

ETHEL BENSON,

Complainant

vs.

WILLIAM B. BENSON,

Respondent.

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,
and testimony of Ethel Benson, and Herbert Manich,

and in behalf of Defendant upon Answer and Waiver.

Robert E. Duck

Register.

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

Benson

No.

VS.

PLAINTIFF

Benson

DEFENDANT

BILL OF COSTS

	Dollars	Cents			
FEES OF REGISTER			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	4 00
Entering each return thereof		15	Certified copy of decree	1 00	2 00
Issuing Writ of Attachment	1	00	Report of divorce to State Health Office (Acts 1915)	50	5 00
Entering each return thereof		15			
Docketing each case	1	00	TOTAL FEES OF REGISTER		
Entering each appearance		25			
Issuing each decree pro confesso on per ser.	1	00	FEES OF SHERIFF	11	20
Issuing each decree pro confesso on publica	1	00	Serving and returning subpoena on deft.	\$1 50	1 50
Each order appointing guardian	1	00	Serving and returning subpoena for witness	65	
Any other order by Register		50	Levyng attachment	1 50	
Issuing Commission to take testimony		50	Entering and returning same	25	
Receiving and filing		10	Selling property attached	75	
Endorsing each package		10	Impaneling Jury	75	
Entering order submitting cause.		50	Executing Writ of possession	2 50	
Entering any other order of court		25	Collecting execution for costs	1 50	
Noting all testimony		50	Serving and returning sci. fa., each	65	
Abstract of cause, etc.	1	00	Serving and returning notice	65	
Entering each decree		75	Serving and returning writ of injunction	1 50	
For every 100 words over 500		15	Serving and returning writ of exeat	1 50	
Taking account, etc.	3	00	Taking and approving bonds, each	75	
Taking testimony, etc		15	Collecting money on execution	2 50	
Each report, 500 words or less	2	50	Making Deed	2 50	
For every 100 words over 500		15	Serving and returning application, etc.	1 00	
Amount claimed less than \$500, etc	2	00	Serving attachment, contempt of court	1 50	
Issuing each subpoena		25			
Witness certificate, each		25	TOTAL FEES OF SHERIFF		1 50
Issuing execution, each		75	RECAPITULATION		
Entering each return		15	Register's Fees	11	50
Taking and approving bond, each	1	00	Sheriff's Fees	1	50
Making copy of bill, etc		15	Commissioner's Fees	1	50
Each notice not otherwise provided for		50	Solicitor's Fees	1	50
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	Printer's Fees		
Examng each voucher of Receiver, etc		10	Trial Tax	3 00	3 00
Examng each answer, etc.	3	00	Recording Decree in Probate Court		
Recording resignation, etc		75			
Entering each certificate to Supreme Court		50	TOTAL	\$17	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	\$	17 50			

CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. _____

VS.

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%.		
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Issuing Writ of injunction	I	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	I	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	I	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.	I	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	2	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.					
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Sub Total Carried Forward					

may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

Ethel Benson
Complainant.

Beckesallee & Behe
Solicitors for the Complainant.

FOOT NOTE:

The Respondent, WILLIAM B. BENSON, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs 1 to 4, inclusive, but not under oath, oath being hereby expressly waived.

Ethel Benson
Complainant.

Beckesallee & Behe
Solicitors for the Complainant.

The State of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

ETHEL BENSON, Complainant

vs.

WILLIAM B. BENSON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ANSWER AND WAIVER 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 ETHEL BENSON, is forever divorced from the said

WILLIAM B. BENSON,

for and on account of

Abandonment

And it is further ordered, adjudged and decreed by the Court, that the said Ethel Benson shall have the care, custody and control of the minor child, Anna Louise Benson;

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.

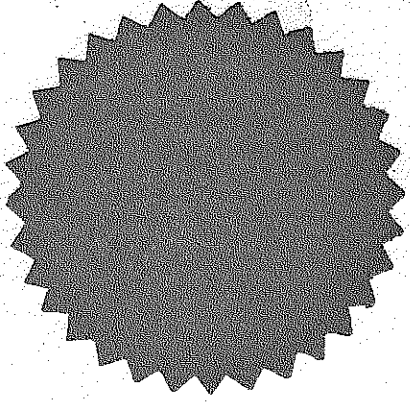
It is further ordered that ETHEL BENSON and WILLIAM B. BENSON, be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that WILLIAM B. BENSON, the RESPONDENT, pay the cost herein to be taxed, for which execution may issue.

This 7th day of October, 1937

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

I, _____, 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.

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

To Any Sheriff of the State of Alabama—GREETING:

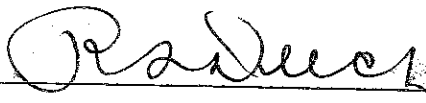
WE COMMAND YOU, That you summon **William B Benson.**

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 **Ethel Benson.**

against said **William B Benson.**

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 3 day of **Sept.** 1937

 Register

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

ETHEL BENSON,
Complainant,
VS.
WILLIAM B. BENSON,
Respondent.

