

4296

8601—Motion for Decree Pro Confesso on Publication.

The State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4296 Spring Term, 1960

MARGARET ROWLETT MANNICK Complainant

Vs.

HENRY J. MANNICK

Respondent

~~XXXXXXXX~~  
Defendant

Motion is hereby made for a Decree Pro Confesso against HENRY J. MANNICK

Respondent

~~XXXXXXXX~~  
Defendant

in the annexed stated cause on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 21st day of June 1960.

746 Code

*James A. Brin* Solicitor.

The State of Alabama  
BALDWIN COUNTY

Circuit Court, In Equity

Complainant \_\_\_\_\_

Vs.

Defendant \_\_\_\_\_

Motion for Decree Pro Confesso  
on Publication

filed \_\_\_\_\_ 19 \_\_\_\_\_

**FILED**

JUN 21 1960

Register.

Recorded **ALICE J. DUCK, CLERK REGISTER** \_\_\_\_\_ Record

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

Register.

The State of Alabama,  
Baldwin County.

}

CIRCUIT COURT, IN EQUITY

No. 4296

Term, 19

MARGARET ROWLETT MANNICK

Complainant

HENRY J. MANNICK

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 25 day of Sept., 1958, in the Foley Onlooker a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, and

And it now further appearing to the Register Alice J. Duck, that the said Henry J. Mannick

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant\_\_\_\_\_, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Henry J. Mannick

This 17 day of July, 1959

Alice J. Duck Register.

No. -----

Page -----

**The State of Alabama**  
BALDWIN COUNTY

**Circuit Court, In Equity**

Vs.

**Decree Pro Confesso of Publication**

Issued 5-17 1957

*Kevin J. Welch*  
Register.

Recorded in ----- Record

Vol. ----- Page -----

Register.

The State of Alabama,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4296

Term, 19

MARGARET ROWLETT MANNICK

Complainant

Vs.

HENRY J. MANNICK

Defendant

Motion is hereby made for a Decree Pro Confesso against Henry J. Mannick

Defendant

in the annexed stated cause on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 17 day of July 1959

*Richard L. Lacey*

Solicitor.

746 Code

No. 4296 Page           

**The State of Alabama**  
BALDWIN COUNTY

**Circuit Court, In Equity**

MARGARET ROWLETT MANNICK

Complainant           

Vs.

HENRY J. MANNICK

Defendant           

**Motion for Decree Pro Confesso**  
**on Publication**

filed 55-17 1959

*Reed J. ...*  
Register.

Recorded in            Record

Vol.            Page           

Register.

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

POST OFFICE BOX 298

September 19, 1958

WHITEHALL 3-3601

Mrs. Alice J. Duck  
Circuit Clerk  
Bay Minette, Alabama

Re: Margaret Rowlett Mannick  
Vs: Henry J. Mannick  
In Equity

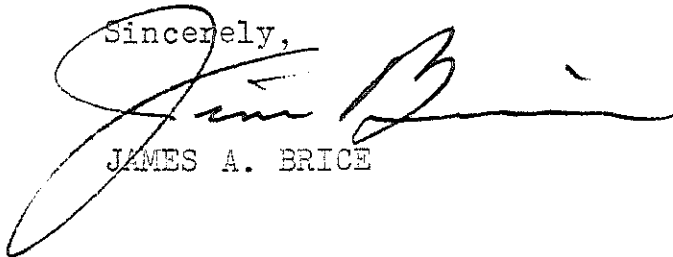
Dear Mrs. Duck:

I enclose affidavit of Complainant as to the nonresidence of the Respondent. Please go forward with the necessary publication.

Please advise which newspaper the publication with appear in.

Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "James A. Brice", written in dark ink.

JAMES A. BRICE

JAB:bp

Enclosure

ROBERT A. WATSON  
1000 W. WASHINGTON  
CHICAGO, ILLINOIS

1000 W. WASHINGTON

1000 W. WASHINGTON

1000 W. WASHINGTON

1000 W. WASHINGTON  
CHICAGO, ILLINOIS  
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CHICAGO, ILLINOIS



4296



SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,  
Baldwin County.

Circuit Court, Baldwin County

No. ....

..... TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon Henry J. Mannick

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against .....

