

3177

# THE BALDWIN TIMES

## BALDWIN COUNTY

Alabama's Best County's Best Newspaper

BAY MINETTE, ALABAMA

JIMMY FAULKNER  
PUBLISHER

**LEGAL NOTICE**  
MILDRED J. MOSER,  
Complainant,  
Vs.  
CARL E. MOSER,  
Respondent.  
In The Circuit Court of Baldwin  
County, Alabama, In Equity.  
No. 3177

**ORDER OF PUBLICATION**  
In this cause, it being made known to the Register from the affidavit of James R. Owen, Solicitor for Complainant, that the residence and Post Office addresses of the Respondent, Carl E. Moser, are unknown and further that in the belief of said Affiant, the Respondent is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week, for four consecutive weeks, in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Carl E. Moser to plead, answer or demur to the Bill of Complaint in this cause by the 19th day of March, 1954, or, in default thereof, thirty days thereafter, a decree pro confesso may be taken against said Respondent.  
ORDERED this the 20th day of February, 1954.  
ALICE J. DUCK  
Register.

6-4tc

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA.  
BALDWIN COUNTY.

Bob Mounsett, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Mildred Moser vs. Carl Moser

#### COST STATEMENT

164 WORDS @ 6 1/2 cents \_\_\_\_\_ \$ 10 66  
I hereby certify this it correct, due and unpaid (paid).

E. R. Mounsett  
Editor Publisher.

was published in said newspaper for \_\_\_\_\_ consecutive weeks in the following issues:

Date of 1st publication Feb. 25, 1954 Vol. 65 No. 6

Date of 2nd publication Mar. 4, 1954 Vol. 65 No. 7

Date of 3rd publication Mar. 11, 1954 Vol. 65 No. 8

Date of 4th publication Mar 18, 1954 Vol. 65 No. 9

Subscribed and sworn before the undersigned this 18 day of Mar, 1954.

Dorothy Martin  
Notary Public, Baldwin County.

E. R. Mounsett  
Editor Publisher.



Notary Public, Baldwin County.

*James M. Wright*

*E. B. Johnson*  
Publisher

Subscribed and sworn before me the undersigned this 18 day of March 1954

Date of 4th publication	March 18	1954	Vol 67	No 2
Date of 3rd publication	March 11	1954	Vol 67	No 2
Date of 2nd publication	March 4	1954	Vol 67	No 2
Date of 1st publication	Feb. 27	1954	Vol 67	No 2

was published in said newspaper for consecutive weeks in the following issues:

I hereby certify this is correct due and unpaid (being) 100 WORDS @ 10 cents

COST STATEMENT

FILED  
MAR 18 1954  
ALICE J. DUCK, Clerk

*James M. Wright*  
Notary Public, Baldwin County, Alabama; that the notice hereto attached of  
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-  
lished at Bay Minette, Baldwin County, Alabama; print and sworn deposes and says

BALDWIN COUNTY,  
STATE OF ALABAMA.

AFFIDAVIT OF PUBLICATION

BAY MINETTE, ALABAMA

Alabama's Best County's Best Newspaper

BALDWIN COUNTY

THE BALDWIN TIMES

(300)

PRINTED  
BY J. L. FAULKNER

RECEIPT FOR REGISTERED ARTICLE No. 594

Fee paid 30

1-28, 1954  
(Date)

Class postage paid 1

Return receipt fee 07  
Special delivery fee

Declared value, \$ none

in person 20

Surcharge paid, \$

Restricted delivery  
(Accepting employee will place  
initials in proper space)

or order

Fee paid

From

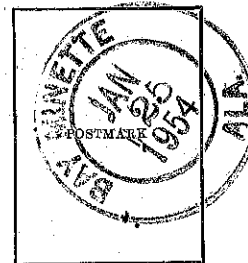
Alice J. Duck  
(Sender)

(Street and number)

Addressed to

Mr. Carl E. Prosser  
(Addressee)  
1385 Rehoboth Blvd. La Brea Calif  
(Post office and State)

