

Sec. 3. Persons legally liable for support of dependents. For the purpose of this act, the following persons in one state are declared to be liable for the support of dependents residing or found in the same state or in another state having substantially similar or reciprocal laws, and, if possessed of sufficient means or able to earn such means, may be required to pay for such support a fair and reasonable sum, as may be determined by the court having jurisdiction of the respondent in a proceeding instituted under this act:

- (a) Husband liable for support of his wife;
- (b) Father liable for support of his child or children under seventeen years of age;
- (c) Mother liable for support of her child or children under seventeen years of age whenever the father of such child or children is dead, or cannot be found, or is incapable of supporting such child or children;
- (d) Parents severally liable for support of their child seventeen years of age or older whenever such child is unable to maintain himself and is likely to become a public charge;
- (e) Wife liable for support of her husband if he is incapable of supporting himself;
- (f) Adult person liable for support of his or her parent or parents;
- (g) Grandparent liable for support of his or her grandchild or grandchildren. L. 1949, c.807, s. 3, added L. 1955, c. 289, s.2, eff. Oct. 1, 1955.

Sec. 3-a Additional provisions regarding liability for support.

For the purposes of this act:

- (a) A child or children born of parents who, at any time prior or subsequent to the birth of such child, have entered into a civil or religious marriage ceremony, shall be deemed the legitimate child or children of both parents, regardless of the validity of such marriage.
- (b) A child or children born of parents who held or hold themselves out as husband and wife by virtue of a common law marriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate child or children of both parents.
- (c) A woman who was or is held out as his wife by a man by virtue of a common law marriage recognized as valid by the laws of the initiating state and of the responding state shall be deemed the legitimate wife of such man.

(d) Notwithstanding the fact that the respondent has obtained in any state or country a final decree of divorce or separation from his wife or a decree dissolving his marriage, the respondent shall be deemed legally liable for the support of any dependent child of such marriage.

(e) The natural parents of a child born out of wedlock shall be severally liable for the support of such child, but the liability of the natural father shall not be enforceable unless he has been adjudicated to be the child's father by a court of competent jurisdiction, or he has or shall acknowledge paternity of the child in open court, or by a verified written statement. L. 1949, c. 807, s. 3-a, added L.1955, c. 289, s. 2, eff. Oct. 1, 1955.

Sec. 4. Jurisdiction and powers of court. For the purposes of this act:

(a) The court shall have jurisdiction regardless of the state of last residence or domicile of the petitioner and the respondent and whether or not the respondent has ever been a resident of the initiating state or the dependent person has ever been a resident of the responding state.

(b) The court of the responding state shall have the power to order the respondent to pay sums sufficient to provide necessary food, shelter, clothing, care, medical or hospital expenses, expenses of confinement, expenses of education of a child, funeral expenses and such other reasonable and proper expenses of the petitioner as justice requires, having due regard to the circumstances of the respective parties.

(c) The courts of both the initiating state and the responding state shall have the power to order testimony to be taken in either or both of such states by deposition or written interrogatories, and to limit the nature of and the extent to which the right so to take testimony shall be exercised, provided that the respondent is given a full and fair opportunity to answer the allegations of the petitioner.

Sec. 5. Cases in which proceedings are maintainable. A proceeding to compel support of a dependent may be maintained under this act in any of the following cases:

(a) Where the petitioner and the respondent are residents of or domiciled or found in the same state.

(b) Where the petitioner resides in one state and the respondent is a resident of or is domiciled or found in another state having substantially similar or reciprocal laws.

(c) Where the respondent is not and never was a resident of or domiciled in the initiating state and the petitioner resides or is domiciled in such state and the respondent is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

(d) Where the respondent was or is a resident of or domiciled in the initiating state and has departed or departs from such state leaving therein a dependent in need of and entitled to support under this act and is believed to be a resident of or domiciled in another state having substantially similar or reciprocal laws.

