

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JOHN V. DUCK

, Complainant

vs.

VIRGINIA ANNE DUCK

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered mail 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 Defendant be, and the same are hereby, dissolved, and that the said John V. Duck is forever divorced from the said Virginia Anne Duck for and on account of Voluntary Abandonment

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall again marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that John V. Duck the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of January, 1954

*Hubert M. Hare*  
Judge Circuit Court, In Equity.

I, \_\_\_\_\_, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

Register of Circuit Court, In Equity.

No. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
Baldwin County

In Circuit Court, In Equity

JOHN V. DUCK

Complainant

vs.

VIRGINIA ANNE DUCK

Respondent

**DIVORCE DECREE**

JOHN V. DUCK,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
VIRGINIA ANNE DUCK,	)	IN EQUITY
	)	
Respondent.	)	

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Your Complainant, John V. Duck respectfully represents  
and shows unto your Honor as follows:

1. Your Complainant is over the age of twenty-one years  
and is a resident of Baldwin County, Alabama, and has been a bona  
fide resident citizen of the State of Alabama for more than one  
year next preceding the filing of this Bill of Complaint; that the  
Respondent is over the age of twenty-one years and is a resident  
of Fulton County, Georgia, whose address is 663-B Button Road,  
Northeast, Atlanta, Georgia.

2. Your Complainant and the Respondent were lawfully  
married on or about, to-wit, May 24, 1952, at Fort Jackson, South  
Carolina, and lived together as man and wife until on or about  
August, 1952, at which time the Respondent voluntarily abandoned  
the bed and board of the Complainant through no fault of his. Com-  
plainant further avers that he and the Respondent have not lived  
together as man and wife since on or about, to-wit, August, 1952.

3. That there was born to a previous marriage between  
your Complainant and the said Respondent one child; John V. Duck,  
Jr., a son four years of age, who is now, and has been all of his  
life, in the custody, care and control of the Respondent, who is a  
fit and proper person to care for the said minor child; that the  
Respondent is gainfully employed in some branch of Civil Service  
work, from which employment she earns a sufficient amount of money  
to properly care for, support and maintain herself and the said  
minor child; that your Complainant has recently been discharged from  
the Military Service; that he has a back injury which prevents him  
from performing any type of work at the present time, although he  
is willing and desires to contribute to the support and maintenance  
of his said minor child, John V. Duck, Jr.

The premises considered, your Complainant makes the said Virginia Anne Duck a party Respondent to this Bill of Complaint, and in order that the said Complainant may have the relief prayed for herein, may it please the Court to serve the Respondent by such method of service as may be prescribed by the rules of this Court and the laws of the State of Alabama, requiring the said Respondent to appear and demur or answer this Bill of Complaint within the time required by law, and that on a final hearing of this cause that your Complainant be granted a divorce from the said Respondent, that the Respondent be awarded the permanent custody, care and control of the said minor child, with the provision that the Complainant have the care, custody and control of the said minor child for one month out of each calendar year; that your Honor fix a certain monthly sum to be paid by the Complainant to the Respondent for the care, support and maintenance of the said minor child, and that your Honor grant such other, further and different relief as may be just and proper in the premises.

John V. Duck  
Complainant

STATE OF ALABAMA )  
\*  
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared John V. Duck, the Complainant in the above styled cause, who first being duly and legally sworn, deposes and says: That he has read over the foregoing Bill of Complaint and that the facts stated therein are true.

John V. Duck

Sworn to and subscribed before me on  
this the 10<sup>th</sup> day of December, 1953.

James R. Owen  
Notary Public, Baldwin County, Alabama.

JOHN V. DUCK,

Complainant,

VS.

VIRGINIA ANNE DUCK,

Respondent

IN THE

CIRCUIT COURT OF BALDWIN COUNTY,

ALABAMA. IN EQUITY

TESTIMONY TAKEN IN OPEN COURT, BEFORE HON. HUBERT M. HALL, JUDGE  
OF SAID COURT:

JOHN V. DUCK, THE COMPLAINANT, BEING FIRST DULY SWORN, TESTIFIED:

Examination by Mr. Owen.

Q Your name is John V. Duck?

