

3890

BARBARA YOUNG,	↓	
Complainant,	↓	IN THE CIRCUIT COURT OF
vs.	↓	BALDWIN COUNTY, ALABAMA
KENNETH YOUNG,	↓	IN EQUITY.
Respondent.	↓	

TO THE HONORABLE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, AND TO THE HONORABLE HUBERT M. HALL, JUDGE THEREOF:

Comes your Complainant, the undersigned Barbara Young and respectfully represents and shows unto your Honor and unto this Honorable Court as follows:

FIRST:

That she is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, her more particular address being Silverhill, Alabama. That the Respondent, Kenneth Young is over the age of twenty-one years and a resident citizen of the State of Georgia, his more particular address being Box 1066, Valdosta, Georgia.

SECOND:

That your Complainant and the Respondent were married on, to-wit: May 31, 1951, in Silverhill, Alabama, and that there was born to your Complainant and the Respondent one child, Norman Phillip Young, on August 17, 1952, and said child now resides with your Complainant in Silverhill, Alabama.

THIRD:

That your Complainant and the Respondent were divorced on January 3, 1952, by a decree of the Circuit Court of the Second Judicial Circuit of Florida, in and for Leon County, in Chancery, and exemplified copy of which decree is attached to this petition and marked "Exhibit A" and by reference made a part hereof as though herein fully set forth. That thereafter, on, to-wit: November 10, 1952, said Court entered a decree modifying the Final Decree rendered on January 3, 1952, a copy of which modification decree is attached hereto and marked "Exhibit B" and by reference made a part hereof as though herein fully set forth.

FOURTH:

That the Respondent has complied with the terms of the last noted decree in that he regularly pays to the Complainant the sum of \$50.00 each month for the support, maintenance, and education of the said Norman Phillip Young; but the Respondent has failed and refused for the past twenty-three months to comply with the terms of said decree in that he has failed during said period to pay to your Complainant the sum of \$100.00 per month as alimony. That your Complainant has not re-married and there have been no further orders of the Circuit Court of the Second Judicial Circuit of Florida, in and for Leon County, in Chancery, which would relieve the Respondent of his obligations under the decree of the Court dated November 10, 1952.

FIFTH:

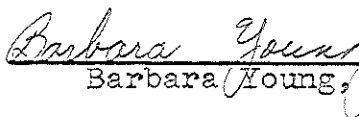
That since the birth of the child herein above referred he has been afflicted with a rare incurable disease known as chronic reticuloendotheliosis, and as a result has been under the almost constant care of medical specialists and your Complainant, because of the condition of her said child, has had to incur large medical and hospital bills and has been required to devote her entire time and efforts in and about the nursing and caring for her said child. Because of the constant care which said child requires it is impossible for your Complainant to be gainfully employed and thereby help defray the medical expenses which has been necessary which she incur and because of the fact that the Respondent has failed and refused to pay to your Complainant the above noted sum, as alimony, she is now in dire and necessitous circumstances and dependent upon her Mother and Father for the necessities of life.

SIXTH:

That your Complainant is informed and believes and upon such information and belief alleges that the Respondent is gainfully employed by an insurance company as a salesman and that he receives from such employment approximately \$400.00 or \$500.00 per month; that the said Kenneth Young has re-married but your Complainant does not know whether any children have been born to him as a result of the second marriage. That the present wife of the Respondent is, to

the best knowledge of your Complainant the only other person other than your Complainant and the said Norman Phillip Young who is dependent upon the Respondent for support.