Sec. 5-a Remedies of a public agency. Whenever the state or a political subdivision, or any official agency thereof, is furnishing support or is likely to furnish support to a dependent it shall have the same right to invoke the provisions of this act as the dependent to whom the duty of support is owed. L.1949, c.807 S. 5-a, added L.1952, c.40, s.1, eff. Feb. 22, 1952.

Sec. 6. Procedure. (a) A proceeding under this act shall be commenced by a petitioner by filing a verified petition in the court in the county of the state wherein he resides or is domiciled, showing the name, age, residence and circumstances of the petitioner, alleging that he is in need of and is entitled to support from the respondent, giving his name, age, residence and circumstances, and praying that the respondent be compelled to furnish such support.

(b) If the respondent be a resident of or domiciled in such state and the court has or can acquire jurisdiction of the person of the respondent under existing laws in effect in such state, such laws shall govern and control the procedure to be followed in such proceeding.

(c) If the respondent be not a resident of or domiciled in or cannot be found in such state, a judge of such court shall certify that a verified petition has been filed in his court in a proceeding against the respondent under this act to compel the support of the petitioner, that a summons, duly issued out of his court for service upon the respondent has been returned with an affidavit to the effect that the respondent cannot with due diligence be located or served with such process in the initiating state, that the respondent is believed to be residing or domiciled in the responding state and that, in his opinion, the respondent should be compelled to answer such petition and should be dealt with according to law, and he shall transmit such certificate and certified copies of such petition and summons to the appropriate court in the responding state. In the event that the court shall have before it satisfactory evidence that the respondent is not within the initiating state or cannot be served with process there, the summons and affidavit required herein may be omitted and the certificate shall contain a statement of the reasons for said omissions and the pertinent evidence supporting the same. As amended L. 1956, c. 150 eff. March 22, 1956.

(d) Any judge of a court in the county of the responding state in which the respondent resides or is domiciled or found, upon presentation to him of such certificate and certified copies of such petition and summons, shall fix a time and place for a hearing on such petition and shall issue a summons out of his court, directed to the respondent, duly requiring him to appear at such time and place.

(e) It shall not be necessary for the petitioner or the petitioner's witnesses to appear personally at such hearing, but it shall be the duty of the petitioner's representative of the responding state to appear on behalf of and represent the petitioner at all stages of the proceeding.

(f) If at such hearing the respondent controverts the petition and enters a verified denial of any of the material allegations thereof, the judge presiding at such hearing shall stay the proceedings and transmit to the judge of the court in the initiating state a transcript of the clerk's minutes showing the denials entered by the respondent.

(g) Upon receipt by the judge of the court in the initiating state of such transcript, such court shall take such proof, including the testimony of the petitioner and the petitioner's witnesses and such other evidence as the court may deem proper, and, after due deliberation, the court shall make its recommendation, based on all of such proof and evidence, and shall transmit to the court in the responding state a certified transcript of such proof and evidence and of its proceedings and recommendation in connection therewith.

(h) Upon the receipt of such transcript, the court in the responding state shall resume its hearing in the proceeding and shall give the respondent a reasonable opportunity to appear and reply.

(i) Upon the resumption of such hearing, the respondent shall have the right to examine or cross-examine the petitioner and the petitioner's witnesses by means of depositions or written interrogatories, and the petitioner shall have the right to examine or cross-examine the respondent and the respondent's witnesses by means of depositions or written interrogatories.

(j) If a respondent, duly summoned by a court in the responding state, wilfully fails without good cause to appear as directed in the summons, he shall be punished in the same manner and to the same extent as is provided by law for the punishment of a defendant or witness who wilfully disobeys a summons or subpoena duly issued out of such court in any other action or proceeding cognizable by said court.

