

630

STATE OF ALABAMA
BALDWIN COUNTY

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WE COMMAND YOU, That you summon William Lloyd Young to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 Minnie O. Young against the said William Lloyd Young, 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 11th day of May, 1940.

R. S. Duck
Register.

Defendant resides near Foley, Alabama.

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

Your Oratrix, Minnie O. Young, presents this Bill of Complaint against William Lloyd Young, and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix is over twenty-one years of age and is a bona fide resident citizen of Baldwin County, Alabama, where she has resided for more than twelve months next preceding the filing of this Bill of Complaint. The Respondent, William Lloyd Young, is over twenty-one years of age and a resident of Baldwin County, Alabama, his post office address being Foley, Alabama.

2. Your Oratrix and the Respondent were lawfully married in Wabash, Indiana, on to-wit, December 23, 1915, and lived together as man and wife until on to-wit, March 20, 1940, when they separated, at which time they were residing at Foley, in Baldwin County, Alabama. Your Oratrix has not lived with the said Respondent since the date of said separation.

3. The Respondent, William Lloyd Young has become addicted, since his marriage to your Oratrix, to habitual drunkenness.

PRAYER FOR PROCESS.

Your Oratrix prays that the Court will take jurisdiction of the cause made by this Bill of Complaint and will cause due and proper notice of same to be served upon the Respondent, William Lloyd Young, in conformity with the rules of this Honorable Court and laws of this State in such matters pertaining, making him a party respondent to the Bill of Complaint and requiring him to plead, answer or demur to it within the time prescribed by law.

PRAYER FOR RELIEF.

Your Oratrix further prays that upon a final hearing of this cause your Honor will enter and grant unto her a decree of divorce dissolving the bonds of matrimony now existing between your Oratrix and the Respondent, and will grant unto her the right to marry again. If your Oratrix is mistaken in the relief prayed for, she further prays that the Court will grant unto her such other, further and general relief as she may be equitably entitled to the

premises considered.

J. T. Blackburn
Solicitor for Complainant.

EX PARTE:) IN THE CIRCUIT COURT OF
) BALDWIN COUNTY, ALABAMA
WILLIAM LLOYD YOUNG.) IN EQUITY, NO. 630

DECREE

THIS CAUSE'S coming on to be heard at this time, was submitted for Decree upon the Ex parte sworn petition of WILLIAM LLOYD YOUNG, for leave to again contract marriage, upon the Ex parte affidavit of James D. Shipp, and upon the Decree of Divorce in the cause of Minnie O. Young vs. William Lloyd Young, recorded in the records of this Court in Minute Book No. 2, page 531, dated June 17, 1940; and upon consideration thereof,

IT IS ORDERED, ADJUDGED, AND DECREED that said Petitioner is entitled to the relief prayed for in said Petition, and,

That upon payment of the costs herein accrued, said Petitioner be, and he is hereby granted leave to again contract marriage;

IT IS FURTHER ORDERED, ADJUDGED and DECREED that said Petitioner be taxed with, and pay, the costs herein accrued, for which execution may issue.

Done at Monroeville, Alabama, this 25th day of November, 1940.

J. W. Hare
Judge of the Circuit Court of Baldwin
County, Alabama, sitting in Equity.

The State of Alabama, }
BALDWIN COUNTY

CIRCUIT COURT. (Equity)