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

And now comes William B. Benson in his own proper person and for answer to the Complainant's complaint and to each count thereof, separately and severally, says:

1st: That he admits the allegations contained in paragraphs 1 and 2.

2nd: That he denies the allegations contained in paragraphs 3 and 4 and demands strict proof of the same.

William B. Benson
Respondent.

WITNESSES:

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ETHEL BENSON,
Complainant,
VS.
WILLIAM B. BENSON,
Respondent.

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)

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

Comes the Respondent, in his own proper person, and waives notice of the taking of testimony on behalf of the Complainant, the right to cross-examine Complainant's witnesses and agrees that the matter be submitted forthwith for final decree without further notice.

William B. Benson
Respondent.

WITNESSES:

The State of Alabama }
 Baldwin County }

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

ETHEL BENSON

COMPLAINANT

VS.

WILLIAM B. BENSON

RESPONDENT

I, ROBERT S. DUCK,

as Register and Commissioner

have called and caused to come before me Ethel Benson and Herbert Manich

witness^{es} 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 witness^{es} to speak the
 truth, the whole truth, and nothing but the truth, the said Ethel Benson

doth depose and say as follows:

My name is Ethel Benson. I live at Fairhope, in Baldwin County, Alabama. I am over twenty-one years of age.

The Respondent and I were married at Silverhill, in Baldwin County, Alabama, on September 5th, 1922, and lived together as husband and wife, in Baldwin County, Alabama, until August 13th, 1935; that on August 13th, 1935, the Respondent voluntarily abandoned me and has remained away continuously and of his own accord since that time; that the Complainant gave the Respondent no cause for abandoning her; that the Respondent, during the time he has been away, has not supplied her with the necessities of life.

That she has one child, a minor girl, Anna Louise Benson, now eight years old; that said child has been with her all her life and that she is now ready, able and capable of caring and providing for said child; that the Respondent has no place for the said child and is not a suitable person to have her care, custody or control.

Ethel Benson

HERBERT MANICH, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN, DEPOSES AND SAYS:

My name is Herbert Manich. I live at Fairhope, in Baldwin County, Alabama. I am personally acquainted with Ethel Benson and William B. Benson. I know of my own personal knowledge that the Complainant and Respondent have not lived together as husband and wife for over two years. I live about two miles from the Complainant and know that the Respondent has not supported her during that time.

Herbert Manich

ORAL EXAMINATION

I, R. S. DUCK as Register and Commissioner hereby certify that the foregoing deposition s 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____; 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 6th day of October 1937.

R. S. Duck (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

EMMEL BENSON

COMPLAINANT

vs.

WILLIAM B. BENSON

RESPONDENT

ORAL DEPOSITION

Filed October 6, 1937

R. S. Duck, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

Circuit Court, Baldwin County, Ala.
In Equity.

No.

367

Stinson

VS.

Stinson

COST BILL

Paid _____, 193

16.00
3
21.00

Register:

RECORDED
7-2-53

Duck

BILL OF COMPLAINT

ETHEL BENSON,

Complainant,

VS.

WILLIAM B. BENSON,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed this 3 day September 1937

H.S. Dyer
Clerk DeFisher

No. 567 Page 2-321

The State of Alabama
Baldwin County

In Circuit Court, In Equity

ETHEL BENSON,
vs. Complainant.

WILLIAM B. BENSON,
Respondent.

DIVORCE DECREE

Filed this 8 day of

October, 1937.

W. B. Benson
Register.

RECORDED
Dues
7-284

Serve on _____
Circuit Court of Baldwin County
IN EQUITY

No. _____
S U M M O N S

Nthel Benson,

vs.

William B Benson,

Beebe Hall & Beebe

Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 3

day of Sept, 1917

M. H. Phillips
SHERIFF

Executed this 3 day of

Sept 1917

by leaving a copy of the within Summons with

William B Benson

Defendant

M. H. Phillips
Sheriff

By _____
Deputy Sheriff

RECORDED

Duck

9-299

ANSWER:

ETHEL BENSON,

Complainant,

VS.

WILLIAM B. BENSON,

Respondent.

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

Filed this 12 day Oct 1937
W. S. Duck
Clerk-Register

Book
9-294

WALTER:

ETHEL BENSON,

Complainant,

VS.

WILLIAM B. BENSON,

Respondent.

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

Filed this 6 day Oct. 1933
W. S. Duck
Clerk of Court

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

VS.

COST BILL

Paid _____, 193_____

Register.

MOORE PRINTING CO., MAY MINETTE, ALA.