WHEREFORE, the premises considered your Petitioner respectfully prays that your Honor will enter an order under the provisions of Article 4 of Title 34 of the Code of Alabama of 1940, setting a day for hearing of this petition and that on the day set for such hearing that your Honor will proceed to hear and determine the evidence hereunder and will enter an order or decree that the petition sets forth facts from which it may be determined that the Respondent owes a duty of support to your Complainant and to the said Norman Phillip Young and that a court of the State of Georgia may obtain jurisdiction of the Respondent or his property and that your Honor will further certify his findings and will cause certified copies of this petition, the certificate of this Honorable Court and an authenticated copy of Article 4 of Title 34 of the Code of Alabama to be transmitted to the Superior Court in Valdosta, Georgia, for proceedings there under the provisions of a like or similar act heretofore enacted by the Legislature or General Assembly of the State of Georgia. And your Complainant prays for such other, further, and different relief as in the premises shall be meet and proper.


Barbara Young, Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, Delta H. Gwaltney, a Notary Public, in and for said County in said State, personally appeared Barbara Young, who is known to me and who, after being by me first duly and legally sworn did depose and say under oath as follows:

That her name is Barbara Young and that she signed her name to the foregoing petition as Complainant and that the facts therein alleged are true, except those which are based on her information and belief which she is informed and believes to be true.

Dated this 3rd day of Aug., 1956.

Barbara Young
Barbara Young

Sworn to and subscribed before me this 3rd day of Aug., 1956.

Delta H. Gwaltney
Notary Public, Baldwin County, Ala.

KENNETH YOUNG,
Plaintiff,
vs.
BARBARA YOUNG,
Defendant.

11204

DIVORCE

FINAL DECREE

This cause coming on this day to be heard before me,
upon the pleadings, including the Special Master's Report and
Recommendations, and the Court being advised in the premises, it
is upon consideration thereof,

ORDERED, ADJUDGED AND DECREED that the Special Master's
Report and Recommendations filed herein be and the same is
hereby confirmed; and it is further

ORDERED, ADJUDGED AND DECREED that the marriage between
the plaintiff, Kenneth Young, and the defendant, Barbara Young,
be and the same hereby is dissolved, and the said parties and
each of them are hereby forever freed from the bonds of matrimony
hereto existing between them and from the obligations arising
therefrom; and it is further

ORDERED, ADJUDGED AND DECREED that the AGREEMENT entered
into between the parties, dated the 28th day of December AD 1951
as to alimony be approved and confirmed; and that the plaintiff,
Kenneth Young, pay to the defendant, Barbara Young, the sum of
Twenty Dollars (\$20.00) per month, as alimony, on or before the
10th day of every month, until the death of either the plaintiff
or defendant or until the remarriage of the defendant, Barbara
Young.

DONE AND ORDERED in Chambers at Tallahassee, Leon County,
Florida this 3rd day of January AD 1952.

W. W. G. Moore
CIRCUIT JUDGE

Filed for record in the office of the Clerk
of the Circuit Court of the County of Leon,
State of Florida, on the 3rd day
of January, 1952, at
Tallahassee, Florida, and I certify to duty
according to book 111 on
page 96 and the record verified.
Groff Bradford
Clerk Circuit Court
Leon County, Florida

IN THE CIRCUIT COURT OF THE
SECOND JUDICIAL CIRCUIT OF
FLORIDA, IN AND FOR LEON
COUNTY, IN CHANCERY.
NO. 12045.

KENNETH YOUNG,)
Plaintiff,)
-Vs-)
BARBARA YOUNG,)
Defendant.)

D I V O R C E

AT THE HEARING HELD
ON THE 6TH DAY OF
NOVEMBER, 1952, AT
LEON COUNTY, FLORIDA

NOV 13 3 01 PM 1952

RECORDED & INDEXED
IN THE BOOK AND SERIAL
OF THE CIRCUIT COURT

20#46

MODIFICATION OF FINAL DECREE

This cause coming on to be heard on the 6th day of November, 1952, on the petition of defendant, Barbara Young, for an order amending final decree to provide for increased alimony and for support money for child, and both parties hereto being present and both parties and their respective counsel having been heard by the Court and proofs having been presented, and this Court being fully advised in the premises, this Court does hereby find that the following facts are true and correct:

1. That the plaintiff and defendant were lawfully and ceremoniously married one to the other on May 31, 1951, in Silverhill, Alabama.