June Term, 1943

Minnie O. Young
No. 630 vs.
William Lloyd Young

BILL OF COSTS

REGISTEE'S FEES	AMOUNT	SHERIFF'S FEES:	AMOUNT
Fees in Circuit Court—		Summoning on Bill, Each Defendant.....	1.50
Docketing Cause, One fee only of.....	1.00	Executing Writ of Injunction, or Ne Exeat, each..	1.50
Issuing Summons on Bill, each.....	.50*	Executing Subpoenas for Witnesses, each.....	.65
Issuing Copies Thereof, each.....	.40	Executing Writs of Possession, each.....	5.00
Entering Return of Same, each.....	.15	Executing Scire Facias or Notice, each.....	1.50
Orders of Publication to Non-Residents, each...	1.00*	Taking and Approving Bonds, each.....	1.00
Filing Bill or Other Paper, each.....	.10	Impaneling Jury.....	.75
Copies of Same, Per 100 Words.....	.15	Collecting Execution for Costs Only, each.....	1.50
Entering Appearances, each.....	.25*	Sheriff's Commissions	
Issuing Writs of Injunction, Ne Exeat, each...	1.50		
Issuing Copies Thereof, each.....	.50		
Entering Return of Same, each.....	.15		
Decrees Pro Confesso, each.....	1.00*	Total Sheriff's Fees	1.50
Order Appointing Guardian Ad Litem, each....	1.00*		
Issuing Commissions to Take Testimony, each...	.50		
Taking Testimony, Per Day.....	1.50	SUMMARY OF FEES, COSTS, AND JUDGMENT	
Taking Testimony, Per 100 words.....	.20	Fees in Circuit Court—	
Receiving and Filing Depositions, each pkg., ..	.10	Register's Fees	5.50
Indorsing Depositions Published, each pkg.,...	.10	Ex-Register's Fees	
All Entries on Commission Docket, Each Cause...	.50	Sheriff's Fees	1.50
Entering Order Submitting Cases for Decree, each.	.50	Ex-Sheriff's Fees	
Other Orders of Court, each.....	.25	Witness Fees	
Noting Testimony on Hearing of Cause, each.....	.50	Commissioner's Fees	
Entering Decrees, of 500 Words or Less, each....	.75	Guardian Ad Litem	
Per 100 words over 500.....	.15	Publisher's Fees	
Taking Accounts, etc., on Ref., per Day.....	3.00*	Solicitor's Fees	
Taking Testimony on Reference Relating to		Court Reporter's Fees, Per Day or fraction thereof	.50
Trustee, etc., per 100 words.....	.15	Trial Tax	3.00
Reference and Reports, each.....	2.00*		
Reports of 500 Words or Less.....	2.50		
Per 100 Words over 500.....	.15		
Issuing Subpoenas for Witnesses, each.....	.25	Fees and Costs in Inferior Court:	
Issuing Witness Certificates, each.....	.25	Clerk of Inferior Court Fees	
All Entries on Subpoena Docket, each Cause....	.50	Sheriff's Fees	
Taking and Approving Bonds, each.....	1.00	Witness Fees	
Making Complete Record, per 100 Words.....	.15		
Hearing, etc., Regarding Appointment of Re-		Total Fees and Costs in Inferior Court	0.00
ceiver or Trustee	3.00		
Settlements with Receiver or Trustee, each....	3.00		
Examining Vouchers in Settlements, each.....	.10	Total Fees and Costs	5.50
Examining Answers on Exceptions, each Answer ..	3.00	Judgment	
Removal Disabilities on Non-Age.....			
Commissions on Sales.....		Total Fees, Costs, and Judgment	5.50
Making Deeds to Property Sold, each.....	2.00		
Receiving and Paying Out Money Other Than			
That Arising from Sales			
Certificates or Affidavits, with Seal, each.....	.50		
Certificates or Affidavits without Seal, each....	.25		
Issuing Scire Facias or other Notice, each.....	.50		
Other Orders of Register, except Cont., each....	.50		
Entering Certificates of Supreme Court, each....	.50		
Transcript for Supreme Court, per 100 words, each.	.15		
Additional Copies, per 100 words.....	.05		
Appeal Bond, each.....	1.00		
Certificate of Appeal, each.....	.50		
Notice of Appeal, each.....	.50		
Report to State Board of Health, each case....	.50		
Certificate of Judgment, each.....	.25		
Issuing Executions, each.....	.75		
Entering Returns Thereof, each.....	.15		
Total Register's Fees	3.50		

EX PARTE: IN THE CIRCUIT COURT OF
WILLIAM LLOYD YOUNG. BALDWIN COUNTY, ALABAMA
IN EQUITY, No. 630

PETITION FOR RIGHT TO RE-MARRY

TO THE HONORABLE F. W. HARE, Judge of said Court, in Equity:

Your Petitioner, WILLIAM LLOYD YOUNG, respectfully shows unto your Honor as follows, to-wit:

1. That a Decree of Divorce was granted by Your Honor, against your petitioner, in favor of MINNIE O. YOUNG, on the 17th day of June, 1940, on the ground of addiction to habitual drunkenness, which said Decree is recorded in the office of the Register in Chancery for Baldwin County, Alabama, in Minute Book No. 2, page 531;

2. That more than 5 months have elapsed since said decree was rendered as aforesaid, during all of which time Your petitioner has been sober and industrious and a peaceable citizen;

3. That in and by said Decree, Petitioner was not granted the right to re-marry;

4. That marriage is an institution to be encouraged, and there is no reason, so far as Your petitioner knows, why he should not be granted the right to re-marry; that he has several children of his marriage to Minnie O. Young, who are under Petitioner's care; that if he decides to marry again, he wishes that no impediment should prevent his desire.

WHEREFORE, Your petitioner prays that Your Honor will take jurisdiction of this petition, and that upon consideration and of same/of the evidence herewith submitted; that Petitioner may be granted the right to re-marry, should he so desire, ever praying, etc.

William Lloyd Young
Petitioner

Sworn to and subscribed before me this 23rd day of November, 1940.

Robert B. Sell
Notary Public, Baldwin County, Ala.

