lien and the name of the owner and description of the property as required by section 8865 of the Code of Alabama.

COMPLAINANT PRAYS that the defendants be made parties respondent to this bill by registered mail and required to plead, answer or demur to the same as required by law.

cause the Court will ascertain the facts herein alleged and determine the interests of the several defendants in the above mentioned property and the defendants lien thereon both as to the land and buildings or improvements thereon and order that the property be sold to satisfy said lien.

Complainent also prays for such other, further and

and different relief as to Equity may seem meet.

As solicitor for Complainant.

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E. G. Rickarby, Jr.,
As solicitor for Vonplainant.

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Before me, E. C. Rickarby, Jr., a notray public in and for said state and county personally appeared ARTHUR HOLK who being by me first duly sworn deposes and says: In his belief the defendant Fredrick T. Hoyt, as the executor of the last will and testiment of Nathan M. MacKay, deceased is a non-resident of the state or Alabama and a resident of Cook County, Illinois and that Reedrick T. Hoyt, as the administrator of the Estate of Robert MacKay is the same can as the Executor of the last will of Nathan M. MacKay and therefor a corresident of the state of Alabama and that he is over the age of twenty-one years of age and that his post office address is:

Fredrick I. Hoyt, Asquire, 160 North LaGalle Street, Chicago, Illinois.

Wherefore this complainant requests that service be had on him by registered mail, for both defendants.

Arthur Holk,

Subscribed and sworn to before me on this the 20 day of July, 1936.

E. G. Rickarby, Jr.

Notary Public, Baldwin county,

Ale beier.

BALLDAIN DAUNTY.

MATERIALS WORK AND LABOT,

Arthur Holk's account for rendered on the MacKay Property.

Shower unit and bilding complete as per contract \$200.00 Tearing out rotten sills and putting in new sills, all new outside baseboards end trimbings, in for 00 05 51.25, tertorial 947.00 Gravel for driveway, 10 loads 57675/ 92.92 60.00 Dog yards and extra notting 0.00Extra Floor in dog kommolis Seil ad irmon and labor in eattle guard 16.00 0.00 20 foot extention ledder c/) 5.00 Replace sills and other material in pump house Painting as per contract, material and labor 350,00 Aztra painting, fence posts, birdhouse end stand, painting bathroom, varnishing floors, material 45.00 and Lubor, $90_{\bullet}00$ Coment carb in driveway, 45 foot Cement walk east of garage 40 feet 1 30 inches, 22.40 8,50 Cement Curb crossing 4'X10' 1.40 New soress wire and labor 1.00 Ja 110 **5.**0.: o gallon crocsote 6.4 December Sind, 1935, Greatted by check on account 350**.**00 61. mpril son, loota 200.00 Gradited by check on account 61.41 Fork completed and payment due Jenuery ESnd, 1936.

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E. G. Rickarby, Jr.
Notary Public, Palevin Sounty,
Alabama.

Arthur Holk.

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Defendents.

IN THE CIRCUIT COURT OF BALDSIN COUNTY, ALABAMA. IN EQUITY.

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MAGINER MINE

TO THE HONORABLE FRANCIS BARE, JUDGE OF THE CIRCUIT GOURT OF BALDWIN COUNTY, ALABAMA. SITTING IN EQUITY.

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Comes your complainant, AFRITH HOLE, and show the following facts to your Monor as the basis for the relief hereinafter prayed.

DIRST: That the complainant is over the age of twentyone years of age and a resident of Beldwin county, Alabema and that
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E. G. Rickarby, Jr.

As solicitor for Complainant.

FOOT ECTE: The defendants separately are required to answer each and every paregraph of the foregoing bill of complaint but not under eath, eath being hereby expressly waived.

E. G. Rickarby, Jr. As solicitor for Vocableinant.

STATE OF ALABAMA.

COUNTY OF BALDWIN.

before me, I. G. Alckarby, Jr., a notray public in and for said state and county personally appeared ARTHUR HOLK who being by me first duly sworn deposes and says: In his belief the defendant Fredrick T. Hoyt, as the executor of the last will and testiment of Nathan M. MacKay, deceased is a non-resident of the state or Alabama and a resident of Cook County, Illinois and that MacKay is the same can as the Executor of the last will of Nathan M. MacKay and therefor a nearesident of the state of Alabama and that he is over the age of twenty-one years of age and that his post office address is:

Fredrick I. Hoys, Asquire, 160 North Leballe Street, Chicago, Illinois.

wherefore this complainent requests that pervice be had on him by registered usit, for both detendants.