2. That of the aforesaid marriage there was born one child as the result of the marital cohabitation of the parties hereto which occurred during the existence of the aforesaid marriage.

3. That on the 28th day of December, 1951, the plaintiff filed in this Court his bill of complaint for divorce and this Court, on the 3rd day of January, 1952, en-

tered its final decree dissolving the aforesaid marriage and awarding to the defendant the sum of \$20.00 per month as alimony.

4. That at the time the aforesaid bill of complaint was filed and the aforesaid final decree was entered it was unknown to both plaintiff and defendant that the defendant, Barbara Young, was, and had been prior to the filing of the aforesaid bill of complaint, pregnant with the aforesaid child.

5. That subsequently, on the 17th day of August, 1952, the aforesaid child of plaintiff and defendant, a boy, was born in Mobile, Alabama, and was given the name NORMAN PHILLIP YOUNG.

6. That both parties agree that they are the parents of the aforesaid child which was conceived while the said parties were lawfully married one to the other.

7. That the birth of the aforesaid child constitutes such a change of circumstances of the parties since the entry of the aforesaid final decree as to entitle the defendant petitioner, Barbara Young, to a modification of the aforesaid final decree.

8. That the defendant petitioner, Barbara Young, is without means with which to adequately support herself, and is without means with which to adequately support, maintain and educate the aforesaid minor child, and that the plaintiff respondent, Kenneth Young, is employed and is earning sufficient income with which so to do.

9. That the defendant petitioner, Barbara Young, is without means with which to adequately compensate her attorney for his services expended in her behalf on the prosecution of this petition, and that the plaintiff respondent, Kenneth Young, is employed and is earning sufficient income with which so to do.

10. The Court in entering this modification of final decree takes into consideration the fact that, although the plaintiff Kenneth Young is at present earning a good and sufficient livelihood, he is nevertheless entangled and burdened with certain financial difficulties.

11. That the plaintiff respondent, Kenneth Young, is under a legal and moral obligation to contribute to the support and well being of the defendant, Barbara Young, and is under a like duty to contribute money for the support, maintenance and education of his aforesaid minor child, Norman Phillip Young.

WHEREFORE, IT IS, UPON CONSIDERATION, ORDERED, ADJUDGED AND DECREED, as follows:

(a) That the plaintiff, Kenneth Young, is hereby required, ordered and directed to pay to the defendant, Barbara Young, as alimony the sum of One hundred dollars (\$100.00) on the 10th day of each and every month hereafter, beginning on the 10th day of November, 1952, so long as plaintiff and defendant shall live, or until such time as the defendant Barbara Young shall re-marry, or until further order of this Court.

(b) That the plaintiff, Kenneth Young, is hereby required, ordered and directed to pay to the defendant, Barbara Young, for the support, maintenance and education of the aforesaid minor child, Norman Phillip Young, the sum of Fifty dollars (\$50.00) on the 10th day of each and every month hereafter, beginning on the 10th day of November, 1952, so long as the plaintiff Kenneth Young shall live, or so long as the aforesaid child, Norman Phillip Young, shall live, or until the said minor child, Norman Phillip Young, reaches his majority, whichever period of time shall be the

shorter, or until further order of this Court.

(c) That the plaintiff, Kenneth Young, is hereby required, ordered and directed to pay to the defendant's attorney, Robert M. Ervin, of Tallahassee, Florida, the sum of Two hundred fifty dollars (\$250.00) as his fee for services rendered on behalf of the defendant, Barbara Young, in the prosecution of this petition, such payment to be made within six (6) months after November 6, 1952.

(d) That in consideration of other outstanding financial obligations of the plaintiff, Kenneth Young, as of the date of this hearing, this Court hereby reserves ruling on defendant, Barbara Young's, petition that this Court require the plaintiff, Kenneth Young, to pay all doctor, hospital, nurses and other medical expenses reasonably incurred as the result of the aforesaid pregnancy and child-birth experienced by the defendant until such time as it be shown unto this Court and that this Court finds that such requirement of the plaintiff be meet and proper. This is in nowise to be construed as a determination by this Court that the plaintiff, Kenneth Young, is not morally and legally obligated to the defendant, Barbara Young, for the payment of the aforesaid doctor, hospital, nurses and other medical expenses.