Signed by Counsel:

Robert B. Sell
Solicitor for Petitioner

EX PARTE: ◊ IN THE CIRCUIT COURT OF
 : BALDWIN COUNTY, ALABAMA
WILLIAM LLOYD YOUNG ◊ IN EQUITY

STATE OF ALABAMA ◊
 : AFFIDAVIT
BALDWIN COUNTY ◊

Before me, Leslie Hall, a Notary Public in and for said County in said State, personally appeared JAMES D. SHIPP, a competent witness, who is known to me, and who, being by me duly tell and legally sworn to/the truth and nothing but the truth, deposes and says:

"My name is JAMES D. SHIPP; I am 32 years of age and a resident Uriah, Monroe County, Alabama. I am personally acquainted with WILLIAM LLOYD YOUNG, and have known him for over a year. I have had an opportunity to observe his movements and actions and habits during all of this time, as I have seen him often. He is and has been sober, industrious, quiet of manner, and well-liked. He is a peaceable citizen and not given to violence or drunkenness. I know of no reason why he should not be granted the right to re-marry, should he so desire."

James D. Shipp
Affiant.
marks

Witnesses:

Leslie Hall
W.M. Halberg

Sworn to and subscribed before me by James D. Shipp this 23rd day of November, 1940.

Leslie Hall
Notary Public, Baldwin County, Alabama.

MINNIE O. YOUNG,

Complainant,

VS.

WILLIAM LLOYD YOUNG,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER _____.

DECREE PRO CONFESSO.

In this cause it being made to appear to the Register that a copy of the Bill of Complaint in this cause, together with a summons, was served on the Respondent by the Sheriff of Baldwin County, Alabama, on May 13, 1940, and the said Respondent having failed to plead, answer or demur to the said Bill of Complaint to the date hereof, it is now therefore, on motion of the Complainant, ORDERED AND DECREED that the said Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said William Lloyd Young, the Respondent aforesaid.

Witness my hand this 13th day of June, 1940.

R.S. Dush

Register.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO ORA S. NELSON

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine

as witnesses in behalf of Complainant, in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

MINNIE O. YOUNG,

is Complainant

and WILLIAM LLOYD YOUNG

is Defendant,

on oath to be by you administered, upon them

to take and certify the depositions of the witnesses and return the same to our Court, with all Convenient speed, under your hand.

Witness 14th day of June, 1940.

R.S. Duck

REGISTER

Commissioner's Fee \$ _____

Witness' Fees. \$ _____

MINNIE O. YOUNG,

Complainant,

VS.

WILLIAM LLOYD YOUNG,


Respondent.

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

MOTION FOR DECREE PRO CONFESSO.

Motion is hereby made for a Decree Pro Confesso against the Respondent, William Lloyd Young, on the ground that a copy of the Bill of Complaint in this cause, together with a summons to answer the Bill of Complaint within thirty days from the service thereof, was served on the Respondent by the Sheriff of Baldwin County, Alabama, on May 13, 1940, and more than thirty days has expired since the said service and the Respondent has failed to plead, answer or demur to the Bill of Complaint in this cause to the date hereof.

Dated this 13th day of June, 1940.


Solicitor for Complainant.

MINNIE O. YOUNG,

Complainant,

VS.

WILLIAM LLOYD YOUNG,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 630.

DECREE OF DIVORCE.

This cause coming on to be heard was submitted upon the Bill of Complaint, Decree Pro Confesso on personal service against the Respondent, William Lloyd Young, and the 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 her said Bill of Complaint and IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved and the said Minnie O. Young is forever divorced from the said William Lloyd Young.

2. That the said Minnie O. Young be, and she is hereby permitted to again contract marriage, but shall not marry again except to the said William Lloyd Young until sixty days after this date, and if an appeal is taken within sixty days, she shall not marry again except to the said William Lloyd Young during the pendency of the said appeal.

3. The costs of this proceeding are hereby taxed against the Complainant, for which execution may issue.

Done on this the 17th day of June, 1940.



Judge of the Circuit Court.

The State of Alabama }
Baldwin County

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

MINNIE O. YOUNG

COMPLAINANT

vs.

WILLIAM LLOYD YOUNG

RESPONDENT

I, Ora S. Nelson

as ~~Notary~~ Commissioner

have called and caused to come before me Minnie O. Young

witness named in the Requirement for Oral Examination, on the 14th day of June
1940, at the office of J. B. Blackburn, Attorney
in Bay Minette, Alabama, and having first sworn said witness to speak the
truth, the whole truth, and nothing but the truth, the said Minnie O. Young

doth depose and say as follows:

TESTIMONY OF MINNIE O. YOUNG.