#rthur Holk,

Subscribed and sworn to before me on this the 20 day of July, 1926. E. G. Rickarby, Jr.

Notary Public, Paldwin county,

Alabera.

STATE OF ALABAMA.

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MATERIALS, WORK AND LABOT Arthur Holk's account for rendered on the Mackey Property.

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20-footiertention ledder	0.00
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6 galion trecurte	
Pecamber 22nd, 1933, Credited by check on account	200.00 810.17
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fork completed and payment the serious Eind, 1956,	
Subscribed and sworm to before we on this	Dio <u>20</u>

Robary Tactice, Typically, Sciency,

day of July, 1956.

Arthur Holk,



MOLLYE F. HARPER, Complainant VS. JOHN A. HARPER, Respondent, EQUITY
CIRCUIT COURT
BALDWIN COUNTY
ALABAMA

This cause being submitted for final decree upon the pleadings and testimony of Complainant as noted by the Register and being considered the Court is of the opinion that the Complainant is entitled to the relief prayed for in her bill.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the bonds of matrimony existing between the complainant and respondent be, and the same are hereby disofted and the complainant Mollye F. Harper is forever divorced from the respondent, John A. Harper, upon the ground of cruelty.

IT IS FURTHER ORDERED that the Complainant have the sole care and custody of ames Reynolds Harper the minor child of said marriage but gubject to the right of respondent to see said child at reasonable hours.

IT IS FURTHER ORDERED that the respondent John A. Harper provide for the maintainance, support and education of the said James Reynolds Harper until he reach the age of sixteen years in such sum as shall be adequate for the purpose but the amount to be furnished monthly for such purpose the Court does not now determine reserving jurisdiction of this cause for such further orders in the premises as may from time to time become necessary.

IT IS FIRTHER ORDERED that neither party shall marry again except to the other within sixty days of this date and that should an appeal be taken neither party shall marry except to the other during the pendence of such appeal.

IT IS FORTHER ORDERED that the respondent John A. Harper pay the costs

of this proceeding for which execution may issue.

This Court hereby reserves jurisdiction of the cause for such further orders as may be necessary for the protection of the interests of the child of the marriage.

Done at Monrosville, Alabama, this the 6th day of August, 1936.

F. W. HARE, Judge.

I. ALICE J. DUCK, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this day of

, 19LB.

Register of Circuit Court, In Equity. To the

HONORABLE FRANCIS W. HARE,

JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY,

SITTING IN EQUITY:

MOLLYE F. HARPER, by this her bill of complaint presented against JOHN A. HARPER, respectfully shows:

That she and the said John A. Harper, are over the age of twenty-one years and are now and have been for more than five years next preceding the filing of this bill bona fide residents of the State of Alabama and for the last three years, residents of Baldwin County.

SECOND: That on the 24th day of December, she and the said John A. Harper were married in the city of Greenville and and lived the there as husband and wife at various places in the State until the month of May, 1935 when they separated, since which time they have not resumed marital relations but have lived separate and apart.

THIRD: That two children were born of this marriage, of whom one, James Reynolds Harper, a boy eleven years of age survives and is now in the care and custody of Complainant and is at present supported by her and her relatives.

FOURTH: That in the months of January and February 1935 the said John Harper committed actual violence on her person by striking and choking her in such manner as to endanger her life and health while in a state of intoxication and continued his intemperate habits after that time till Complainant, for apprehension of further violence, separated from him as aforesaid and has continued to live aprt from him, caming for the child of their marriage with the assistance of her relatives, and taking a course of training to be able to support herself and child.

THE PREMISES CONSIDERED, Complainant prays that the said John A Harper be made defendant to this bill and by proper process be notified to answer same and abide by such odders and decrees as may be made in the premises.

COMPLAINANT FURTHER PRAYS that upon the hearing of this cause a decree be rendered forever divorcing her from the Said John A. Harper, granting her the sole custody of the child of the marriage, the right to marry again should she at any time so desire and requiring the said John A. Harper to contribute to the maintainance and education of said child in such sum as the Court may from time to time prescribe in view of said defendants financial condition and that she may have such other, further or different relief asto equity may seem meet.

Solicitor for Complainant.

MOLLYE F. HARPER,

Complainant

VS

JOHN A. HARPER,

Respendent.

E Q U I T Y

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

Comes HOHN A. HARPER, Respondent in the above styled cause, and for answer to the bill of complaint says that he denies each and every allegation of same.