A. Right.

Q. You are the complainant in this cause?

A. Right.

Q. You are over 21 years of age, Mr. Duck?

A. True.

Q. Are you a bona fide resident citizen of the State of Alabama?

A. I am.

Q. Have you been such for more than one year next preceding the  
filing of this bill of complaint?

A. Yes, sir.

Q. Residing in Baldwin County, Alabama?

A. Yes, sir.

Q. Of course, you are familiar with the Respondent in this case  
and she is over 21 years of age?

A. Yes.

Q. Do you know her address?

A. The last I heard from her was 663 B. Botton Road, Atlanta, Ga.

Q. When were you and Virginia Anne Duck married?

A. The second time, May 24, 1952.

Q. Where?

A. Fort Jackson, S. C.

Q. How long did you all live together after this marriage as man  
and wife?

A. Until June 13th. that included two week-ends.

Q. Did you live with her at various times up to August of 1952?

A. Yes, she came down to visit me in August of 1952.

Q. For a few days, is that correct?

A. Yes, sir.

Q. Mr. Duck, have you and your wife lived together as man and wife since August, 1952?

A. No, sir.

Q. Did your wife voluntarily abandon you in August of 1952?

A. Yes, sir.

Q. And this abandonment was through no fault of your own?

A. Not that I know of.

Q. Did you have any children, Mr. Duck?--You and your wife, Virginia Anne Duck?

A. One child.

Q. This child was born to you and your wife by a previous marriage?

A. Yes, sir.

Q. What is his name?

A. John V. Duck, Jr.

Q. He is four years of age?

A. Right.

Q. Who has the care, custody and control of this child now?

A. She has.

Q. Do you think she is a fit and proper person to have the care, custody and control of this child?

A. As far as I am concerned I think so, but I have not heard from her in 18 months, and I don't know what has transpired since I heard from her last.

Q. Is the Respondent, Virginia Anne Duck employed at this time?

A. Yes she is.

Q. Could you give the Court any idea as to the amount of money she is making each month in this employment?

A. Mr. Owen, I don't know; the last time that I heard, I heard that she had gone back to work at her old job, and her salary on that job was around \$250.00 per month; she is working for

United States Government

Q. Mr. Duck, have you recently been discharged from Military Service?

A. Yes, on December 2, 1953.

Q. When you were discharged did you have some type of back injury or disability?

A. I sustained a back injury the first week of October in the Marshall Islands.

Q. Has this back injury bothered you since you have been released from service?

A. Yes, sir. I have a disability claim filed for that now.

Q. Are you drawing any disability for that?

A. No, sir

Q. Are you gainfully employed at this time?

A. That is hard to say; I'm keeping books for my mother and living with her and don't charge her anything.

Q. At the present time you do not have a job from which you make any money?

A. That is true.

Q. Are you willing, at this time, or at the time which you do get a job, to contribute to the support and maintenance of your minor child, John V. Duck, Jr.?

A. I am.

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I hereby certify that the foregoing, consisting of three pages, is a true and correct transcript of the testimony taken by me in open Court in the above styled case, on January 29, 1953, before Hon. Hubert M. Hall, Judge of said Court.

This 29th day of January, 1954.

Louise Duckburg  
COURT REPORTER

M

JOHN V. DUCK

Complainant

VS.

VIRGINIA ANNE DUCK,

Respondent

TESTIMONY

Filed January 29, 1954.

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JOHN V. DUCK,

Complainant,

VS.

VIRGINIA ANNE DUCK,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

DECREE PRO CONFESSO

In this cause, it being made to appear to the Court, by the allegations of the Bill of Complaint, that the Respondent Virginia Anne Duck is a non-resident of the State of Alabama, and that she resides at 663-B Button Road, Northeast, Atlanta, Georgia, and that a copy of the original Bill in this cause, together with a summons to answer said Bill within thirty days from the service thereof was deposited in the Registered Mail at the Post Office at Bay Minette, Alabama, by the Register of this Court and addressed to Virginia Anne Duck at said address, and that she received the same in person on the 12th day of December, 1953 as shown by the return receipt received and filed in this cause on the 14th day of December, 1953.

The said Respondent having failed to plead, answer or demur to the said Bill to the date hereof; it is now, therefore, on motion of Complainant's Solicitor, 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 Respondent.

1/22/54

Hubert M. Hise

Judge.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

Now comes the Complainant in the above styled cause and shows unto the Register that a summons directed to the Respondent, Virginia Anne Duck, together with a copy of the Bill of Complaint in this cause was issued and forwarded by Registered Mail to the said Respondent at her place of residence as shown by the Bill of Complaint; that the postage on the said letter was prepaid and the same marked "For delivery only to the person to whom addressed", and a return receipt demanded; that said demanded receipt bearing the signature, Virginia Duck, was duly received and filed for record in this cuase on the 14th day of December, 1953, and the said Respondent has to the date hereof failed to plead, answer or demur to the Bill of Complaint, all of which appears of record in this cause.

Dated this the 22<sup>nd</sup> day of January, 1954.

Sam R. Orr  
Solicitor for Complainant.

MOTION FOR DECREE PRO  
CONFESSO  
RECORDED

JOHN V. DUCK,  
Complainant,  
VS.  
VIRGINIA ANNE DUCK,  
Respondent.

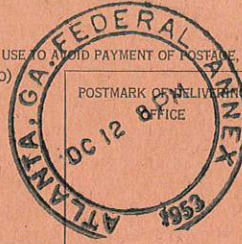
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

3153

FILED  
JAN 22 1954  
JULIE L. DUCK, CLERK

Post Office Department  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300  
(GPO)



Return to Alvie J. Smith  
(NAME OF SENDER)

Street and Number,  
or Post Office Box,

REGISTERED ARTICLE

No.

453

Post Office

Bay Minette

INSURED PARCEL

No.

16-12421

State

Ala

Form 3811  
Rev. 1-52

## RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article, the number of which appears on the face of this Card.

1

Virginia Anne Purck

(Signature or name of addressee)

Deliver to Addressee Only

2

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery 12-12-53, 19

U. S. GOVERNMENT PRINTING OFFICE 16-12421-2