Henry J. Mannick ....., Defendant .....

by Margaret Rowlett Mannick ....., Plaintiff .....

Witness my hand this 2nd day of June 19 58

Henry J. Mannick ....., Clerk

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

The State of Alabama

Baldwin County

CIRCUIT COURT

Plaintiffs

vs.

Defendants

Summons and Complaint

Filed \_\_\_\_\_ 19\_\_\_\_

Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

\_\_\_\_\_ 19\_\_\_\_

\_\_\_\_\_, Sheriff

I have executed this summons

this \_\_\_\_\_ 19\_\_\_\_

by leaving a copy with

\_\_\_\_\_ Sheriff

\_\_\_\_\_ Deputy Sheriff

BILL OF COMPLAINT

MARGARET ROWLETT MANNICK	)	
	:	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS:	:	BALDWIN COUNTY, ALABAMA
	:	
HENRY J. MANNICK	)	IN EQUITY
	:	
RESPONDENT	)	

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

Comes your Complainant, Margaret Rowlett Mannick, and respectfully shows unto this Honorable Court as follows:

1. That she is over the age of twenty-one years and that she is a bona fide resident citizen of Baldwin County, Alabama, and has been such for more than one year next preceeding the filing of this Bill of Complaint; that Henry J. Mannick, the Respondent in this cause, is over the age of twenty-one years and a non-resident of the State of Alabama, and now resides at Grundy, Virginia.

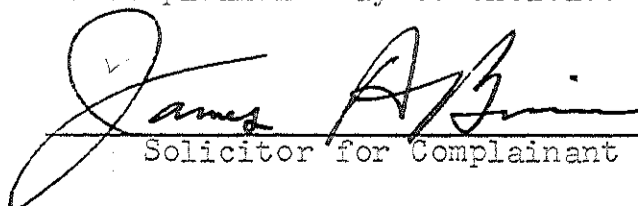
2. That on, to-wit, the 8th day of April, 1950, your Complainant and the Respondent were intermarried at Richmond, Indiana, and that your Complainant and the Respondent are still husband and wife.

3. That there has been born of said marriage two minor children, whose names and ages are, respectively: Richard Owen Mannick, age three and one-half; Louise Karen Mannick, age two and one-half. That said minor children are in the custody of the Complainant.

4. That your Complainant and the Respondent are purchasing a residence in Summerdale from J.H. Smith, Elberta, Alabama.

5. Your Complainant avers and charges that the Respondent, Henry J. Mannick, on or about the 22nd day of December, 1957, did, without provocation or justification, commit acts of physical cruelty upon the body of the Complainant by threats of physical harm, by curses and verbal abuse of her, and by seizing her around the neck with his hands and choking and strangling her to a state of semi-consciousness, and from his conduct she is convinced that he will commit further actual physical violence upon her person attended with danger to her health and life; that on, to-wit; the 1st day of January, 1958, she separated from and abandoned the said Respondent, and is now living separate and apart from him.

THE PREMISES CONSIDERED, your Complainant prays that the Respondent be made a party respondent to this Bill of Complaint by the usual process of this Honorable Court, and the statutes in such cases made and provided, requiring him to plead, answer or demur, within the time and within the manner provided by law; and that on the final hearing of this cause that your Honor will enter a decree divorcing your Complainant from the said Respondent, granting both the right to re-marry, awarding the custody and control of said minor children unto your Complainant. And your Complainant further prays that your Honor will decree that all property of the Respondent in this County shall be and become the property of the Complainant. And Complainant further prays that your Honor will grant such other, further, different, and general relief to which the Complainant may be entitled as in duty bound she will ever pray.

  
Solicitor for Complainant

RECEIVED BY THE SECRETARY OF THE BOARD OF CONSTITUTIONS  
 JUN 1 1958

*[Handwritten signature]*

THE SECRETARY OF THE BOARD OF CONSTITUTIONS  
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Ms. 42.96

FILED  
 JUN 2 1958  
 ALICE J. BACK, Registrar

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MARGARET ROWLETT MANNICK

Complainant

vs.