He further waives service and notice of demand for the oral examination of Complainant's witnesses, the formal issue of commission to take their testimony and notice of time and place of so going.

Respondent further agrees that this cause may be submitted for final decree at any time on the pleadings and complainant's evidence but with the understanding that if a decree of divorce is rendered no alimony or counsel fees shall be allowed Complainant who however, shall be given custody of James Harper, the minor child of said marriage, subject to the right of Respondent to see him at all reasonable hours, also that the Court provide that Respondent shall contribute to the support of said James Harper until he reaches the age of sixteen years in accordance with Respondent's income and that the Court reserve jurisdiction of this cause for the purpose of safe guarding the interest of said James Harper.

folm a. Harper.
Respondent.

STATE OF ALABAMA COUNTY OF BUTLER.

Before me the undersigned Notary personally appeared this day John M. Harper known to me who acknowledged that he executed the foregoing answer with knowledge of its contents.

Given under my hand and official seal this the 22 day of July 1936.

Notary Public, Batler County,

, Alabama



CHANCERY EXECUTION No. July PLAINTIFF DEFENDANT FEES OF REGISTER Dollars Cents **\$** Brougt Forward .____ 0 Filing each bill and other papers\$ (مساح 10 For Receiving, keeping and paying Issuing each subpoena 50 out or distributing money, etc.: 1st Issuing each copy thereof \$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 40 Entering each return thereof 15 For each order of publication _____ 1 Issuing Writ of injunction 1%, all over \$10,000 1-4 of 1%. For each copy thereof Receiving, keeping and paying out money paid into court, etc., 1-2 of Entering each return thereof 15 Issuing Writ of Attachment I 00 1% of amount received. Entering each return thereof 15 100 Each notice sent by mail to creditor Docketing each case
Entering each appearance 15 1 00 Filing receipting for and docketing each <u> Z</u> J · claim, etc. Issuing each decree pro confesso on per ser. 1 00 For all entries on subpoena docket, etc. 50 Issuing each decree pro confesso on publica 1 00 For all entries on commission docket, Each order appointing guardian ____ I 00 50 etc. Any other order by Register
Issuing Commission to take testimony Making final record. per 100 words____ 15 Receiving and filing
Endorsing each package Certified copy of decree 1 00 20 Report of divorce to State Health Office 50 10 (Acts 1915) Entering order submitting cause 50 0 Entering any other order of court_____ 25 TOTAL FEES OF REGISTER .. Noting all testimony 50
Abstract of cause, etc. I 00
Entering each decree 75 FEES OF SHERIFF Entering each decree 75 Serving and returning subpoena on deft. \$1 50 For every 100 words over 500. 40 Taking account, etc.

Taking testimony, etc. Serving and returning subpoena for бõ witness 1.5 Each report, 500 words or less
For every 100 words over 500 Levying attachment.___ 3 00 2 50 Entering and returning same Selling property attached Amount claimed less than \$500, etc ____ 2 00 Impaneling Jury Issuing each subpoena

Executing Writ of possession 2 50 Collecting execution for costs 1 50 Witness certificate, each Issuing execution, each 75 Serving and returning sci. fa., each ____ Entering each return 65 15 Serving and returning notice 65 Serving and returning writ of injunction 1 50 Making copy of bill, etc 1.5 Serving and returning writ of exeat____ 1 50 Each notice not otherwise provided for ... Taking and approving bonds, each Each certificate or affidavit, with seal 50 Collecting money on execution Each certificate or affidavit, no seal Hearing and passing on application, etc... 3 00 Serving and returning application, etc. 1 00 Each settlement with Receiver, etc. 3 00 Serving attachment, contempt of court... 1 50 Examing each voucher of Receiver, etc _ 10 Examing each answer, etc. 3 00 TOTAL FEES OF SHERIFF ... Recording resignation, etc. 7.5 RECAPITULATION Entering each certificate to SupremeCourt 50 1140 Taking questions and answers, etc Register's Eees Sherifi's Fees
Commissioner's Fees
Solicitor's Fees For allother 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 Witness Fees cent: all over \$100 and not exceeding Guardian Ad Litem Printer's Fees \$1,000, 1 1-2 per cent; all over \$1,000, 3 00 and not exceeding \$20,000, 1 per ct; all Trial Tax over 20,000, 1-4 of 1 per cent Recording Decree in Probate Court TOTAL; Sub Total Carried Forward The State of Alabama, No.-**Baldwin County** Circuit Court, In Equity-Term, 193 To any Sheriff of the State of Alabama-GREETING: You are hereby commanded, That of the goods and chattels, lands and tenements of -_____ Defendant_ you cause to be made the sum of-_Dollars, ____Plaintiff_ which-___on the__ ___day of_ recovered of_ by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of _Dollars, costs o' suit, and have the same to render to the saidand make return of this Writ and the execution thereof, according to law.