(k) If, on the return day of the summons, the respondent appears at the time and place specified therein and fails to answer the petition or admits the allegations thereof or, if, after a hearing has been duly held by the court in the responding state in accordance with the provisions of this section, such court has found and determined that the prayer of the petitioner, or any part thereof, is supported by the evidence adduced in the proceeding, and that the petitioner is in need of and entitled to support from the respondent, the court shall make and enter an order directing the respondent to furnish support to the petitioner and to pay therefor such sum as the court shall determine, having due regard to the parties' means and circumstances. A certified copy of such order shall be transmitted by the court to the court in the initiating state and such copy shall be filed with and made a part of the records of such court in such proceeding. The court shall place the respondent on probation on such terms and conditions as the court may deem proper or necessary to assure faithful compliance by the respondent with such order. The court shall also have power to require the respondent to furnish recognizance in the form of a cash deposit or surety bond in such amount as the court may deem proper and just to assure the payment of the amount required to be paid by the respondent for the support of the petitioner.

(l) The court making such order shall have the power to direct the respondent to make the payments required thereby at specified intervals to the probation department or bureau of the court and to report personally to such department or bureau at such times as may be deemed necessary and the respondent shall at all times be under the supervision of such department or bureau.

(m) A respondent who shall wilfully fail to comply with or violate the terms or conditions of the support order or of his probation shall be punished by the court in the same manner and to the same extent as is provided by law for a contempt of such court or a violation of probation ordered by such court in any other suit or proceeding cognizable by such court.

(n) Upon the receipt of a payment made by the respondent pursuant to the order of the court of the responding state in any proceeding under this act, the probation department or bureau of such court shall forthwith transmit the same to the court of the initiating state.

(o) The probation department or bureau of the court in the responding state shall, not later than thirty days following the end of each fiscal year, furnish to the court of the initiating state an itemized statement under oath of all payments made by the respondent during such fiscal year for the support of the petitioner in such proceeding.

(p) The court of the initiating state shall receive and accept all payments made by the respondent to the probation department or bureau of the court of the responding state and transmitted by the latter on behalf of the respondent. Upon receipt of any such payment, and under such rules as the court of the initiating state may prescribe, the court, or its probation department or bureau, as the court may direct, shall deliver such payment to the dependent person entitled thereto, take a proper receipt and acquittance therefor, and keep a permanent record thereof. L.1949, c.807, s.6; amended L.1953, c.455, s.1, eff. April 2, 1953.

(q) The court of the responding state may use any power to enforce a duty of support against a respondent under this act which is otherwise available to it under the laws of the responding state. Added L.1956, c.155, eff. March 22, 1956.

Sec. 6-a Appeals; effectiveness of orders. Any respondent in a proceeding brought under the provisions of this act shall have the same right of appeal as in civil proceedings or actions brought in the same court. Any order for support made by the court shall not be affected by an appeal but shall continue in effect until the appeal is decided and thereafter, if the order is affirmed, until changed by further order of the court. L.1949, c.807, s.6-a, added L.1953, c.431, eff. April 2, 1953.

Sec. 7 Duty of petitioners' representatives. It shall be the duty of all petitioners' representatives of this state to appear in this state on behalf of and represent the petitioner in every proceeding pursuant to this act, at the time the petition is filed and at all stages of the proceeding thereafter, and to obtain and present such evidence or proof as may be required by the court in the initiating state or the responding state.

Sec. 7-a Expenses of proceedings. Expenses of stenographic records of court proceedings and of certification of court records shall be a county charge and shall be paid out of the county treasury. L.1949, c.807, s.7-a, added L.1950, c.702; amended L.1953, c.455, s.2, eff. April 2, 1953.

Sec. 8. Construction of act. 1. This act shall be construed to furnish an additional or alternative civil remedy and shall in no way affect or impair any other remedy, civil or criminal, provided in any other statute and available to the petitioner in relation to the same subject matter. 2. This act shall not be construed to confer jurisdiction on the court of the initiating or responding state in any pending or future action for divorce, legal separation or annulment. As amended L.1952, c.40, s.2, eff. Feb. 22, 1952.

Sec. 9. Uniformity of interpretation. This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of the states which enact it.

