

87 1/2

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

Mrs. Sarah E. White Complainant

vs.

Jack White Defendant

Commissioner

Oral examination before the Register of the following witnesses:

Mrs. Sarah E. White, Mr W. Frost, and Houston Wolfe

who reside in Alabama, said examination being conducted in Atmore Alabama,

on this the 29th day of October, 1934, and there being present

The witnesses and the commissioner

The said Sarah E. White being first sworn to speak the truth, the whole truth, and nothing but the truth,

testified as follows: I am the complainant in this case. I married Jack

White in Pensacola, Escambia County, Florida on the 25th day

day of December 1933 I am a bona fide resident of Baldwin

No. _____ Page _____

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The State of Alabama

_____ COUNTY

IN CIRCUIT COURT, IN EQUITY

_____ vs. Complainant,

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of _____

for _____

Filed _____ day of _____, 19 _____

Published by order of the Court, _____

day of _____, 19 _____

Register.

AYS RETURN TO
S. HORNE
Y-AT-LAW
ALABAMA

87 1/2



*Filed for 1st 1994.
Mrs. M. A. Stone
Register
Bay Minette*

Mrs. M. A. Stone,
Register,
Bay Minette, Ala.

7084

~~3m Miller U3~~

3m Miller U3

3m Miller U3

The State of Alabama, Baldwin County

IN THE CIRCUIT COURT, IN EQUITY

Sarah E. White Complainant

vs.

Jack White Defendant

To Hon. E. M. Mullen

residing At Atmore, State of Alabama

one or more to take the deposition:

Know ye, That reposing confidence in your integrity, skill and ability, I have appointed you

Commissioner to take the depositions on oral examination of Sarah E. White,

J. W. Frost and Houston Wolfe

material witnesses for the Complainant

in a cause now pending in the Circuit Court, in Equity, of said County, wherein

Sarah E. White is Complainant, and

Jack White, is Defendant.

And hereby authorize you to call and cause to come before you the said witnesses at

such time and place as you shall appoint, and their deposition on oath to take, touching

their knowledge of the matter in controversy, and the said deposition s when so taken

by you shall be subscribed by said witnesses and certified under your hands and seals, and with

this commission shall be returned to me.

Witness my hand, this the 27 day of October, 1934

M. A. Stone, Register.

one years and we are both residents of Baldwin County, Alabama.

Mrs Sarah E. White.

The said J. W. Frost, being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

I know the complainant and the defendant in this case. They were married in Escambia County, Florida on the 25th day of December, 1933 and lived together immediately thereafter as man and wife. The defendant is over the age of twentyone years and is a resident of Baldwin County, Alabama and the complainant is over the age of twentyone years and is a resident of Baldwin County, Alabama. Soon after they were married the defendant commenced to drink heavily and the habit grew on him and he had long before the separation become a confirmed and habitual drunkard. There is no redemption for him. He would get on these sprees and would run foul the law enforcement agencies and was even arrested for highway robbery while on his drunken sprees. I do not think it proper for the complainant to try to live further with him as it would only be the continuation of dire sorrow and distress for her.

J. W. Frost

The said Houston Wolfe, being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows: I know the complainant and the defendant. They are both residents of Baldwin County, Alabama and are both over the age of twentyone years. They were married in Escambia county, Florida on the 25th day of Decemeber, 1933. The defendant soon after the marriage commenced to go on sprees and in a short time became a confirmed and habitual drunkard. He simply stays drunk practically all the time and is very disagreeable and boisterous and vicious while so. He grew worse and worse until now the habit has him and there seems to be no hope for him ever sobering up. I do not think it proper for the complainant to try to live further with him.

It would only be making bad matters worse.

Henry - M. Mullen

I, **E. M. Mullen**, as **Commissioner**

herby certify that the foregoing deposition **s** on oral examination **were** taken down by me in writing

in the words of the witness **es** and read over to **them** and **they** signed the same in the presence of

Each other, at the time and place herein mentioned; that I

have personal knowledge of the personal identity of the 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 in any

manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on

file in my office.

Given under my hand and seal this the **29th** day of **October**, 19**34**

E. M. Mullen (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

days' attendance at \$1.50 per day \$

REGISTER'S FEES.

days at \$1.50 per day \$

words at 20 cents per hundred \$

The State of Alabama,

COUNTY.

In Circuit Court, in Equity

vs. Complainant

Defendant

COMMISSION TO TAKE DEPOSITIONS ON ORAL EXAMINATION

Commissioners

Witnesses

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The State of Alabama, { No. 87 CIRCUIT COURT IN EQUITY
Baldwin County }

Sarah White, Complainant
vs.
Jack White Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the complainant is forever divorced from the Defendant, on account of Habitual Drunkenness

It is further ordered, that the said Sarah White be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Sarah White pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Jack White

It is further ordered, adjudged and decreed that the said Sarah White shall not again marry except to said Jack White until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Jack White during the said pendency of appeal

This 10th day of November 1934

J. H. Ware
JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY

STATE OF ALABAMA { BALDWIN COUNTY } CIRCUIT COURT, IN EQUITY

I, _____, Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 9, in the cause of _____

Complainant
vs.
Defendant
as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____, 19____
Register

No. 87

~~RECORDED~~

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THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.
Baldwin County, Ala.

