

1216

CIRCUIT COURT COMPLAINT

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Julius P. Wesley
Complainant,
vs. Marion Chopin
Respondent.

In the Circuit Court.
In Equity No. _____.

DECREE PRO CONFESSO ON PERSONAL SERVICE.

In this cause, it appears to the Register, that service was had on the Respondent _____

Marion Chopin

by the Sheriff of Dadeville County, on the 3 day of Nov,
194 4.

And it further appears to the Register, that the said Marion
Chopin

_____, the Respondent, having to the date hereof,

failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,

on motion of H. C. [unclear] Solicitors

for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,

and it hereby is, in all things taken as confessed against the said Marion
Chopin

This 7 day of July, 194 7
Alfred J. [unclear]
Register.

No. _____

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

Juline Presley

Complainant,

Vs.

Maria Hopie

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE.**

Issued this 7 day of July,
1947.

Alice J. Leuch
Register.

The State of Alabama,
Baldwin County.

No. 1716... CIRCUIT COURT IN EQUITY.

Julius Presley Complainant

vs.

Marion Chapin Defendant

Motion is hereby made for a Decree Pro Confesso against *Marion*

Chapin Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant...; and that said summons was duly served according to law, and that said Defendant... ha 5 failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 7 day of July 1947
J. V. C. Beeler Solicitor.

No. Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Julia Presley
.....
vs.
Marion Lopez

**MOTION FOR DECREE PRO
CONFESSO ON PERSONAL SERVICE**

Filed *July 7* 19*47*
Atty. J. H. Huch
Register.

Recorded in Record,

Vol. Page

Register.

ZULINE PRESLEY,
COMPLAINANT,

VS

MARION CHAFIN,
DEFENDANT.

(IN THE CIRCUIT COURT OF
)
) BALDWIN COUNTY, ALABAMA,
)
) IN EQUITY.
)
) NO. 1216.


This cause coming on to be heard is submitted for final decree upon the pleading and proof as noted by the register and the same being considered by the court, the court is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS ORDERED, ADJUDGED AND DECREED that the decree of divorce entered by this court on April 1, 1942, in a cause pending in this court by the Complainant, Zuline Presley, then Zuline Chafin, against Marion Chafin, in which said decree the custody, care and control of Clarice Chafin and Roland Chafin, minor children of the said parties, was awarded the said Marion Chafin, be and the same is hereby vacated and amended in so far as the same, and only in so far as the same, awards the custody of the said children to the said Marion Chafin.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the care, custody and control of the said minor children, Clarice Chafin and Roland Chafin, be and the same is hereby awarded to Zuline Presley, their mother.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant pay the cost in this cause for which let execution issue.

Done this the 14th day of July, 1947.



Judge.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA -----GREETINGS:

WE COMMAND YOU, that you summon MARION CHAFIN 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 the summons, and there to answer, plead, or demur without oath to a bill of complaint, lately exhibited by ZULINE PRESLEY against the said MARION CHAFIN, and further to do and perform what the said Judge shall order and direct in that behalf, and this the Defendant shall in no wise omit, under penalty of the law. And we further command that you return this writ with your Execution thereon, to our said Court immediately upon the execution thereof.

WITNESS, R. S. DUCK, Register of said Circuit Court,
this the 20 day of October, 1944.


Register.

ZULINE PRESLEY
COMPLAINANT

VS.

MARION CHAFIN
DEFENDANT

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

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

Now comes your Petitioner, ZULINE PRESLEY and humbly complaining against MARION CHAFIN respectfully shows unto your Honor that she and the said MARION CHAFIN are both over the age of twenty-one years and residents of Baldwin County, Alabama.

2.

Petitioner further shows that she was formerly ZULINE CHAFIN, the wife of MARION CHAFIN; that they were divorced April 1, 1942, by decree of this Honorable Court, that in said decree the said MARION CHAFIN was awarded the custody, care and control of their two minor children, Clarice Chafin, whose age is now five years and Roylan Chafin, whose age is now seven years.

3.

Complainant further shows that the said MARION CHAFIN has subsequently re-married and that he and his wife are both

working in Mobile and that he has delivered the said minor children into the custody of his mother, Caroline Ellen Chafin, and his sister, Evelyn McLain; that the said Caroline Ellen Chafin and the said Evelyn McLain do not give the said minor children the proper care and custody; that they are brutal and inhuman to them and punish them unmercifully and deny to them proper clothing, food and playthings that children of that age desire and ought to have.

4.

Petitioner further shows that on October 19, 1944, she went to the home of the said Caroline Ellen Chafin to see the said children and she was denied the right to see them and that the said Caroline Ellen Chafin and the said Evelyn McLain refused her entrance into the house, jumped on her with sticks and severely beat her and drove her away and that this Petitioner saw only one child through the window and that the said child, Roylan was bound and gagged with cloth or other white material and that his hands were bound with same; that the said Caroline Ellen Chafin and the said Evelyn McLain are not the proper persons to have the care and custody of such minor children.

Petitioner further shows that she is now the wife of Ollie Presley, Jr.; that he is a man of sober and industrious habits and that he and this Petitioner are financially and otherwise in position to properly care for and maintain the said children.

Wherefore Petitioner prays that this Honorable Court, because of such cruel and inhuman treatment of said children will take immediate care and custody from the said Caroline Ellen Chafin and will place them in the care and custody of some suitable person until such time as this court shall make and enter a decree determining a more permanent care and custody of them.

Wherefore, the premises considered, your Petitioner prays that your Honor will, by proper process, make the said MARION CHAFIN party Defendant to this bill of complaint, requiring him to plead,

answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Petitioner further prays that upon the final hearing of the cause made by this bill of complaint this Honorable court will make and enter an order and decree vacating and annulling the decree of April 1, 1942, as to awarding the custody, care and control of the said minor children to the said MARION CHAFIN and will award the care, custody and control of such minor children to this petitioner and petitioner prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

Juline Presley
Petitioner.

STATE OF ALABAMA
BALDWIN COUNTY

Before me the undersigned Notary Public in and for said State and County this day personally appeared Juline Presley and Ruth Phillippi, each of whom first being duly sworn deposes and says that she has read the foregoing bill of complaint and knows the facts therein stated and that the facts therein stated are true.

Juline Presley
Ruth Phillippi

Sworn to and subscribed before me on this the 20 day of October, 1944.

W.C. Beebe
Notary Public, Baldwin County,
Alabama.

STATE OF ALABAMA
BALDWIN COUNTY

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

TO ANY SHERIFF OF THE STATE OF ALABAMA - - - - GREETINGS:

It appearing from the verified bill of complaint of ZULINE PRESLEY against Marion Chafin this day exhibited to me that Clarice Chafin and Roylan Chafin, minors, aged five and seven respectively by former decree of this court are in the care and custody of Marion Chafin and that he has left them with Caroline Ellen Chafin and Evelyn McLain in violation of this court's former decree and that the said Caroline Ellen Chafin and Evelyn McLain's treat the said children cruelly and that it is to their interest that they be forthwith removed from such custody;

You are therefore ordered to immediately take possession of the said children in whose ever custody that they may be found and place them in the custody of Zuline Presley subject to further order of this court and in this fail you not.

Witness my hand this the 10th day of October, 1944.

L. M. Stare
Judge.