My name is Minnie O. Young. I am the complainant in this case. I am over twenty-one years of age and am a bona fide resident citizen of Baldwin County, Alabama, where I have resided for more than twelve months before the filing of this Bill of Complaint and where I have, in fact, resided for approximately seven years. The Respondent, William Lloyd Young, is over twenty-one years of age and resides near Foley, in Baldwin County, Alabama.

I was lawfully married to the Respondent, William Lloyd Young, in Wabash, Indiana, on December 23, 1915, and lived with him as his wife until March 20, 1940, when we separated. At the time of our separation we were residing near Foley in Baldwin County, Alabama, and I have not lived with the Respondent since March 20, 1940, when we separated.

The Respondent, William Lloyd Young, has, since our marriage, become addicted to habitual drunkenness. About five years ago my husband started drinking and this condition gradually grew worse until shortly before our separation. He drank to such an excess that he was drunk more than he was sober. That is, he had a fixed habit of frequently getting drunk and it was the general rule or custom for him to be drunk. While he was in this condition his actions were such that I could not live with him and was required to separate from him.

Minnie O. Young

ORAL EXAMINATION

I, Ora S. Nelson, as ~~Register~~ and Commissioner hereby certify that the foregoing deposition .. on Oral Examination was taken down in writing by me in the words of the witness... and read over to her and she signed the same in the presence of myself and J. B. Blackburn at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness .. 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 14th day of June 19 40

Ora S. Nelson (L. S.)

No. 630 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

MINNIE O. YOUNG,

COMPLAINANT

vs.

WILLIAM LLOYD YOUNG,

RESPONDENT

ORAL DEPOSITION

Filed June 14, 19 40

R. S. Blackburn, Register

RECORDED IN

Record

Vol. _____ Page _____

Register

MINNIE O. YOUNG,

Complainant,

vs.

WILLIAM LLOYD YOUNG,

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, Decree
Pro Confesso on Personal Service against the Respondent, William Lloyd
Young, Oral Deposition of Minnie O. Young, taken before Ora S. Nelson,
Commissioner on June 14, 1940,

and in behalf of Defendant upon

R. S. Duval

Register.

NOTE OF SUBMISSION

EX PARTE () IN THE CIRCUIT COURT OF
 : BALDWIN COUNTY, ALABAMA
WILLIAM LLOYD YOUNG () IN EQUITY NO. 630

This cause's being ready for submission, it is submitted in behalf of Petitioner upon the Original Petition, ex parte, and upon the affirmation of Petitioner, and upon the Testimony of James D. Shipp, as shown by affidavits submitted with Petitioner's petition, and upon the Decree of Divorce in the cause of Minnie O. Young vs. William Lloyd Young, recorded in the records of this Court in Minute Book No. 2, page 531., of which Decree this Court has judicial knowledge.



Solicitor for Petitioner.

REQUEST FOR DECREE IN VACATION

EX PARTE () IN THE CIRCUIT COURT OF
 : BALDWIN COUNTY, ALABAMA
WILLIAM LLOYD YOUNG. () IN EQUITY, No. 630

To R. S. Duck, Register in Chancery:

In the above stated cause, Ex Parte Petitioner's having been filed by the Petitioner, together with affidavits supporting the same, and the cause's being ready for submission for final decree, the Petitioner, by Leslie Hall, as his Solicitor of record, now files with the Register of this Court this written request to deliver the papers in the cause to the Judge for final Decree in vacation.



Solicitor for Petitioner.

Equity
No. 630

WILLIAM LLOYD YOUNG,
Ex parte.

REQUEST FOR DECREE IN
VACATION.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed in office this
25 day of November, 1940.

R.S. Duch
Register.

Equity No. 630

RECORDED

WILLIAM LLOYD YOUNG,

Ex Parte.

~~XXXXXXXXXXXXXXXXXXXX~~

NOTE OF SUBMISSION

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed in office this

25 -day of November, 1940.

A. S. Durch

Register.

REGORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 14

day of June 1934

R. S. Ditch

REGISTER

RECORDED

*minutes 2,
page 531*

DECREE OF DIVORCE.

MINNIE O. YOUNG,

Complainant,

VS.

WILLIAM LLOYD YOUNG,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 630.

*Filed June 18, 1940
R. S. Dush, Register*

Received in Sheriff Office
this the 11th day of May 1940.
W.R. Stuart Sheriff

Executed 5/13 1940
by serving copy of within Summons and
Complaint on

William Lloyd Young

W.R. Stuart Sheriff

By John R. Davis Deputy Sheriff

630
630
RECORDED

BILL OF COMPLAINT.

MINNIE O. YOUNG,

Complainant,

VS.

WILLIAM LLOYD YOUNG,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

3.00

1.50

4.50

10.00

4.50

5.50

Filed May 11, 1940
R.S. Dorch, Register