

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. 495

*Helpatrick*

VS.

*Helpatrick*

PLAINTIFF

DEFENDANT

## BILL OF COSTS

FEES OF REGISTER		Dollars	Cents	Brought Forward		
Filing each bill and other papers	\$ 10		20	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%.	\$ 2	25
Issuing each subpoena	50		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Issuing each copy thereof	40		40	Each notice sent by mail to creditor	15	
Entering each return thereof	15		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	2 00
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					
Docketing each case	1 00	1 00		TOTAL FEES OF REGISTER		4 25
Entering each appearance	25					
Issuing each decree pro confesso on per ser.	1 00	2 25		FEES OF SHERIFF		
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			Levying attachment	1 50	
Issuing Commission to take testimony	50			Entering and returning same	25	
Receiving and filing	10			Selling property attached		
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		
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		150
Issuing execution, each	75					
Entering each return	15			RECAPITULATION		
Taking and approving bond, each	1 00			Register's Fees		4 25
Making copy of bill, etc.	15			Sheriff's Fees		1 50
Each notice not otherwise provided for	50			Commissioner's Fees		
Each certificate or affidavit, with seal	50			Solicitor's Fees		
Each certificate or affidavit, no seal	25			Witness Fees		
Hearing and passing on application, etc.	3 00			Guardian Ad Litem		
Each settlement with Receiver, etc.	3 00			Printer's Fees		
Examining each voucher of Receiver, etc.	10			Trial Tax	3 00	3 00
Examining each answer, etc.	3 00			Recording Decree in Probate Court		
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				TOTAL		7 50

Received payment this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_\_

Register.

# CIRCUIT COURT, BALDWIN COUNTY, ALA. IN EQUITY

No. 1195

VS.

PLAINTIFF

DEFENDANT

## BILL OF COSTS

FEES OF REGISTER		Dollars	Cents	Brought Forward .....	\$ 2	25
Filing each bill and other papers .....	\$ 10		20	For Receiving, keeping and paying		
Issuing each subpoena .....	50		40	out or distributing money, etc.: 1st		
Issuing each copy thereof .....	40		40	\$1,000, 1%, all over \$1,000, and not		
Entering each return thereof .....	15		15	over \$5,000, 3-4 of 1%; all over \$5,-		
For each order of publication .....	1 00			000 and not exceeding \$10,000, 1-2 of		
Issuing Writ of injunction .....	1 50			1%, all over \$10,000 1-4 of 1%.		
For each copy thereof .....	50			Receiving, keeping and paying out		
Entering each return thereof .....	15			money paid into court, etc., 1-2 of		
Issuing Writ of Attachment .....	1 00			1% of amount received.		
Entering each return thereof .....	15			Each notice sent by mail to creditor ...	15	
Docketing each case .....	1 00			Filing receipting for and docketing each		
Entering each appearance .....	25			claim, etc. ....	25	
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 .....	1 00			etc. ....	50	
Any other order by Register .....	50			Making final record. per 100 words....	15	
Issuing Commission to take testimony .....	50			Certified copy of decree .....	1 00	
Receiving and filing .....	10			Report of divorce to State Health Office	50	
Endorsing each package .....	10			(Acts 1915)		
Entering order submitting cause .....	50			TOTAL FEES OF REGISTER..		
Entering any other order of court.....	25					
Noting all testimony .....	50			FEES OF SHERIFF		
Abstract of cause, etc. ....	1 00			Serving and returning subpoena on deft. \$1	50	
Entering each decree .....	75			Serving and returning subpoena for		
For every 100 words over 500.....	15			witness .....	65	
Taking account, etc. ....	3 00			Levying attachment .....	1 50	
Taking testimony, etc .....	15			Entering and returning same.....	25	
Each report, 500 words or less .....	2 50			Selling property attached .....		
For every 100 words over 500 .....	15			Impaneling Jury .....	75	
Amount claimed less than \$500, etc .....	2 00			Executing Writ of possession .....	2 50	
Issuing each subpoena .....	25			Collecting execution for costs .....	1 50	
Witness certificate, each .....	25			Serving and returning sci. fa., each....	65	
Issuing execution, each .....	75			Serving and returning notice .....	65	
Entering each return .....	15			Serving and returning writ of injunction	1 50	
Taking and approving bond, each .....	1 00			Serving and returning writ of exeat....	1 50	
Making copy of bill, etc .....	15			Taking and approving bonds, each ....	75	
Each notice not otherwise provided for ..	50			Collecting money on execution .....		
Each certificate or affidavit, with seal ..	50			Making Deed .....	2 50	
Each certificate or affidavit, no seal .....	25			Serving and returning application, etc...	1 00	
Hearing and passing on application, etc...	3 00			Serving attachment, contempt of court..	1 50	
Each settlement with Receiver, etc. ....	3 00			TOTAL FEES OF SHERIFF..		
Examining each voucher of Receiver, etc ..	10					
Examining each answer, etc. ....	3 00			RECAPITULATION		
Recording resignation, etc .....	75			Register's Fees .....		
Entering each certificate to Supreme Court	50			Sheriff's Fees .....		
Taking questions and answers, etc .....	25			Commissioner's Fees .....		
For aliother ser relating to such proceedings	1 00			Solicitor's Fees .....		
For services in proceeding to relieve min-				Witness Fees .....		
ors, etc., same fee as in similar cases.				Guardian Ad Litem .....		
Commission on sales, etc.: 1st \$100, 2 per				Printer's Fees .....		
cent; all over \$100 and not exceeding				Trial Tax .....	3 00	
\$1,000, 1 1-2 per cent; all over \$1,000,				Recording Decree in Probate Court....		
and not exceeding \$20,000, 1 per ct; all						
over 20,000, 1-4 of 1 per cent.						
Sub Total Carried Forward .....				TOTAL.....		8 75