SARAH WHITE

VS

JACK WHITE

DECREE OF DIVORCE

Filed in office this 13th

day of Nov, 1934

W. O. Stone
Register.

E. O. M.

SARAH E. WHITE, :
 COMPLAINANT :
 VS. :
 JACK WHITE, :
 DEFENDANT. :

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

TO HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY-FIRST JUDICIAL CIRCUIT OF THE STATE OF ALABAMA.

Now comes the complainant, Sarah E. White, humbly complaining of the defendant, Jack White, in a matter of divorce as will hereinafter appear and represents and shows unto Your Honor as follows:

FIRST.

That both the complainant and the defendant are over the age of twenty one years and both reside in Baldwin County, Alabama.

SECOND.

That your oratrix, the complainant, and the defendant were married in Escambia County, Florida on, to-wit, the 25th day of December, 1933 and lived together as man and wife until, on, to-wit, the 15th day of August, 1934.

THIRD.

That almost immediately after the time the complainant and the defendant were married the defendant commenced to drink heavily. That he began to get on protracted drunks and to stay that way over a period of weeks. That he grew worse and worse and became a fixed and habitual drunkard. That your oratrix the complainant strove to reform and tried in every way to keep him from his vicious habits that he formed. That it finally became so unbearable that your oratrix refused to live with him further and on, to-wit, the 15th day of August, 1934 she separated from him and has not returned to live with him since said date. That is impossible for her to live with him as he became a confirmed drunkard and was seldom if ever sober. That your oratrix has despaired of ever being able to reform the said defendant.

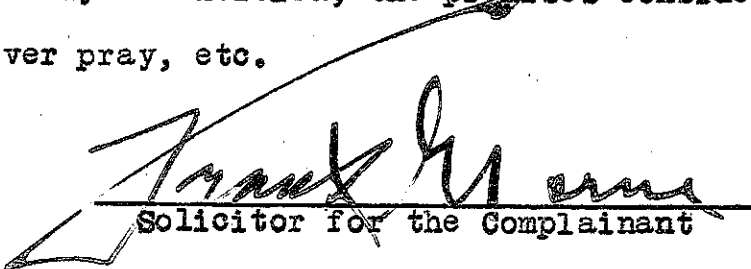
PRAYER FOR PROCESS.

To the end that equity may be had in the premises your oratrix prays that Jack White be made a party defendant to this Bill of complaint, that a summons be issued and served on him requiring him to plead, answer or demur to the bill of complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF.

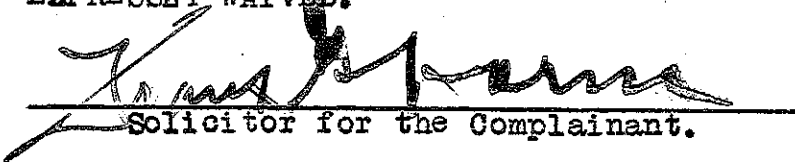
Premises considered, your oratrix prays that on a final hearing of this cause your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between the defendant and your oratrix and granting to your oratrix the right to again marry should she so desire.

Your oratrix prays such other, further and general relief to which she may be entitled, the premises considered, and your oratrix will ever pray, etc.


Solicitor for the Complainant

FOOTNOTE::

DEFENDANT IS REQUIRED TO ANSWER EACH AND EVERY PARAGRAPH OF THE FOREGOING BILL OF COMPLAINT, NUMBERED "FIRST", "SECOND" AND "THIRD", BUT NOT UNDER OATH, ANSWER UNDER OATH BEING HEREBY EXPRESSLY WAIVED.


Solicitor for the Complainant.

No. 87

RECEIVED
OCT 25 1934

Filed - Oct. 25th, 1934

Wm. C. Stone
Proprietor

 SARAH E. WHITE,

 VS.

 JACK WHITE

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, _____
 Depositions _____

and in behalf of Defendant upon _____ Waiver of Service, notice etc _____

W. A. Stone

Register.

No. 87

RECORDED
[Handwritten signature]

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The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Sarah White

vs.

