

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

No. *363*

Reuben M. Hargis

VS.

Lucia M. Hargis

PLAINTIFF

DEFENDANT

BILL OF COSTS

FEES OF REGISTER		Dollars	Cents	Brought Forward	\$
Filing each bill and other papers	\$ 10			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 subpoena	50			Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Issuing each copy thereof	40			Each notice sent by mail to creditor ...	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
Entering each return thereof	15			Certified copy of decree	1 00
Issuing Writ of Attachment	1 00			Report of divorce to State Health Office (Acts 1915)	50
Entering each return thereof	15			TOTAL FEES OF REGISTER..	
Docketing each case	1 00			FEES OF SHERIFF	
Entering each appearance	25			Serving and returning subpoena on deft. \$1	50
Issuing each decree pro confesso on per ser.	1 00			Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publica	1 00			Levying attachment	1 50
Each order appointing guardian	1 00			Entering and returning same.....	25
Any other order by Register	50			Selling property attached	
Issuing Commission to take testimony	50			Impaneling Jury	75
Receiving and filing	10			Executing Writ of possession	2 50
Endorsing each package	10			Collecting execution for costs	1 50
Entering order submitting cause	50			Serving and returning sci. fa., each	65
Entering any other order of court.....	25			Serving and returning notice	65
Noting all testimony	50			Serving and returning writ of injunction	1 50
Abstract of cause, etc.	1 00			Serving and returning writ of exeat....	1 50
Entering each decree	75			Taking and approving bonds, each	75
For every 100 words over 500.....	15			Collecting money on execution	
Taking account, etc.	3 00			Making Deed	2 50
Taking testimony, etc	15			Serving and returning application, etc..	1 00
Each report, 500 words or less	50			Serving attachment, contempt of court..	1 50
For every 100 words over 500	15			TOTAL FEES OF SHERIFF..	
Amount claimed less than \$500, etc	2 00			RECAPITULATION	
Issuing each subpoena	25			Register's Fees	
Witness certificate, each	25			Sheriff's Fees	
Issuing execution, each	75			Commissioner's Fees	
Entering each return	15			Solicitor's Fees	
Taking and approving bond, each	1 00			Witness Fees	
Making copy of bill, etc	15			Guardian Ad Litem	
Each notice not otherwise provided for ..	50			Printer's Fees	
Each certificate or affidavit, with seal ..	50			Trial Tax	3 00
Each certificate or affidavit, no seal	25			Recording Decree in Probate Court....	
Hearing and passing on application, etc..	3 00			TOTAL.....	
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 cent: all over \$100 and not exceeding \$1,000, 1 1-2 per cent; all over \$1,000, and not exceeding \$20,000, 1 per ct; all over 20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward					

1500
150

300585

2000

RALEIGH MCKENZIE,)	IN THE CIRCUIT COURT OF
Complainant,)	BALDWIN COUNTY, ALABAMA.
vs.)	IN EQUITY.
IVOLA MCKENZIE,)	
Respondent.)	

Comes your complainant, RALEIGH MCKENZIE, and humbly complaining against the respondent, IVOLA MCKENZIE, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your complainant and the respondent are both over twenty-one years of age and residents of Baldwin County, Alabama; that the respondent is temporarily sojourning at 1564 Anne Street, Lincoln Park, Michigan.

2. That your complainant and the respondent were married at Mobile, Alabama, in October, 1918, and lived together as husband and wife in Baldwin County, Alabama, until, to-wit, August 4, 1937.

3. That the respondent, after their marriage, became addicted to habitual drunkenness; that it grew worse and worse on her until during the last year that they lived together the respondent was under the influence of liquor the greater part of the time, and that for at least a month prior to August 4, 1937, the respondent was and remained drunk.

WHEREFORE, the premises considered, complainant prays that your Honor will, by proper process, make the said Ivola McKenzie party respondent to this bill of complaint, requiring her 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.

Complainant further prays that, upon a final hearing of this cause, your Honor will give and grant unto him a decree of absolute divorce, forever barring the bonds of matrimony existing be-

tween him and the respondent, Ivola McKenzie, and that your Honor will give and grant unto him such other, further, different or general relief as he may be in equity and good conscience entitled to receive; and as in duty bound he will ever pray.

Becher & Becher
Solicitors for Complainant.