Received payment this \_\_\_\_\_ day of \_\_\_\_\_ 193\_\_\_\_\_

Register.

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Comes your complainant, BESSIE LEOTA KILPATRICK, and  
humbly complaining against respondent, ARTHUR G. KILPATRICK, re-  
spectfully represents and shows unto your Honor and this Honorable  
Court as follows:

FIRST:

That your complainant and the respondent are over the  
age of twenty-one (21) years and are bona fide residents of Bald-  
win County, Alabama.

SECOND:

That your complainant and the respondent were married  
in Bay Minette, Baldwin County, Alabama, on August 27, 1919, and  
lived together as husband and wife until, to-wit, July 1st, 1938.

THIRD:

That there were born to the said union three (3) child-  
ren, namely, Cleveland Allen Kilpatrick, who is eighteen (18) years  
of age and is now employed in a CCC Camp; James Arthur Kilpatrick,  
who is thirteen (13) years of age, and Mary Martha Kilpatrick, who  
is eight (8) years of age, who are at present in the care and cus-  
tody of your complainant.

FOURTH:

That on, to-wit, July 1st, 1938, and at various times  
prior thereto, respondent abused the complainant and on various  
occasions committed actual violence to her person by threatening  
her with a knife and by attempting to kill her with a chair, which  
necessarily endangered her life and health; that his conduct has  
been such that she has every reasonable apprehension to believe  
and does believe that he will carry out his threats and do further  
violence to her person which will necessarily endanger her life  
and health if she continues to live with him.

WHEREFORE, the premises considered, complainant prays  
that your Honor will by proper process make the said Arthur G.

Kilpatrick party respondent 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.

Complainant further prays that upon a final hearing of this cause your Honor will give and grant unto her a decree of divorce, forever barring the bonds of matrimony existing between her and the respondent, Arthur G. Kilpatrick, and that your complainant will be given the care and custody of the said James Arthur Kilpatrick and Mary Martha Kilpatrick, and your complainant prays for such other, further, different or general relief as she may in equity and good conscience be entitled to receive. And as in duty bound she will ever pray.

Beebe Hall & Beebe  
Solicitors for Complainant.

FOOT NOTE:

The respondent, Arthur G. Kilpatrick, is required to answer each and every allegation contained in the foregoing bill of complaint, Paragraphs FIRST to FOURTH inclusive, but not under oath, oath being hereby expressly waived.

Beebe Hall & Beebe  
Solicitors for Complainant.

TO THE HON. F. W. HART, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Comes your complainant, BESSIE LETA KILPATRICK, and  
humbly complaining against respondent, ARTHUR G. KILPATRICK, re-  
spectfully represents and shows unto your Honor and this Honorable  
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prior thereto, respondent abused the complainant and on various  
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her with a knife and by attempting to kill her with a chair, which  
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and does believe that he will carry out his threats and do further  
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*Beebe Hall Beebe*  
Solicitors for Complainant.

FOOT NOTE:

The respondent, Arthur G. Kilpatrick, is required to answer each and every allegation contained in the foregoing bill of complaint, Paragraphs FIRST to FOURTH inclusive, but not under oath, oath being hereby expressly waived.

*Beebe Hall Beebe*  
Solicitors for Complainant.

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

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

ARTHUR G. KILPATRICK

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

BESSIE LEOTA KILPATRICK

against said ARTHUR G. KILPATRICK

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, R. S. Duck, Register of said Circuit Court, this 19th day of

October, 1938.

R. S. DUCK

BY: *Handwritten Signature*

Deputy-Clerk

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

(original) Bergmiller, Mrs.

~~Summons~~

RECORDED

Serve On ARTHUR G. KILPATRICK

Circuit Court of Baldwin County  
IN EQUITY

No. 495

Summons

BESSIE JEOMA KILPATRICK,  
Complainant

VS.

ARTHUR G. KILPATRICK,  
Respondent

BERNARD, HALL & BERNARD  
Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

THE STATE OF ALABAMA,

Baldwin County

Received in office this 17th

day of Oct, 1938

[Signature]  
Sheriff.

Executed this 17th day of

Oct, 1938

by leaving a copy of the Summons with

Arthur G. Kilpatrick

Defendant

[Signature]  
Sheriff

By [Signature]

Deputy Sheriff