HENRY J. MANNICK

Respondent

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

IN EQUITY

AFFIDAVIT OF NONRESIDENCE  
OF ADULT RESPONDENT

Before me, the undersigned, a Notary Public, in and for said County and State, personally appeared Margaret Rowlett Mannick, who being first duly sworn, deposes and says that she is the complainant in the cause pending wherein Henry J. Mannick is respondent; that the said Henry J. Mannick is a nonresident, and that it cannot be ascertained after reasonable effort, and further, that in the belief of said affiant the said respondent is over the age of twenty-one years.

*Margaret Rowlett Mannick*

Sworn to and subscribed before me this the 18 day of September 1958.

*James A. Brown*  
Notary Public



extra copy for  
Hon. J. A. Brice

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

MARGARET ROWLETT MANNICK

The State of Alabama,

vs. No. 4296  
HENRY J. MANNICK

BALDWIN County.

Circuit Court, in Equity

This the 20th day of  
September, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of

MARGARET ROWLETT MANNICK

that the Defendant HENRY J. MANNICK

is a non-resident of the State of Alabama and that his whereabouts and Post Office  
address cannot be ascertained

and further, that, in the belief of said Affiant the Defendant is over the age of 21  
years; it is, therefore, ordered that publication be made in the ~~Baldwin Times~~  
Foley ~~Baldwin Times~~, Baldwin County, Alabama, once a week for four consecutive weeks, requiring  
HENRY J. MANNICK the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 20th day of  
October 1945, or after thirty days therefrom a decree Pro Confesso may be  
taken against him

James A. Brice,  
Solicitor For Complainant

*James A. Brice*  
Register.

JAMES A. BRICE  
ATTORNEY AT LAW  
FOLEY, ALABAMA  
July 11, 1959

POST OFFICE BOX 298

WHITEHALL 3-3601

Mrs. Alice J. Duck  
Circuit Clerk  
Bay Minette, Alabama

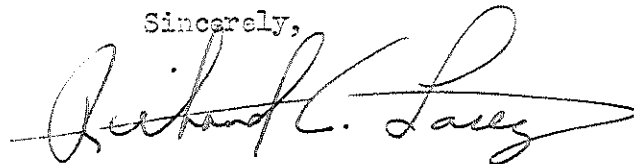
RE: Mannick  
VS Mannick

Dear Mrs. Duck:

Please send us the necessary forms for obtaining a  
Decree Pro Confesso for the subject cause.

My father indicated that he had a most pleasant visit  
with you the other day.

Sincerely,

A handwritten signature in cursive script that reads "Richard C. Lacey". The signature is fluid and extends to the right with a long tail.

Richard C. Lacey

RCL/cc



NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

MARGARET ROWLETT MANNICK

No. 4296 vs

HENRY J. MANNICK

The State of Alabama,

BALDWIN County.

Circuit Court, in Equity

This the 20th day of

September, 1948

In this cause it being made to appear to the Clerk of this Court by the affidavit of

MARGARET ROWLETT MANNICK

that the Defendant HENRY J. MANNICK

is a non-resident of the State of Alabama and that his whereabouts and Post Office address cannot be ascertained

and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Foley Onlooker

published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring

HENRY J. MANNICK the said Respondent

to answer or demur to the Bill of Complaint in this cause by the 20th day of

October 1948, or after thirty days therefrom a decree Pro Confesso may be

taken against him

James A. Brice, Register.

James A. Brice, Solicitor For Complainant

JAMES A. BRICE

ATTORNEY AT LAW

FOLEY, ALABAMA

May 30, 1958

POST OFFICE BOX 298

WHITEHALL 3-3601

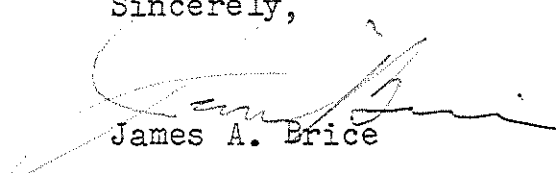
Mrs. Alice J. Duck  
Clerk Circuit Court  
Bay Minette, Alabama

Dear Mrs. Duck:

Please serve Respondent by Registered  
Mail at Grundy, Virginia.

Thank you.