Postmaster, per th



MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

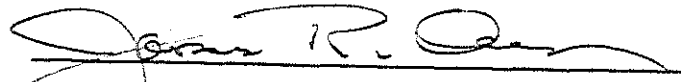
BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3177

MOTION FOR DECREE PRO CONFESSO

Now comes the Complainant in the above styled cause and shows unto the Register that an order of publication was made on the 25th day of February, 1954, which was duly published in the Baldwin Times, a newspaper published in Baldwin County, Alabama, once a week for four consecutive weeks, commencing on the 25th day of February, 1954, and which was directed to Carl E. Moser, the Respondent in said cause, which required the said Respondent to plead, answer or demur to the Bill of Complaint in this cause by the 19th day of April, 1954, which the said Respondent has to this date failed to do, wherefore, the Complainant moves the Court to grant a Decree Pro Confesso against the said Respondent.

THIS the 19<sup>th</sup> day of April, 1954.



Solicitor for Complainant.

MOTION FOR DECREE PRO  
CONFESSO

MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3177

FILED  
JAN 18 1954  
AUGUST J. DICK, CLERK

The State of Alabama  
Baldwin County

Circuit Court

Equity

To

*Carl E. Moser*

*1258 Manchester Boulevard*

*Los Angeles, Calif -*

You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant.....

ant....., by *Mildred J. Moser* Complainant.....

A copy of which Bill of Complaint is hereto attached.

Witness by hand, this *25<sup>th</sup>* day of *January* 1954.....

*Archie French*  
Register

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

MILDRED J. MOSER

Complainant

VS.

CARL E. MOSER

Respondent

I, Mary Lou Blackburn  
as ~~Register and~~ Commissioner \_\_\_\_\_  
have called and caused to come before me Mildred J. Moser, a

witness \_\_\_\_\_ named in the Requirement for Oral Examination, on the \_\_\_\_\_ day of April  
1945, at the office of James R. Owen  
in Bay Minette, Alabama, and having first sworn said Witness \_\_\_\_\_ to speak the  
truth, the whole truth, and nothing but the truth, the said Mildred J. Moser  
\_\_\_\_\_ doth depose and say as follows:

My name is Mildred J. Moser, and I am the Complainant in the above styled cause. I am over the age of twenty-one years and have been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of the Bill of Complaint in this cause; the Respondent is over the age of twenty one years, but his place of residence and Post Office address is unknown and could not be ascertained by me after reasonable diligence in regard thereto. The Respondent and I were married on, to-wit, April 2, 1946, at Tiajuana, Mexico, and we lived together as man and wife until June, 1951, at which time the Respondent voluntarily abandoned my bed and board and we have not lived together as man and wife since June, 1951. The Respondent and I had two children born to our marriage, to-wit: Merrill Andrew Moser, a son, six years of age, and Carole Annette Moser, a daughter, three years of age. The said children are now in my care, custody and control and I am a fit and proper person to have the permanent care, custody and control of said children.

Mildred J. Moser

Mildred J. Moser.

ORAL EXAMINATION.

I, Marv Lou Blackburn, as ~~Register~~ and Commissioner hereby certify that the foregoing deposition—on Oral Examination was taken down by me in writing in the words of the witness—and read over to her and she signed the same in the presence of myself and James R. Owen at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—or had proom 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 \_\_\_\_\_ day of April, 1954.

Mary Lou Blackburn (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MILDRED J. MOSER

vs. Complainant

CARL E. MOSER

Respondent.

## Oral Deposition

Filed April, 1954

Recorded in

Register.

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

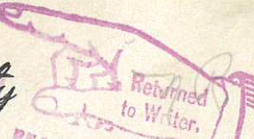
Chief Clerk, Register.



ALICE J. DUCK, Circuit Clerk

Baldwin County

BAY MINETTE, ALA.



Returned  
to Writer.