FOOT NOTE:

The respondent, IVOLA MCKENZIE, is required to answer each and every allegation contained in the foregoing bill of complaint in paragraphs 1 to 3 inclusive, but not under oath; oath being hereby expressly waived.

Becher & Becher
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

~~IVOLA~~ McKENZIE

~~St.~~
1564, Lincoln Park—Michigan

of _____ 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

RALEIGH MCKENZIE

against said

IVOLA MCKENZIE

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 16 day of August 1937

Robert S. Duck

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, In Equity

To Any Sheriff of the State of Alabama— GREETING :

WE COMMAND YOU, That you summon _____

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_____ St.,
1564, Lincoln Park-----Michigan
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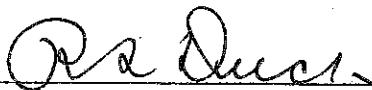
~~RALEIGH~~ MCKENZIE

against said _____

IVOLA MCKENZIE

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 16 day
of August 1937



Register

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

.....
 RAWLEIGH MCKENZIE,

 vs.

 IVOLA MCKENZIE,

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 16th day of August 1937 ~~1937~~, a copy of the Bill of Complaint filed in this cause was sent to IVOLA MCKENZIE, 1564 Anne St., Lincoln Park, Michigan

.....
 Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the 20th day of August 1937 ~~1937~~, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said

IVOLA MCKENZIE
 Defendant

This the 20th day of September 1937 ~~1937~~

R. Duck
 Register.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RAWLEIGH MCKENZIE Complainant

vs.

IVOLA MCKENZIE Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Service by Registered Mail and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said RAWLEIGH MCKENZIE is forever divorced from the said

IVOLA MCKENZIE

for and on account of

Habitual Drunkenness

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

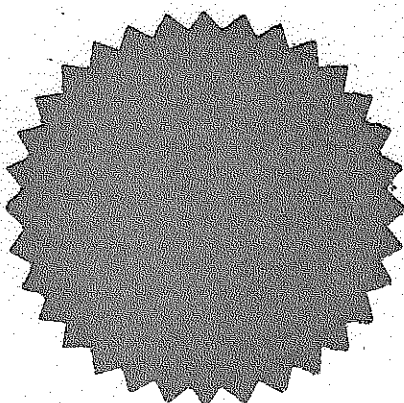
It is further ordered that RAWLEIGH MCKENZIE be, and he hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that RAWLEIGH MCKENZIE the Complainant pay the cost herein to be taxed, for which execution may issue.

This 25th day of September, 1937

J. W. Hare Judge Circuit Court, in Equity.

I, [Redacted], Register of the Circuit Court for 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 the _____ day of _____, 19_____

Register of Circuit Court, in Equity.

Duch

RECORDED 7-294

No. 363

Page

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

RAWLIGH MCKENZIE

Vs.

IVOLA MCKENZIE

**REQUEST FOR DECREE IN
VACATION**

Filed September 26, 1937, 193

R. S. Duch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Dual

RECORDED

No. _____

2 - 319

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

RALEIGH MCKENZIE,

Complainant,

vs.

IVOLA MCKENZIE,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this 22nd

day of September 193 7

REGISTER

Circuit Court, Baldwin County, Ala.
In Equity.

No. 3023

McKinnon vs. McKinnon

VS.

McKinnon vs. McKinnon

COST BILL

Paid _____, 193__

Register:

MOORE PRINTING CO., BAY NINETEEN, ALA.

No. 563

Page

2-328

The State of Alabama
Baldwin County

In Circuit Court, In Equity

RALEIGH MCKENZIE

vs. Complainant.

IVOLA MCKENZIE
Respondent.

DIVORCE DECREE

*Filed September 27, 1937.
R. S. Small, Register.*

RECORDED

7-294

No. 333

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

RANALIGH MCKENZIE

Complainant,

vs.

IVOLA MCKENZIE,

Respondent.

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 21st day of

September, 1937.

R. S. Dued Register

Entered in O. B. Page

Duck
9-2272

Serve on _____

**Circuit Court of Baldwin County
IN EQUITY**

No. 363

S U M M O N S

RAVLEIGH MCKENZIE

Complainant.

vs.

IVOILA MCKENZIE,

Respondent

Solicitor for Complainant

Recorded in Vol. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

Received in office this _____

day of _____, 193 _____

SHERIFF

Executed this _____ day of _____

193 _____

by leaving a copy of the within Summons with

Defendant

Sheriff

By _____
Deputy Sheriff

COPY

Serve on _____

**Circuit Court of Baldwin County
IN EQUITY**

No. ~~365~~

SUMMONS

RAVILIGH MCKENZIE

Complainant

vs.