Sincerely,



James A. Brice

JAB:ecg

4296

1944-1945

1946-1947

1948-1949

1950-1951

1952-1953

1954-1955

1956-1957

1958-1959

1960-1961

1962-1963

1964-1965

ALICE J. DUCK, Circuit Clerk

*Baldwin County*  
BAY MINETTE, ALA.

**CERTIFIED MAIL**  
**No. 5811121**

Certified

For Delivery Only To Person  
To Whom Addressed

Return Receipt Requested

4296  
7

REASON CHECKED  
Unclaimed  
Moved  
No such office in state  
No return address  
Not remain in this envelope

Returned  
TO  
Writer

*Handwritten at address  
FHR*



MELBOURNE  
FLA.  
JUN 30  
1958

BAY MINETTE  
JUL 2  
1958  
ALA.

BAY MINETTE  
JUL 2  
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MELBOURNE  
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SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,  
Baldwin County.



Circuit Court, Baldwin County

No. ....

..... TERM, 19 .....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon Henry J. Mannick

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in  
the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

Henry J. Mannick \_\_\_\_\_, Defendant.

by Margaret Rowlett Mannick \_\_\_\_\_, Plaintiff.

Witness my hand this 2nd day of June 19 58

Alison Duck \_\_\_\_\_, Clerk

BILL OF COMPLAINT

MARGARET ROWLETT MANNICK  
COMPLAINANT  
VS:  
HENRY J. MANNICK  
RESPONDENT

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

Comes your Complainant, Margaret Rowlett Mannick, and respectfully shows unto this Honorable Court as follows:

1. That she is over the age of twenty-one years and that she is a bona fide resident citizen of Baldwin County, Alabama, and has been such for more than one year next preceeding the filing of this Bill of Complaint, that Henry J. Mannick, the Respondent in this cause, is over the age of twenty-one years and a non-resident of the State of Alabama, and now resides at Grundy, Virginia.

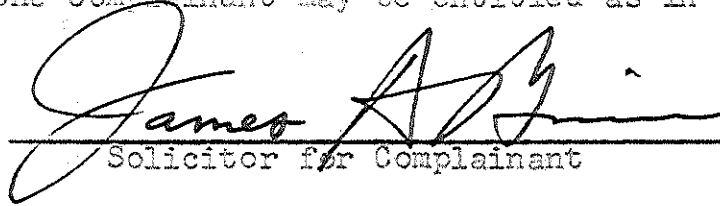
2. That on, to-wit, the 8th day of April, 1950, your Complainant and the Respondent were intermarried at Richmond, Indiana, and that your Complainant and the Respondent are still husband and wife.


3. That there has been born of said marriage two minor children, whose names and ages are, respectively: Richard Owen Mannick, age three and one-half; Louise Karen Mannick, age two and one-half. That said minor children are in the custody of the Complainant.

4. That your Complainant and the Respondent are purchasing a residence in Summerdale from J.H. Smith, Elberta, Alabama.

5. Your Complainant avers and charges that the Respondent, Henry J. Mannick, on or about the 22nd day of December, 1957, did, without provocation or justification, commit acts of physical cruelty upon the body of the Complainant by threats of physical harm, by curses and verbal abuse of her, and by seizing her around the neck with his hands and choking and strangling her to a state of semi-consciousness, and from his conduct she is convinced that he will commit further actual physical violence upon her person attended with danger to her health and life; that on, to-wit; the 1st day of January, 1958, she separated from and abandoned the said Respondent, and is now living separate and apart from him.

THE PREMISES CONSIDERED, your Complainant prays that the Respondent be made a party respondent to this Bill of Complaint by the usual process of this Honorable Court, and the statutes in such cases made and provided, requiring him to plead, answer or demur, within the time and within the manner provided by law; and that on the final hearing of this cause that your Honor will enter a decree divorcing your Complainant from the said Respondent, granting both the right to re-marry, awarding the custody and control of said minor children unto your Complainant. And your Complainant further prays that your Honor will decree that all property of the Respondent in this County shall be and become the property of the Complainant. And Complainant further prays that your Honor will grant such other, further, different, and general relief to which the Complainant may be entitled as in duty bound she will ever pray.