1/29/54  
1-30-54



REASON RETURNED  
Unclaimed  
Unknown  
For better address  
Moved, Left no address  
No such office in town

RETURN RECEIPT REQUESTED

Deliver to Addressee Only

REGISTERED

FOR DELIVERY ONLY TO PERSON  
WHOM ADDRESSED

UNCLAIMED

Mr. Carl E. Moser  
1258 Manchester Boulevard  
Los Angeles, California

H S D D Co.  
Notice left  
1-24-54

RETURN RECEIPT REQUESTED



JAN 30 1954

Second Class  
No Reply





MILDRED J. MOSER,

Complainant,

vs.

CARL E. MOSER,

Respondent.

THE STATE OF ALABAMA  
Baldwin CountyIN EQUITY  
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_  
Amendment to Bill of Complaint, Order of Publication, Proof of  
Publication, Motion for Decree Pro Confesso, Decree Pro Confesso  
and Oral Deposition of Complainant.

and in behalf of Defendant upon \_\_\_\_\_

JAMES R. OWEN  
Solicitor for Complainant.

*James R. Owen*  
Register.

No. ....

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

MILDRED J. MOSER,

Complainant,

vs.

CARL E. MOSER,

Respondent.

**NOTE OF TESTIMONY**

Filed in Open Court this .....

day of ....., 194 .....

Register.



MILDRED J. MOSER,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
CARL E. MOSER,	)	IN EQUITY NO. 3177
	)	
Respondent.	)	

ORDER OF PUBLICATION

In this cause, it being made known to the Register from the affidavit of James R. Owen, Solicitor for Complainant, that the residence and Post Office address of the Respondent, Carl E. Moser, are unknown and further that in the belief of said Affiant, the Respondent is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week, for four consecutive weeks, in the Baldwin Times, a newspaper published in Baldwin County, Alabama, requiring the said Carl E. Moser to plead, answer or demur to the Bill of Complaint in this cause by the 19th day of March, 1954, or, in default thereof, thirty days thereafter, a decree pro confesso may be taken against said Respondent.

ORDERED this the 20<sup>th</sup> day of February, 1954.

Bessie J. Remick  
Register.

MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. 3177

AMENDED COMPLAINT

Now comes the Complainant in the above styled cause and amends Paragraph One of the Complaint heretofore filed in this cause so that, when amended, the said paragraph will read as follows:

1. Your complainant is over the age of twenty-one years 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 whose residence and Post Office address is unknown and cannot be ascertained after reasonable diligence in regard thereto.



Solicitor for Complainant.

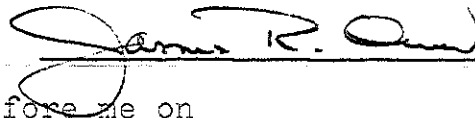
STATE OF ALABAMA )

\*

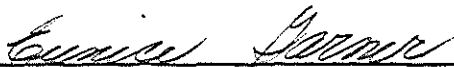
BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared James R. Owen, who first being duly and legally sworn, deposes and says:

That he is the Solicitor for the Complainant in the above styled cause; that he has been informed and believes and on such information and belief states that the facts set out in this amended complaint are true.



Sworn to and subscribed before me on this the 20<sup>th</sup> day of February, 1954.



Notary Public, Baldwin County, Alabama.

RECORDED

FILED

FEB 20 1954

ALICE L. BUCK

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT

TO: Mary Lou Blackburn

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 Mildred J. Moser

as witnesses in behalf of the Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Mildred J. Moser is

and Carl E. Moser is

Respondent on oath, to be by you administered, upon Mildred J. Moser to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 19th day of April, 1954

*Alvin J. ...*  
Register.

Commissioner's Fee, \$

Witness' Fees, \$



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

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

MILDRED J. MOSER

Complainant—

vs.

CARL E. MOSER

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

MILDRED J. MOSER

MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

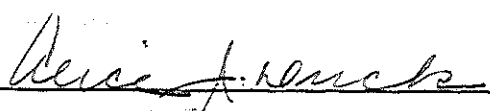
BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3177

DECREE PRO CONFESSO

It appears to the Court that the order of publication directed to Carl E. Moser, heretofore made in this cause was published for four consecutive weeks, commencing on the 25th day of February, 1954, in the Baldwin Times, a newspaper of general circulation and published in Baldwin County, Alabama; and it now further appearing to the Court that the said Carl E. Moser has to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause; it is therefore, on motion of the Complainant, ordered and decreed by the Register that the said Bill of Complaint be and hereby is in all things taken as confessed against the said Respondent, Carl E. Moser.

