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Bill for Divorce for Abandonment -
IN EQUITY

State of Alabama, Circuit Court,
Baldwin County - Baldwin County, Alabama
Ernest Boone vs Joycy May Boone -

To the Hon. F.W. Hare,
Judge of 21st Judicial Circuit.

Your orator, ^a Ernest Boone, respectfully shows unto your Honor the following statement of facts -

1. That he is and has been for more than three years past a bona fide resident of Baldwin County, Alabama;
2. That he is over the age of 21 years and resides at Little River in Baldwin County and that the respondent, Joycy May Boone, is over the age of 18 years, to-wit, of the age of 21 years;
3. That the respondent is not a resident of Alabama and that your orator is informed and avers that she resides in the State of Florida, to-wit at Apopsee;
4. That your orator and the said respondent, who were then both citizens of the State of Alabama, were married and became husband and wife in the State of Alabama, in the year 1928 and that said bond of matrimony has not been dissolved between them;
5. That more than two years ago, to-wit in the year 1930, the said respondent voluntarily abandoned your orator from bed and board and that said abandonment has been continuous for more than two years immediately preceding the filing of this bill;
6. That the abandonment of your orator by the respondent was and is without cause, fault, justification, consent, or excuse from your orator to said respondent.

Your orator prays that the bonds of matrimony between himself and the said respondent may be dissolved; that your Honor will cause publication to be made, as required by law, to the said respondent, making her party respondent to this bill and commanding her within the time specified and required to appear in this Court and demur, plead to or answer this bill of complaint; that upon the final hearing of this cause your Honor will grant an absolute decree of divorce to your orator, from the bonds of matrimony existing between him and said respondent; that if your orator should be mistaken in the relief prayed for, that your Honor will grant to him such other, further and general relief as he may be entitled to; and he will ever pray.

Ernest Boone

Foot Note - Respondent is required to answer each and every ^{numbered} paragraph of fact contained in above bill, numbered paragraphs 1 to 6 inclusive, but her answer under oath is expressly waived.

Ernest Boone

Circuit Court, Baldwin County, Ala., IN EQUITY.

91
No 20/1934

Ernest Boone
VS.
Joyce Mae Boone

PLAINTIFF

DEFENDANT

BILL OF COST

470

	Dollars	Cts.	AMOUNT BROUGHT FORWARD	\$	Cts.
Fees of Register					
Filing each bill and other papers 4		40	For receiving, keeping and paying out or distributing money, etc. 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.		
Issuing each Subpoena 50		50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.		
Issuing each copy thereof 30			Each Notice Sent by Mail to Creditors..... 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 hundred 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..... 50		
Entering each return thereof 15			Acts 1915		
Docketing each case 1 00	1	00	Total Fees of Register		
Entering each Appearance 25		25			
Issuing each Decree Pro Confesso on personal service... 1 00			FEEES OF SHERIFF		
Issuing each Decree Pro Confesso on publication..... 1 00			Serving and Returning Subpoena on Deft..... \$1 50		
Each Order Appointing Guardian..... 1 00			Serving and Returning Subpoena for Witness..... 65		
Any other order by Register 50			Levying Attachment..... 3 00		
Issuing Commission to Take Testimony 50			Entering and Returning same..... 25		
Receiving and Filing 10		10	Entering and Returning Execution 25		
Endorsing each package..... 10		10	Selling Property Attached 25		
Entering Order Submitting Cause 50		50	Impaneling Jury 75		
Entering any other Order of Court 25			Executing Writ of Possession 2.50		
Noting all Testimony 50		50	Collecting Execution for Costs..... 1.50		
Abstract of Cause, etc. 1 00			Serving and Returning Sci. Fa., each 65		
Entering each Decree 75		75	Serving and Returning Notice..... 65		
For Every Hundred Words Over Five Hundred..... 15			Serving and Returning Writ of Injunction 1.50		
Taking Account on Reference 3 00			Serving and Returning Writ of Exeat..... 1.50		
Taking Testimony, etc. 15			Taking and Approving Bonds, each 1.00		
Each Report, Five Hundred Words or less 2 50			Collecting Money on Execution		
For every Hundred Words Over Five Hundred..... 15			Making Deed 2.50		
Amount Claimed, Less than Five Hundred Dollars, etc. 2 00			Serving and Returning Application 1.00		
Issuing each Subpoena..... 25			Serving Attachment, Contempt of Court..... 1.50		
Witness Certificate, each 25			TOTAL FEES OF SHERIFF		
Issuing Execution, each..... 75					
Entering each Return 15			Recapitulation		
Taking and Approving Bond, each..... 1 00			Register's Fees.....		8 10
Making Copy of Bill, etc. 15			Sheriff's Fees.....		5 00
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 for Receiver or Trustee 3 00			Guardian Ad Litem.....		
Each Settlement with Receiver or Trustee 3 00			Printer's Fees.....		
Examining each Voucher of Receiver or Trustee 10			Trial Tax 3 00		3 00
Examining each Answer on Exception 3 00			Recording Decree in Probate Court.....		
Recording Resignation or Suggestion of Death of Trustee 75			Total.....		16 10
Entering each Certificate to Supreme Court..... 50					
Taking Questions and Answers, etc. 25					
For all other service relating to such proceedings 1 00					
For service in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc.: 1st \$100, 2 percent; all over \$100, and not exceeding \$1000, 1 1/2 per cent; all over \$1,000 and not exceeding \$20,000, 1 per cent; all over \$20,000, 1-4 of 1 per cent.					
Sub Total Carried Forward - - -					

Received payment this _____ day of _____ 193_____

NOTE: Unless the above costs in this cause are paid within ten days of the present date, execution will be issued and placed in the hands of Sheriff for collection, creating more costs. Register.