Sec. 10. Separability. If any part of this act or the application thereof to any person or circumstances is adjudged invalid by a court of competent jurisdiction, such judgement shall not affect or impair the validity of the remainder of such act or the application thereof to other persons and circumstances.

Sec. 11. Chapter seven hundred ninety of the laws of nineteen hundred forty-eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws," is hereby repealed.

Sec. 12. This act shall take effect immediately.

State of New York)
Department of State) ss:

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript therefrom and of the whole of said original law.

Carmine G. DeSapio

Secretary of State.

LAWS OF NEW YORK. - By Authority
CHAPTER 807 of the Laws of 1949, as Amended

AN ACT authorizing and prescribing the procedure for civil proceedings to compel the support of dependent wives, children and poor relatives within and without the state, and repealing chapter seven hundred ninety of the laws of nineteen hundred forty eight, entitled "An act to amend the children's court act of the state of New York and the domestic relations court act of the city of New York, in relation to conferring additional jurisdiction and powers upon all children's courts and the family court of the city of New York in support proceedings against persons residing in other states and territories of the United States having substantially similar or reciprocal laws"

Became a law April 25, 1949, with the approval of the Governor. Passed, by a majority vote, three fifth being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

UNIFORM SUPPORT OF DEPENDENTS LAW

- Section 1 Short title; purpose.
2. Definitions.
3. Persons legally liable for support of dependents.
3-a. Additional provisions regarding liability for support.
4. Jurisdiction and powers of court.
5. Cases in which proceedings are maintainable.
5-a. Remedies of a public agency.
6. Procedure.
6-a. Appeals; effectiveness of orders.
7. Duty of petitioners' representatives.
7-a. Expenses of proceedings.
8. Construction of act.
9. Uniformity of interpretation.
10. Separability.

Section 1. Short title; purpose. This act may be cited and referred to as the uniform support of dependents law.

The purpose of this uniform act is to secure support in civil proceedings for dependent wives, children and poor relatives from persons legally responsible for their support.

Sec. 2. Definitions. As used in this act, unless the context shall require otherwise, the following terms shall have the meanings ascribed to them by this section:

(a) "State" shall mean and include any state, territory or possession of the United States and the District of Columbia.

(b) "Court" shall mean and include the domestic relations court of the city of New York, the children's court in any county outside the city of New York, whether established as a separate court or as a part or division of the county court, and a municipal court; when the context requires, it shall mean and include a court of another state defined in and upon which appropriate jurisdiction has been conferred by a substantially similar reciprocal law.

(c) "Child" includes a step child, foster child, child born out of wedlock or legally adopted child and means a child actually or apparently under seventeen years of age, and a child over seventeen years of age who is unable to maintain himself and is likely to become a public charge.

(d) "Dependent" shall mean and include any person who is entitled to support pursuant to this act.

(e) "Petitioner" shall mean and include each dependent person for whom support is sought in a proceeding instituted pursuant to this act.

(f) "Respondent" shall mean and include each person against whom a proceeding is instituted pursuant to this act.

(g) "Petitioner's representative" shall mean and include a corporation counsel, county attorney, state's attorney, commonwealth attorney and any other public officer, by whatever title his public office may be known, charged by law with the duty of instituting, maintaining or prosecuting a proceeding under this act or under the laws of the state or states wherein the petitioner and the respondent reside.

(h) "Summons" shall mean and include a subpoena, warrant, citation, order or other notice, by whatever name known, provided for by the laws of the state or states wherein the petitioner and the respondent reside as the means for requiring the appearance and attendance in court of the respondent in a proceeding instituted pursuant to this act.

(i) "Initiating state" shall mean the state of domicile or residence of the petitioner.

(j) "Responding state" shall mean the state wherein the respondent resides or is domiciled or found. As amended L.1949, c.807, s.2; L. 1950, c.401; L.1953, cc.443, 456; L. 1954, c. 721, s. 1; L. 1955, c.289, s. 1, eff. Oct. 1, 1955.