(e) This Court specifically retains jurisdiction of this cause and the parties and subject matter hereof for the purpose of making further modifications of the aforesaid final decree as from time to time may be deemed by this Court to be meet and proper, and for the purpose of affording any and all other relief as this Court may from time to time deem meet and proper.

(f) All parts of the original final decree entered herein on January 3, 1952, not inconsistent with the findings

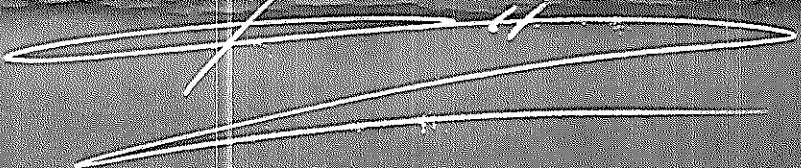
of fact and the rulings contained in this modification shall remain and stand in full force and effect.

In complying with the above orders the plaintiff, Kenneth Young, is in nowise to fail under penalty of being found in contempt of this Court.

DONE AND ORDERED, at Tallahassee, Leon County, Florida, in Chambers, this 10th day of November, A. D. 1952.



W. MAX WALKER
CIRCUIT JUDGE

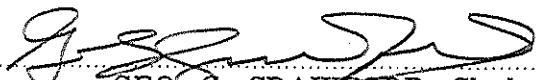


CERTIFICATE OF TRANSCRIPT

STATE OF FLORIDA, }
COUNTY OF LEON } ss.

I, Geo. G. Crawford, Clerk of the Circuit Court in and for the State of Florida and County of Leon, do hereby certify that the above and foregoing Six pages contain a true copy and correct transcript of the record and proceedings ~~in~~ of the Final Decree of Divorce recorded in Chancery Order Book #44 at Page #96, also Modification of Final Decree of Divorce recorded in Chancery Order Book #46 at Page #457, in the Case of Kenneth Young, Plaintiff vs Barbara Young, Defendant so full and entire as the same remains of record in my office.

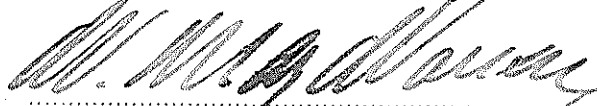
IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the seal of the said Court at Tallahassee, Florida, this 25th day of July, A. D. 19 56.


GEO. G. CRAWFORD, Clerk.

STATE OF FLORIDA, }
COUNTY OF LEON } ss.

I, W. May Walker, the Judge of the Circuit Court of the Second Judicial Circuit, for Leon County, in the said State of Florida, do hereby certify that the above-named Geo. G. Crawford, by whom the foregoing attestation was made, was, at the time of so making the same, and is now, the Clerk of the said Court, duly commissioned and qualified, to all of whose acts, as such, full faith and credit are and ought to be given, as well in courts of judicature as elsewhere; that the seal thereto annexed is the seal of the said Court; and that said attestation so made by him is in due form.

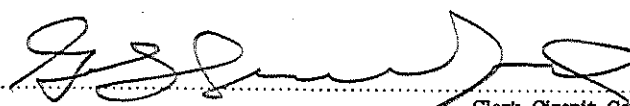
IN TESTIMONY WHEREOF, I have hereunto set my hand this 25th day of July, A. D. 19 56.


Judge.

STATE OF FLORIDA, }
COUNTY OF LEON } ss.

I, Geo. G. Crawford, Clerk of the Circuit Court in and for said County, do hereby certify that the above-named W. May Walker is, and was at the time of making the above certificate, the Judge of the Second Judicial Circuit Court of the State of Florida.