Rated 58/35

91

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this _____

day of _____ 193_____

REGISTER

Earnest Boone,
Complainant -

IN EQUITY

Circuit Court

Vs

Baldwin County,

Joycy May Boone,
Respondent

Alabama,

Answer of respondent -

Comes Joycy May Boome, respondent in the above styled cause, and for answer to same denies each and every allegation contained therein and demands strict proof of the same. She waives service of subpoena by the sheriff and by publication, notice to take testimony on oral or written examination as well as the right to cross examine and consents that this cause be submitted for decree on note of testimony as made by the register either in term time or vacation.

Dated this _____ of November, 1934.

Joycy May Boone
Respondent.

Witnesses -

J. M. Mitchem
H. B. Mitchem.

Ernest Brown

Joseph ^{Wm} Brown

Filed Jan 8, 1938

W. A. Stone
Registrar

The State of Alabama }
Baldwin County

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

Ernest Boone COMPLAINANT

vs.

Joycy May Boone RESPONDENT

I, Robert S. Duck,

as Register and Commissioner

have called and caused to come before me Ernest Boone, W.T. Boone,

and C. L. Boone

witness named in the requirement for Oral Examination, on the 2nd day of March

1935, at the office of Register, in Bay Minette, Alabama.

in Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Ernest Boone

doth depose and say as follows:

Ernest Boone, Plaintiff.

Ernest Boone, the complainant in the foregoing suit deposes as follows:- that he is the husband of Joycy May Boone, the respondent that he is 26 years of age and that she is over the age of 18, to-wit of about the age of 21 years. That he and she were married in the State of Alabama in November of the year 1928, and that said bonds of matrimony has not been dissolved between the m, That the said Complainant is and has been a bona fide resident of Baldwin County, Alabama, for more than three years continuously and immediately preceeding the date of filing of his bill for Divorce. That the Respondent Jocey Mae Boone is not now a resident of the state of Alabama, and has not been for the past three years continuously. That the said Respondent abandoned the bed and board of said Complainant and deserted him by refusing and failing to live with him and that they have not lived together as man and wife continuously for the past five years. That said Abandonment by Respondent of said Complainant is and has been without cause, fault, justification,

ORAL EXAMINATION

I, Robert 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 Thomas. W. Gilmer

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 witnesses; 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 2nd day of March 19 35.

Robert S. Duck (L. S.)

Witness

Thomas W. Gilmer

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No. 91 Page

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Ernest Brown

COMPLAINANT

vs.

Joyce May Brown
RESPONDENT

ORAL DEPOSITION

Filed March 2nd, 193 5

Robert S. Duck, Register.

RECORDED IN

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Register

consent, or excuse on the part of said Complainant. That there is one child born in wedlock to said Respondent and Complainant, now about six years of age, and that said child makes its home with its mother who your complainant avers is now a resident of the state of Florida and that he is willing that the said child should continue to make her home with her mother. Complainant avers that he has no property, real or personal, That he has no fixed income and that he is financially unable to pay to said respondent any alimony for the prosecution of her defense to this suit or for permanent alimony, should he be granted a divorce.

Ernest Boone

Mr. W.T. Boone, being first duly and legally sworn on his oath deposes and says as follows:

That he is the father of the complainant, Ernest Boone, and knows of his own knowledge that Ernest Boone, the complainant and Joycy May Boone, the Respondent, lived together as man and wife beginning in November 1928, and that they lived at his home as husband and wife until about the year 1930 and that at that time the said Respondent, Joycy May Boone voluntarily abandoned the bed and board of said Ernest Boone and that since that time she has failed to live with him as his wife. That said Complainant, Ernest Boone, has been a resident of Baldwin County, Alabama, for more than the past three years continuously. That the said Complainant, Ernest Boone, has no property and fixed income. That there is one child, a daughter, who does not live with the complainant, and that he is informed and believes that the said child lives with her mother whom he believes to be a resident of the state of Florida. That at the time of said Marriage complainant and respondent were both citizens of the State of Alabama.

W T Boone

NOTICE TO NON-RESIDENT.

Moore Ptg. Co—Bay Minette.

Earnest Boone
 No. 91
 vs.
 Joycy May Boone

The State of Alabama,
 Baldwin County.
 Circuit Court, in Equity.
 This the 5th day of
 November, 1934

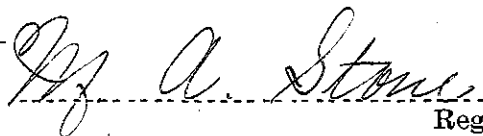
In this cause it being made to appear to the Clerk of this Court by the affidavit of Thomas W. Gilmer

that the Defendant Joycy May Boone

is a non-resident of the State of Alabama and resided at Apoxee, Florida,

and further, that, in the belief of said Affiant the Defendant is ~~over~~ ^{of} the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Joycy May Boone the said Defendant

to answer or demur to the Bill of Complaint in this cause by the 30th day of November 1934, or after thirty days therefrom a decree Pro Confesso may be taken against her.


 Register.

91
~~Ernest Boone~~
1934

Ernest Boone,
Complainant -

VS

Joyce May Boone,
Respondent -

Bill for Divorce.

In Equity.

Filed Nov. 5-1934
Wm. A. Stone
Register

THOMAS W. GILMER
ATTORNEY-AT-LAW