DATED this the 19th day of April, 1954.

  
Register.

DECREE PRO CONFESSO

MILDRED J. MOSER,  
Complainant,  
VS.  
CARL E. MOSER,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY NO. 3177

FILED  
APR 12 1954  
ALICE J. DICK, Register

MILDRED J. MOSER,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
CARL E. MOSER,	)	IN EQUITY
	)	
Respondent.	)	

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

Your Complainant, Mildred J. Moser, respectfully represents and shows unto the Court and your Honor as follows:

1. Your Complainant is over the age of twenty-one years 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 whose residence and Post Office address is unknown and it could not be ascertained by your complainant after reasonable diligence in regard thereto.

2. Your complainant and the respondent were lawfully married on, to-wit: April 2, 1946, at Tiajuana, Mexico, and lived together as man and wife until June, 1951. There were two children born to this marriage, to-wit, Merrill Andrew Moser, a son, six years of age; Carole Annette Moser, a daughter, three years of age.

3. Your complainant further avers that said respondent voluntarily abandoned the bed and board of your complainant for more than one year next preceding the filing of this Bill of Complaint, on, to-wit: June, 1951, since which said time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Carl E. Moser a party respondent to this Bill of Complaint, by the usual process of Court, and that he will be required to plead, answer or demur to the Bill of Complaint within the time and under the pains and penalties prescribed by law, and that on a final hearing of this cause that the bonds of matrimony now existing between the complainant and the respondent be dissolved and that she be divorced from him; that your complainant be adjudged a fit and proper person to have the care, custody and control of the



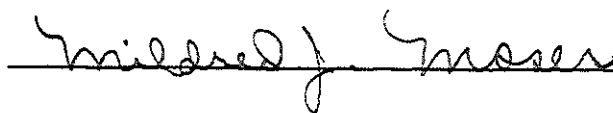
said minor children and that she be awarded the care, custody and control of said children. Complainant prays for such other, further and general relief that she may be equitably entitled to, the premises considered.

  
Solicitor for Complainant.

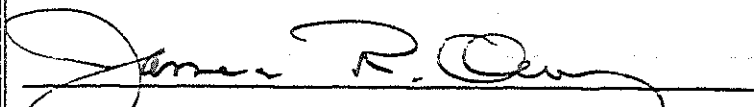
STATE OF ALABAMA )

BALDWIN COUNTY )

Before me, the undersigned authority, personally appeared Mildred J. Moser, who after being by me first duly and legally sworn, deposes and says: That she is the Complainant in this suit, that she has read over the foregoing Bill of Complaint and that the facts stated therein are true.



Sworn to and subscribed before me on  
this the 11<sup>th</sup> day of January, 1954.

  
Notary Public, Baldwin County, Alabama

MILDRED J. MOSER,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
CARL E. MOSER,	)	IN EQUITY
	)	
Respondent.	)	

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

Your Complainant, Mildred J. Moser, respectfully represents and shows unto the Court and your Honor as follows:

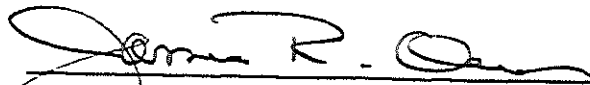
1. Your Complainant is over the age of twenty-one years and has been a bona fide resident citizen of the State of Alabama for more than one year next preceding the filing of this Bill of Complaint; that the respondent is over the age of twenty-one years and his place of residence and Post Office Address is 1258 Manchester Boulevard, Los Angeles, California.

2. Your complainant and the respondent were lawfully married on, to-wit: April 2, 1946, at Tiajuana, Mexico, and lived together as man and wife until June, 1951. There were two children born to this marriage, to-wit, Merrill Andrew Moser, a son, six years of age; Carole Annette Moser, a daughter, three years of age.