____193___ to date of collection. Interest from___ Witness my hand, this _____day of___

Register

MOLLYE F. HARPER, Complainant, EQUITY.

ΨS

CIRCUIT COURT OF BALDWIN COUNTY, ALAEANA.

JOHN A. HARPER, Respondent,

DEPOSITION OF MRS BERTA CORTE, WITNESS FOR COMPLAINANT.

The said witness being by me first duly sworn to tell the twuth upon examination by the Solicitor for the Complainant, testified as follows:

I am now and have been for many years a resident of Baldwin County and since my marriage have lived in Fairhope. I have known Mrs Molly Harper quite well for several years and during the winter and spring of 1935 saw quite a lot of her. At that time she and her husband lived about three blocks from me. During this time we were quite intimate and I knew that she and her husband were having trouble. She told me on a number of times how mean he was to her when he had been drinking and on several occasions came to my house in tears telling me that he had just struck and abused her. I knew that she was telling me the truth for I could see from her almost hysterical state that something serious had happened. I have never seen him strike her but I know that he did from the way she would come to me so upset. As a rule he did this when intoxicated and as this happened often, I feared that on some occasion he would do her great harm and he probably would had she not left him for he kept getting worse all the time. Though pleasant and affable when sober, when drunk he lost all control of himself and she was right in being afraid of him and leaving him. His drunkenness and mistreatment of his wife was no secret in Fairhope.

Berta Corte

CERTIFICATE.

I, Laurie Garrison, acting as Commissioner by agreement of the parties in a cause pending in the Equity Side of the Circuit Court of Baldwin County, Alabama wherein Mollye F. Harper if Complainant and Jogn A, Harper Respondent, herebycertify that I caused Mrs Berta Corte, a witness for Complainant who is known to be to come before me in the Town of Fairhope where, after being duly sworn by me to tell the truth, upon examination by E. G. Rickarby, Esq. Solicitor for Complainant, she testified as is hereinbefore written; that her testimony, after being reduced to writing was read over and signed by her in my presence.

I further certify that I am not of counsel or of kin to either party to this cause or in anywise interested in the result thereof.

IN WITHESS WHEREOF, I hereto set my hand and seal as Commissioner this the fourthday of August, 1936.

Lauie a. Garrison
Commissioner.

MOLLYE F. HARPER, versus JOHN A. HARPER,
Complainant, Respondent.
IN EQUITY AT BAY MINETTE, ALABAMA.

DEPOSITION OF MOLLYE F. HARPER WITNESS FOR COMPLAINANT

The said witness appeared before me, the Commissioner acting by agreement of parties, being first duly sworn, upon examination by complainant testified as follows:

I am the complainant in this case and on December 24th, 1916 was married to John A. Harper, who is also over twenty-one years of age, in the City of Greenville, Alabama, and he and I have since then lived together as husband and wife in various places in the State up to the present time; for the last three years in the Town of Fairhope. There was born to this marriage children of whom, one James Reynolds, born in 1925 survives and is still with me and supported by me. In May 1935, Dr. Harper and I separated because of his behavior. Since our marriage he has become addicted to the excessive use of intoxicating liquors and while under the influence of these, on more than one occasion has committed actual violence on my person endangering my life. He has repeatedly struck me and shortly before we parted he choked me and struck me with a saw, because I would not allow him to drive my car while in an intoxicated condition. I put up with him awhile longer but as he did not stop drinking and I was afraid for my safety and that of my child, I left him in May 1935 and we have lived seperate and apart ever since. His behavior had become much worse in January and February of last year but I had hoped he would improve, but he did not and from the way he drank and behaved while drinking I saw it was dangerous to continue to live with him. I am now temporarily in Greenville, taking a course of training to enable me to support myself and my child should my husband fail to do so. For some months after we separated, Dr. Harper's health broke down because of his habits, but he is again practicing his profession but I do not know how much he is making. At present both my child and I are being largely supported by my relatives.

· Mallye I Harper

I, T. D. Keyes, acting as Commissioner by agreement of the parties in the case pending on the Equity side of the Circuit Court of Baldwin County, whereby Mollye F. Harper, Complainant and John A Harper, Respondent, by firtue of said commission.