WITNESS my hand and the seal of said Court the 25th day of July, A. D. 19 56.


Clerk Circuit Court.

Leon County, Florida.

BARBARA YOUNG,	¶	
	¶	IN THE CIRCUIT COURT OF
Complainant,	¶	BALDWIN COUNTY, ALABAMA
vs.	¶	
KENNETH YOUNG,	¶	IN EQUITY
Respondent.	¶	

Barbara Young having filed her verified petition in this Court under the provisions of Section 105, et. seq., of Title 34 of the Code of Alabama of 1940 (Act No. 879, General Acts of Alabama, 1951, as amended by Act No. 823, General Acts of Alabama, 1953) alleging that she is dependent for support upon Kenneth Young, the Respondent, who is a non-resident of the State of Alabama residing in Valdosta, Georgia, as the former wife of the said Respondent and that the said Respondent has failed or refused for the past twenty-three months to comply with the terms of the two decrees of the Circuit Court of the Second Judicial Circuit of Florida, in and for Leon County, in Chancery attached to the petition. And the Court having considered the petition and the facts therein alleged has determined, and does hereby determine, that the Respondent owes a duty of support to the Complainant and that the State of Georgia may obtain jurisdiction of the Respondent or his property by virtue of his residence in said State and of the provisions of the Uniform Reciprocal Enforcement of Support Act of the State of Georgia approved March 9, 1956; it is, therefore

CERTIFIED by the Circuit Court of Baldwin County, Alabama, in Equity, that the facts alleged in the petition filed in this Court on August 6, 1956, wherein Barbara Young is the Complainant and Kenneth Young is the Respondent are true and that from such facts it may be determined that the Respondent owes a duty of support to the said Barbara Young and that the Superior Court in Valdosta, Georgia, may obtain jurisdiction of the Respondent or his property.

It is, therefore, ORDERED and DECREED by the Circuit Court of Baldwin County, Alabama, In Equity, that the Registrar of this Court shall forthwith transmit to the Superior Court in Valdosta, Georgia, three copies of the petition of Barbara Young hereinabove referred to, this certificate and order, and the Uniform Reciprocal Enforcement of Support Act of the State of Alabama.

This Court having reason to believe that the Respondent may flee the jurisdiction of the Superior Court of Valdosta, Georgia, it is hereby requested that such Court obtain the body of the Respondent by an appropriate process if permissible under the law of the State of Georgia.

Done this 7th day of August, 1956.

Robert W. Hall

H. W. Hall, Judge
Circuit Court of Baldwin County,
Alabama, In Equity.

August 15, 1956

Dear Sir:

Pursuant to an order of the court we are forwarding herewith certified copies of the complaint, and the order of this court certifying that the defendant owes a duty of support.

We are also forwarding three copies of the above mentioned documents, and a copy of the Uniform Reciprocal Enforcement of Support Act of this State.

When an order is made in your court, please forward copies in duplicate.

These documents are being forwarded pursuant to the Uniform Reciprocal Enforcement of Support Act.

Please acknowledge receipt of the documents on the enclosed copy of this letter.

Very truly yours,

Register, Circuit Court Baldwin County,
Alabama, In Equity

AJD:dv

Barbara a Young
COMPLAINANT

VS

Kenneth Young
RESPONDENT

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY CASE NO. 3840

DECREE

It appearing to the Court that the above cause is inactive, upon consideration, it is ORDERED, ADJUDGED and DECREED by the Court that said cause be and hereby is transferred to the inactive docket of this Court; and

It further appearing to the Court that the execution for costs against the Defendant was returned by the Sheriff of this County, "No Property Found", it is therefore, ORDERED and DECREED by the Court that the costs be and hereby are now taxed against the State of Alabama pursuant of Section 119, (b), Title 34, 1955 Cumulative Pocket Parts, Code of Alabama.

This 7th day of May 1959.

Robert M. Hall
Judge Circuit Court, In Equity.

FILED
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CLERK
COURT