3. Your complainant further avers that said respondent voluntarily abandoned the bed and board of your complainant for more than one year next preceding the filing of this Bill of Complaint, on, to-wit: June, 1951, since which said time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Carl E. Moser a party respondent to this Bill of Complaint, by the usual process of Court, and that he will be required to plead, answer or demur to the Bill of Complaint within the time and under the pains and penalties prescribed by law, and that on a final hearing of this cause that the bonds of matrimony now existing between the complainant and the respondent be dissolved and that she be divorced from him; that your complainant be adjudged a fit and proper person to have the care, custody and control of the

said minor children and that she be awarded the care, custody and control of said children. Complainant prays for such other, further and general relief that she may be equitably entitled to, the premises considered.



Solicitor for Complainant.

MILDRED J. MOSER,	)	
	)	
Complainant,	)	IN THE CIRCUIT COURT OF
	)	
VS.	)	BALDWIN COUNTY, ALABAMA
	)	
CARL E. MOSER,	)	IN EQUITY NO. 3177
	)	
Respondent.	)	

FINAL DECREE

This cause coming on to be heard on this date was submitted for a final decree upon the original Bill of Complaint, Amendment to Bill of Complaint, Order of Publication, Proof of Publication, Motion for Decree Pro Confesso, Decree Pro Confesso and Testimony as noted by the Register upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in the said Bill of Complaint, as amended.

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 that the said Mildred J. Moser is forever divorced from the said Carl E. Moser for and on account of voluntary abandonment.

It is further ORDERED, ADJUDGED AND DECREED that the said Complainant, Mildred J. Moser, is a fit and proper person to have the care, custody and control of the two minor children, to-wit, Merrill Andrew Moser and Carole Annette Moser, who are the two children born to the marriage heretofore existing between the Complainant and the Respondent.

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 costs of this suit.

It is further ordered that Mildred J. Moser, the Complainant, pay the costs herein to be taxed for which execution may issue.



ORDERED, ADJUDGED AND DECREED on this the 20<sup>th</sup> day of  
April, 1954.

Hubert M. Hare

Judge

M

FINAL DECREE

MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY NO. 3177

FILED  
APR 26 1954  
ALICE L. DUCK, Registrar

The State of Alabama  
Baldwin County

Circuit Court

Equity

To..... Carl E. Moser .....

1258 Manchester Boulevard  
Los Angeles, Calif.

You are hereby commanded to appear and plead, answer or demur, within thirty days from the service hereof, as provided by an Act of the Legislature of Alabama, approved September 25th, 1919, to a Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, against you, Defendant....., by Miss M. J. Moser ..... Complainant.....

A copy of which Bill of Complaint is hereto attached.

Witness by hand, this 25<sup>th</sup> day of January ..... 1954 .....

Reiglaene  
Register

MILDRED J. MOSER,

Complainant,

VS.

CARL E. MOSER,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

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

Your Complainant, Mildred J. Moser, respectfully represents and shows unto the Court and your Honor as follows:


1. Your Complainant is over the age of twenty-one years 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 his place of residence and Post Office Address is 1258 Manchester Boulevard, Los Angeles, California.

2. Your complainant and the respondent were lawfully married on, to-wit: April 2, 1946, at Tiajuana, Mexico, and lived together as man and wife until June, 1951. There were two children born to this marriage, to-wit, Merrill Andrew Moser, a son, six years of age; Carole Annette Moser, a daughter, three years of age.

3. Your complainant further avers that said respondent voluntarily abandoned the bed and board of your complainant for more than one year next preceding the filing of this Bill of Complaint, on, to-wit: June, 1951, since which said time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Carl E. Moser a party respondent to this Bill of Complaint, by the usual process of Court, and that he will be required to plead, answer or demur to the Bill of Complaint within the time and under the pains and penalties prescribed by law, and that on a final hearing of this cause that the bonds of matrimony now existing between the complainant and the respondent be dissolved and that she be divorced from him; that your complainant be adjudged a fit and proper person to have the care, custody and control of the

said minor children and that she be awarded the care, custody and control of said children. Complainant prays for such other, further and general relief that she may be equitably entitled to, the premises considered.

  
Solicitor for Complainant.