I caused Mollye F. Harper to appear before me in Greenville,
Alabama, on the 3rd. day of August 1936. Her being first duly sworn by me, upon examination by complainant, she testified as is above set forth; That her testimony was reduced to writing as given by her; read over and signed by her in my presence.

I further certify that I am not of counsel nor of kin to either party to the cause or in any wise interested in the results thereof.

In witness whereof I hereby set my hand and seal as Commissioner this the 3rd. day of August, 1936.

× J. O. K.yys Seal

MOLLYE F. HARPER, Complainant

EQUITY

VS

CIRCUIT COURT

JOHN A HARPER? Respondent

BALDWIN COUNTY

AT ABAMA

This cause being submitted for final decree upon the pleadings and testimony of Complainant as noted by the Register and being considered the Court is of the opinion that the Complainant is entitled to the relief prayed for in her bill.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED that the bonds of matrimony existing between the complainant and respondent be, and the same are hereby disolved and the complainant Mollye F. Haroer is forever divorced from the respondent, John A. Harper, upon the ground of curelty.

IT IS FURTHER ORDERED that the Complainant have the sole care and custody of James Reynolds Harper the minor child of said marriage but subject to the right of respondent to see said child at reasonable hours.

IT IS FURTHER ORDERED that the respondent John A. Harper provide for the maintainance, support and education of the said James Reynolds Harper until he reach the age of sixteen years in such sum as shall be adequate for the purpose but the amount to be furnished monthly for such ourpose the Court does not now determine reserving jurisdiction of this cause for such further orders in the premises as may from time to time become necessary.

IT IS FURTHER ORDERED that neither party shall marry again except to the other within sixty days of this date and that should an appeal be taken neither party shall marry except to the other during the pendence of such appeal.

IT IS FURTHER ORDERED that the respondent John A. Heroer pay the costs of this proceeding for which execution may issue.

This Court hereby reserves jurisdiction of this cause for such further orders as may be necessary for the protection of the interests

of the child of the marriage.

of the marriage.

Done at Monreeville, Alabama, this the day of August 1936

Judge.

MHare

STATE OF ALABAMA,)) CIRCUIT COURT, IN EQUITY.		
Baldwin County.	}	No. 246	August	Term, 19 36
MOLI	LY F.	HARPER		, Complainant
	•	VS.		
				54.4.
JOHN	N. A.	HARPER		, Defendant
		_	_	
To ROBERT S. DI	UCK	,	Register:	
an In the above stated cause na			iver filed aving been xxxxxxx	
and evidence having been taken, and	d the c	ause being rea	dy for submission for	final decree, and no
defense having been interposed, the	e Com	plainant, by	ELLIOTT G	RICKARBY
	Solic	citors of record	, now files with the R	degister of this Court
this written request to deliver the	papers	in this cause to	o the Judge for final d	lecree in vacation.

Elliott y. Rickarly, Solicitor for Complainant.

MOLLYE F. HARPER.	
Complainant,	THE STATE OF ALABAMA Baldwin County
VS.	
JOHN A. HARPER,	IN EQUITY
Respondent.	Circuit Court of Baldwin County
This cause is submitted in behalf of Complainant and depositions of Mollye F	upon the original Bill of Complaint, Harper
	·
<u> </u>	
and in behalf of Defendant upon Answer an	d Waiver
	Robert S. Nuck. Register.

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	vs.	. #	
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	IN Et Court of	IN EQU t Court of Bal elly 7.	State of Alaban BALDWIN COUNTY IN EQUITY t Court of Baldwin Count elle 7. Harren vs. vs. TE OF TESTIMONY

Filed in Open Court this 5th day of 1936

Robert S. Wick REGISTER

THE STATE OF ALABAMA BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

REQUEST FOR DECREE IN VACATION

RECORDED IN

MOORE PTG. CO

Equity Circuit Court of Baldwin County

M. F. Harber compt

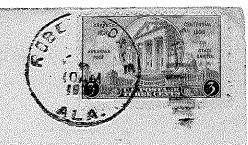
Devosition of Wollye F. Herber, withess for complainant.

Robert S. Duck, Esq.

Register

Bay Minette,

Alebama



RCB ERT DUCK, Esq.,

Register Circuit Court,

Вау Minette,

Alabama.

for Complainant Respondent. EALDHIN CONTY M.T.HARPER, Complainant, EQUITY.

vs.
7. M. Harler, Respondent. Witness: DEPOSITION OF C. A. HARRIR,