IVOIA MCKENZIE

Respondent

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,

BALDWIN COUNTY

Received in office this _____

day of _____, 193_____

SHERIFF

Executed this _____ day of _____

193_____

by leaving a copy of the within Summons with

[Handwritten Signature]
Defendant

Sheriff

By _____
Deputy Sheriff

Back
RECORDED
9-29-21

RAIMONH MCKENZIE,
Complainant,

vs.

IYOLA MCKENZIE,
Respondent.

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

BILL OF COMPLAINT.

Filed August 14, 1933
Robert S. Quirk
Register.

The State of Alabama }
Baldwin County

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

RALEIGH MCKENZIE

COMPLAINANT

VS.

IVOLA MCKENZIE

RESPONDENT

I, R. S. DUCK,

as Register and Commissioner

have called and caused to come before me Raleigh McKenzie and Elroy McKenzie

witnesses named in the requirement for Oral Examination, on the _____ day of September,

1937, at the office of Clerk of the Circuit Court of Baldwin County, Alabama,

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said Raleigh McKenzie

doth depose and say as follows:

My name is Raleigh McKenzie. I live at Barnwell, in Baldwin County, Alabama, where I have lived all my lifetime. I am over twenty-one years of age.

The Respondent, Ivola McKenzie, is over twenty-one years of age and lives at Barnwell, in Baldwin County, Alabama. At the time the suit was filed in this cause, she was temporarily sojourning at Lincoln Park, Michigan, her present Post Office Address being 1564 Anne Street. I understand that she is at present in Mobile, Alabama.

Ivola McKenzie and I were married in Mobile, Alabama, in October, 1918, and we lived together as husband and wife, at or near Barnwell, in Baldwin County, Alabama, until August 4th, 1937.

For some unknown reason, the Respondent, Ivola McKenzie, about a year ago, or a little longer, began drinking and kept it up from time to time until about three or four months before she left when it got to the point that she stayed under the influence of liquor practically all the time. The condition grew worse from time to time. When she would go on one of these drinking spells, she would leave home and stay gone at first a day or two at a time and then along toward the last for a week or more at a time until finally in August, after being on a drunk for about a week or more, she left and hasn't been back since.

At the time I married her, she did not drink so far as I knew. I do not know why she took to drinking.

After our marriage, she became addicted to habitual drunkenness, which condition has grown worse from time to time, until now it is such that it is absolutely impossible for me to longer live with her. I tried all along to persuade her to quit drinking, but she would not do it.

Raleigh McKenzie

ORAL EXAMINATION

I, R. S. DUCK as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they 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 es or had proof made before me of the identity of said witness es; 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 _____ day of September 1937.

R. S. Duck (L. S.)

No. 363 Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

RALEIGH MCKENZIE

COMPLAINANT

vs.

IVOLA MCKENZIE

RESPONDENT

ORAL DEPOSITION

Filed September 31, 1937

R. S. Duck, Register.

RECORDED IN

Record

Vol. _____ Page _____

_____, Register

ELROY MCKENZIE, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Elroy McKenzie. I live at Barnwell, in Baldwin County, Alabama. I am personally acquainted with Raleigh McKenzie and Ivola McKenzie. They were married sometime about the year 1918 and have lived near me since that time. When they were first married Ivola McKenzie, so far as I know, never did drink. I know that sometime ago, about a year or more, the Respondent, Ivola McKenzie began drinking; at first lightly, but the conditions have grown worse from time to time until just before she left the Complainant, Raleigh McKenzie, she would get on a drunk and stay for several days at a time.

I know of no reason why she took to drinking, however, do know that she did become addicted to habitual drunkenness and that the condition grew worse from time to time until she finally, after being drunk for some several days or a week, walked away and left the Complainant, Raleigh McKenzie. The Respondent, Ivola McKenzie, during the time she and Raleigh McKenzie were living together and during the last year or more would often get drunk and go away and it would become necessary for Raleigh McKenzie to get her and bring her back.

I know that it is absolutely impossible, in view of her use of liquor and becoming addicted to habitual drunkenness, for the Complainant, Raleigh McKenzie, to longer live with her.

Elroy McKenzie