  
Solicitor for Complainant

MEMORANDUM FOR THE COMMISSIONERS  
  
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JAMES A. BRICE  
ATTORNEY AT LAW  
FOLEY, ALABAMA  
June 18, 1958

POST OFFICE BOX 298

WHITEHALL 3-3601

Mrs. Alice J. Duck  
Register in Equity  
Bay Minette, Alabama

Dear Mrs. Duck:

Referring to the equity case of Margaret Rowlett Mannick vs Henry J. Mannick, the respondent is now residing at 1522 North Dixie, Melbourne, Florida.

We will be most appreciative if you will serve him by registered mail at the above address.

Thank you.

Sincerely,



James A. Brice

JAB:ecg

cc: Mrs. Margaret Mannick  
Summerdale, Alabama

BRUNNEN & BRUNNEN  
KUNST- u. GEMÄLDE  
VERLAG  
KUNST- u. GEMÄLDE  
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**NON-RESIDENT NOTICE**

Margaret Rowlett Mannick vs.

Henry J. Mannick, No. 4296.

The State of Alabama, Baldwin County. Circuit Court, in Equity. This the 20th day of September, 1958.

In this cause it being made to appear to the Clerk of this Court by the affidavit of Margaret Rowlett Mannick that the Defendant Henry J. Mannick is a non-resident of the State of Alabama and that his whereabouts and Post Office address cannot be ascertained and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in The Foley Onlooker, a newspaper published in Foley, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Henry J. Mannick the said Respondent to answer or demur to the Bill of Complaint in this cause by the 20th day of October, 1958, or after thirty days therefrom a decree Pro Confesso may be taken against him.

Alice J. Duck, Register.

James A. Brice, Solicitor for Complainant.

(4t, Sept. 25, Oct. 2, 9, 16)

**AFFIDAVIT OF PUBLICATION**

I, E. M. Howell

Publisher of The Onlooker, published at Foley, Ala., do solemnly swear that a copy of the above notice, as per clipping attached, was published once each week in the regular and entire edition of said newspaper, and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Sep. 25, 1958, and ending with the issue dated Oct 16, 1958.

E. M. Howell

Subscribed and sworn to before me this 16<sup>th</sup> day

of October, 1958.

[Signature]

Notary Public.

MY COMMISSION EXPIRES JULY 12, 1959

FOLEY, ALA. Oct. 17 1958

# HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

Alice J. Duck

Register

Bay Minette, Ala

BROUGHT FORWARD

Sep.	25
Oct.	2
"	9
"	16

Mannick
vs
Mannick

11 17

CLASSIFIED BY: [illegible]

THE FOIA OFFICE

4296

FOLEY, ALA

HOWELL PUBLISHING CO.

HIGH QUALITY JOB PRINTING

SEARCHED

INDEXED

FILED

OCT 18 1953

ALICE J. DUCK, CLERK  
REGISTERED

POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO  
▼

POD Form 3811, Dec. 1955

REGISTERED NO.	NAME OF SENDER <b>Alice J. Duck, Reg.</b>
CERTIFIED NO. <b>134280</b>	STREET AND NO. OR P. O. BOX <b>Box 239</b>
INSURED NO.	CITY, ZONE, AND STATE <b>Bay Minette, Alabama</b>

c16-71548-3

4296

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

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

1. SIGNATURE OR NAME OF ADDRESSEE

X

2. SIGNATURE OF ADDRESSEE'S AGENT (*Agent should enter addressee's name in item 1 above*)

3. DELIVERY DATE

, 19

4.

ALICE J. DUCK, Circuit Clerk

*Baldwin County*  
BAY MINETTE, ALA.

CERTIFIED MAIL  
No. 134280

Certified  
For Delivery Only To Person  
To Whom Addressed  
Return Receipt Requested

96771



Henry J. Mannick,  
Grundy, Virginia

Deliver to Addressee Only  
Returned to Writer

RETURN RECEIPT REQUESTED

REASON CHECKED  
Unclaimed  Refused...  
Unknown...  
Insufficient address...  
Moved, Left no address...  
No such office in state...  
Do not remain in this envelope

*Remitted*



8561  
JUN 23  
1958  
AIA  
BAY WIND  
VA.

GRUND  
JUN 6  
1958  
VA.

GRUND  
JUN 14  
1958  
VA.

1296