Jack White

NOTE OF TESTIMONY

Filed in Open Court this 5th

day of November 1934

[Handwritten signature: M. A. Stone]

REGISTER

CHANCERY EXECUTION

BILL OF COSTS

No. 87 1/2

Sarah White
Vs.
Jack White

Plaintiff

Defendant

FEES OF REGISTER	Dollars	Cents	Brought Forward	\$
Filing each bill and other papers <u>2</u>	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%.	
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	<u>8 30</u>
Docketing each case	1 00	1 00	FEES OF SHERIFF	
Entering each appearance	25	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	3 00
Each order appointing guardian	1 00		Entering and returning same	25
Any other order by Register	50		Selling property attached	75
Issuing commission to take testimony	50	50	Impaneling Jury	2 50
Receiving and filing	10	10	Executing writ of possession	1 50
Endorsing each package	10	10	Collecting execution for costs	65
Entering order submitting cause	50	50	Serving and returning sci. fa., each	65
Entering any other order of court	25	25	Serving and returning notice	1 50
Noting all testimony	50	50	Serving and returning writ of injunction	1 50
Abstract of cause, etc.	1 00	75	Serving and returning writ of exeat	75
Entering each decree	75		Taking and approving bonds, each	2 50
For every 100 words over 500	15		Collecting money on execution	1 00
Taking account, etc.	3 00		Making deed	2 50
Taking testimony, etc.	15		Serving and returning application, etc.	1 50
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	<u>1 75</u>
Amount claimed less than \$500, etc.	2 00		RECAPITULATION	
Issuing each subpoena	25		Register's Fees	8 30
Witness certificate, each	25		Sheriff's Fees	1 75
Issuing execution, each	75	75	Commissioner's Fees	5 00
Entering each return	15	15	Solicitor's Fees	3 00
Taking and approving bond, each	1 00		Witness Fees	3 00
Making copy of bill, etc.	15		Guardian Ad Litem	3 00
Each notice not otherwise provided for	50		Printer's Fees	3 00
Each certificate or affidavit, with seal	50		Trial Tax	3 00
Each certificate or affidavit, no seal	25		Recording Decree in Probate Court	3 00
Hearing and passing on application, etc.	3 00		Total	<u>18 05</u>
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.	1 00			
Commission on sales, etc.: 1st \$100, 2 per ct.; 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.	1 00			
Sub Total Carried Forward				

The State of Alabama, {
Baldwin County.

No. 87 1/2

Circuit Court, In Equity Nov Term, 1934

To Any Sheriff of the State of Alabama—GREETING:

You are hereby commanded, That of the goods and chattels, lands and tenements of

Jack White Defendant

you cause to be made the sum of _____ Dollars,

which Sarah White Plaintiff

recovered of him on the 10 day of Nov 1934

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of

Eighteen and 05/100 Dollars,

costs of suit, and have the same to render to the said M. A. Stone and make return of this Writ and the execution thereof, according to law.

Interest from _____ 1934 to date of collection.

Witness my hand, this 20 day of Nov 1934

M. A. Stone Register.

No. 87 1/2

The State of Alabama,
Baldwin County.

Circuit Court, In Equity.

Frank White

vs.

Jack White

CHANCERY EXECUTION
Fi. Fa.

\$

Total \$ 1805

Fee Book 3 Page 225

Execution Docket 1 Page 99

Frank J. Horne

Complainant's Solicitor.

Attorney, etc

75
100
50
950
310
640

The State of Alabama,

Baldwin County.

315

ha. duly waived right
to the exemption of personal property as to
the collection of the debt for which this execu-
tion is issued.

Register.

Received in office this

day of 193

Sheriff

Execution Docket..... Page.....

The State of Alabama, }
Baldwin County.

By virtue of the within execution I have levied

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THE STATE OF ALABAMA::::::::::BALDWIN COUNTY.

Circuit Court in Equity at Bay Minette, Alabama.

Sarah white, Complainant

vs.

Jack white, defendant.

Come Jack White, the person named as defendant in this cause, and for answer to the Bill herein says he denies each and every allegation therein and demands strict proof of the same. He also waives service by the sheriff of subpoena on said bill, a copy of the interrogatories filed in the cause, notice of the filing of them, waives the ten days allowed by law to cross them, the right to cross them, and consents that the cause be submitted in vacation to the judge for decree in vacation on note of testimony to be made by the Register, and asks that on final decree he be given the right to marry again.

Jack White DEFENDANT

THE STATE OF ALABAMA::::::::::ESCAMBIA COUNTY.

Before me, E. S. Stone a

Notary Public in and for said County

and state, hereby certify that Jack White whose name is signed to the foregoing answer to a certain Bill of complaint filed on the 23rd day of October, 1934 wherein Sarah White is the complainant and Jack white is the defendant, and who is known to me to be the identical person named as defendant in the bill of Complaint in this cause, acknowledged before me on this day that being informed of the contents of and the allegations of the Bill of complaint ~~xxxxx~~ filed against him by Sarah White, who is his wife, he signed the answer hereto attached voluntarily on the day same bears date. And I further certify that he signed the answer in my presence.

Given under my hand and seal this 23rd day of October, 1934.

E. S. Stone Notary Public

RECORDED

7089

RECORDED

Filed Oct. 25th 1934
W. A. Stone
Register.

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