

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. Term, 192

Martha B. Dunn, Complainant.

vs.

Winston Dunn, Defendant.

To Robert S. Duck, Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hubert M. Hall

..... Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beck & Hall

.....
Solicitor for Complainant.

Martha B. Dunn

vs.

Winston Dunn

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, _____
Answer and Waiver of the Respondent and testimony of Martha B.

B. Dunn and Mrs. Mamie B. Batson

and in behalf of Defendant upon Answer

Robert Stuck

Register.

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The State of Alabama }
Baldwin County }

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

MARTHA B. DUNN, COMPLAINANT

VS.

WINSTON DUNN, RESPONDENT

I, Robert S. Duck

as Register and Commissioner

have called and caused to come before me Martha B. Dunn and Mrs. Mamie B. Batson

witness named in the requirement for Oral Examination, on the 15 day of February
1935, at the office of

in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Martha B. Dunn

doth depose and say as follows:

My name is Martha B. Dunn. I am over twenty-one years of age and a resident of Bay Minette, Baldwin County, Alabama; that I have lived in Baldwin County, Alabama, all my life, except a short time spent at Atmore, in Escambia County, Alabama.

Winston Dunn, the Respondent, is over twenty-one years of age and lives at Atmore, in Escambia County, Alabama.

The Respondent, Winston Dunn, and I were married at Bay Minette in Baldwin County, Alabama, on May 29th, 1930; that we lived together as husband and wife until the early part of February, 1934.

That on, to-wit, in the early part of February, 1934, and various times prior thereto, the Respondent threatened and abused me; that his conduct was such that I was under a continuous dread that he would carry out his threats and do actual violence to my person which would be attended with danger to my life and health; that his conduct was such that I had every reasonable apprehension to believe, and did believe, that if I should live with him he would carry out his various threats.

That the conditions grew worse from time to time, until it became impossible for me to any longer live with him; that I have, since our separation, lived with my mother, at Bay Minette, and the Respondent has contributed very little to my support, in fact, for the past ten months he has contributed nothing. I have been forced to rely on my mother for support.

Martha B. Dunn

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

PLAINTIFF

Martha B. Burns
VS.
Wainston Burns

DEFENDANT

BILL OF COST

	Dollars	Cts.		\$	Cts.
AMOUNT BROUGHT FORWARD					
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.					
Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.					
Each Notice Sent by Mail to Creditors			15		
Filing, Receipting for and Docketing each Claim, etc			25		
For all entries on Subpoena Docket, etc.			50		
For all entries on Commission Docket, etc.			50		
Making Final Record, per hundred words			15		
Certified Copy of Decree			1 00		
Report of Divorce to State Health Office Acts 1915			50		
Total Fees of Register					11 80
FEEES OF SHERIFF					
Serving and Returning Subpoena on Deft.			\$ 1 50		
Serving and Returning Subpoena for Witness			65		
Levying Attachment			3 00		
Entering and Returning same			25		
Entering and Returning Execution			25		
Selling Property Attached			25		
Impanelling Jury			75		
Executing Writ of Possession			2 50		
Collecting Execution for Costs			1 50		
Serving and Returning Sci. Fa., each			65		
Serving and Returning Notice			65		
Serving and Returning Writ of Injunction			1 50		
Serving and Returning Writ of Exeat			1 50		
Taking and Approving Bonds, each			1 00		
Collecting Money on Execution					
Making Deed			2 50		
Serving and Returning Application			1 00		
Serving Attachment, Contempt of Court			1 50		
TOTAL FEES OF SHERIFF					11 80
Recapitulation					
Register's Fees					11 80
Sheriff's Fees					
Commissioner's Fees					
Solicitor's Fees					
Witness Fees					
Guardian Ad Litem					
Printer's Fees					
Trial Tax			3 00		
Recording Decree in Probate Court					
Total					14 80
Fees of Register					
Filing each bill and other papers	\$		10		
Issuing each Subpoena			50		
Issuing each copy thereof			40		
Entering each return thereof			15		
For each Order of Publication			1 00		
Issuing Writ of Injunction			1 50		
For each Copy thereof			50		
Entering each return thereof			15		
Issuing Writ of Attachment			1 00		
Entering each return thereof			15		
Docketing each case			1 00		
Entering each Appearance			25		
Issuing each Decree Pro Confesso on personal service			1 00		
Issuing each Decree Pro Confesso on publication			1 00		
Each Order Appointing Guardian			1 00		
Any other order by Register			50		
Issuing Commission to Take Testimony			50		
Receiving and Filing			10		
Endorsing each package			10		
Entering Order Submitting Cause			50		
Entering any other Order of Court			25		
Noting all Testimony			50		
Abstract of Cause, etc.			1 00		
Entering each Decree			75		
For Every Hundred Words Over Five Hundred			15		
Taking Account on Reference			3 00		
Taking Testimony, etc.			15		
Each Report, Five Hundred Words or less			2 50		
For every Hundred Words Over Five Hundred			15		
Amount Claimed, Less than Five Hundred Dollars, etc.			2 00		
Issuing each Subpoena			25		
Witness Certificate, each			25		
Issuing Execution, each			75		
Entering each Return			15		
Taking and Approving Bond, each			1 00		
Making Copy of Bill, etc.			15		
Each notice not otherwise provided for			50		
Each Certificate or Affidavit, with Seal			50		
Each Certificate or Affidavit, no Seal			25		
Hearing and passing on application for Receiver or Trustee			3 00		
Each Settlement with Receiver or Trustee			3 00		
Examining each Voucher of Receiver or Trustee			10		
Examining each Answer on Exception			3 00		
Recording Resignation or Suggestion of Death of Trustee			75		
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					8 80

Received payment this 25 day of Feb 1935. Robert S. Huck Register.

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.

MARTHA B. DUNN,
Complainant,
VS.
WINSTON DUNN,
Respondent.

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

And now comes the Respondent, WINSTON DUNN, in his own proper person, and for answer to the Bill of Complaint heretofore filed in this cause, and to each count thereof, separately and severally, says:

ONE:

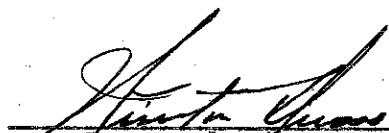
That he denies each and every allegation contained therein and demands strict proof of the same.


Respondent.

MARTHA B. DUNN,
 Complainant,
 VS.
 WINSTON DUNN,
 Respondent.

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

And now comes the Respondent in his own proper person and waives notice of the time of taking testimony by the Complainant; the right to cross examine the Complainant's witnesses, and consents that the matter be submitted for final decree forthwith without notice to him.


 Respondent.

MARTHA B. DUNN,
Complainant,
VS.
WINSTON DUNN,
Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint on behalf of the Complainant, Answer and Agreement of the Respondent, 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 the Respondent be and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of cruelty.

IT IS FURTHER ORDERED that the said Martha B. Dunn be, and she is hereby permitted to again contract marriage upon the payment of the cost of court in this cause.

IT IS FURTHER ORDERED that the Respondent, Winston Dunn, pay the cost herein taxed, for which execution may issue.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Martha B. Dunn shall not again marry, except to the said Winston Dunn, until sixty (60) days after this date, and that if an appeal is taken within sixty (60) days she shall not marry again, except to the said Winston Dunn, during the pendency of the appeal.

IT IS FURTHER ORDERED that the said Winston Dunn be, and he is hereby permitted to again contract marriage, upon the payment

of the cost in this cause.

Dated at Monroeville, Monroe County, Alabama, on this
the 19th day of February, 1935.

F. W. Hare
Judge of the Circuit Court of
Baldwin County, Alabama.

TO HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your Complainant, MARTHA B. DUNN, and humbly complains against WINSTON DUNN, the Respondent, and respectfully represents and shows unto your Honor as follows:

FIRST:

That she is a bona fide resident of Baldwin County, Alabama, over twenty-one years of age; that she has been such a resident for more than one year next preceding the filing of this complaint.

SECOND:

That the Respondent, WINSTON DUNN, is over twenty-one years of age, and a resident of Atmore, in Escambia County, Alabama.

THIRD:

That your Complainant and the Respondent were married at Bay Minette, in Baldwin County, Alabama, on May 29th, 1930; that they lived together as husband and wife until in, to-wit, February 1934;

FOURTH:

That on, to-wit, the first of February, 1934, and various times thereto, the Respondent threatened and abused your Complainant; that from his conduct there was reasonable apprehension to believe, and she did actually believe that if she continued to live with him he would carry out his threats and thereby do actual violence to her person, which would^{be} attended with danger to her life and health.

WHEREFORE THE PREMISES CONSIDERED Complainant prays that your Honor will, by proper process, make the said WINSTON DUNN, 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 this Honorable Court.

Complainant further prays that upon a final hearing of this cause your Honor will enter an order and decree forever barring the bonds of matrimony existing between your Complainant and the Respondent, WINSTON DUNN, and that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive. And as in duty bound she will ever pray.

Thailla B. Dunn
Complainant.

FOOT NOTE:

The Respondent, WINSTON DUNN, is required to answer each and every allegation contained in the foregoing Bill of Complaint, in paragraphs FIRST to FOURTH, inclusively, but not under oath, oath being hereby expressly waived.

Thailla B. Dunn
Complainant.