DOMESTIC RELATIONS COURT
City of New York
283 Adams Street
Brooklyn 1, New York

William F. Lindeman
Acting Clerk of Court

January 17, 1957

Clerk of Court
Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Sir:

Re: Alice Fillman, mother obo Glenn et al

Petitioner

vs.

William Fillman

Respondent

Docket Number: USDL # 117/57 NY

Enclosed are the required number of copies of the certificate, petition and testimony of the petitioner in the above entitled matter, for appropriate action by your Court, in accordance with your reciprocal legislation and our Uniform Support of Dependents Law, Chapter 807 of the Laws of the State of New York for 1949, as amended.

We would appreciate your acknowledging receipt of these papers by signing and returning to us the enclosed carbon copy of this letter.

Will you please advise this Court as soon as a final disposition is made. If and when an order is made, all payments should be collected by your Court and forwarded to the Support Bureau of this Court for transmittal to the petitioner.

Thank you for your cooperation.

Yours very truly



William F. Lindeman
Acting Clerk of Court

ENCLOSURES

(3)

RECEIVED BY:

State of New York
 DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK -- FAMILY COURT DIVISION
 COUNTY OF Kings

Alice Fillman, mother, on behalf of
Glenn Fillman, et al

Petitioner

Against

William Fillman

Respondent

Docket No. USDL 117/1957 NY

THE UNDERSIGNED, a JUSTICE OF THE DOMESTIC RELATIONS COURT of the CITY OF NEW YORK, hereby certifies:

1. That on 9 day of January, 1957 a Petition was verified by the above named Petitioner and duly filed in this Court in a proceeding against the above named Respondent commenced under the provisions of the Uniform Support of Dependents Law of the State of New York (Chapter 807, Laws of 1949 as amended) to compel the support of the dependents named in that Petition.

2. That no Summons was issued for the above named Respondent since it appears from pertinent evidence contained in the sworn testimony of the Petitioner herein, as set forth on Form F-174 attached hereto, that the Respondent is residing or domiciled at General Delivery, Fairhope, Alabama

3. That the undersigned, A JUSTICE of the DOMESTIC RELATIONS COURT of the CITY OF NEW YORK, has examined the Petitioner under oath, as set forth on Form F-174 attached hereto, and in the opinion of the undersigned, the needs of the dependent named in the petition are the sum of \$50.00 per (week) ~~(month)~~.

4. That in the opinion of the undersigned JUSTICE the Respondent should be compelled to answer such Petition and be dealt with according to law,

WHEREFORE, it is hereby ORDERED that this certificate together with the ~~exempli-~~ certified copies of the Petition be transmitted to Circuit Court,

Baldwin County, Bay Minette, Alabama
 City, Town or Village State of

164 (Sgd.) Louis A. Pagnucco
 Justice of the Domestic Relations Court
 of the City of New York

Dated Jan. 17, 1957, 19

STATE OF NEW YORK
DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION
COUNTY OF Kings

Alice Fillman, mother, on behalf of
Glenn Fillman, et al

Petitioner

against

William Fillman

Respondent

DOCKET NO. USDL 117/1957 NY

Alice Fillman, mother, on behalf of
THE UNDERSIGNED, Glenn Fillman, et al, being duly sworn

deposes and says that she is making an application to prosecute this proceeding
for the support of her children

in the Circuit Court, Baldwin County, Bay Minette, Alabama

as a poor person;

THAT she is not worth Three Hundred Dollars (\$300.00) in cash or available
property besides her wearing apparel and furniture necessary for the support of
herself and family.

(Sgd.) Alice Fillman

Mother on ~~behalf of~~ behalf of

(Sgd.) Glenn Fillman

Petitioner et al

STATE OF NEW YORK)

COUNTY OF KINGS)

SS:

On the 9th day of January, 1957

personally appeared before me Alice Fillman to me known and
known by me to be the person described in and who executed the foregoing instru-
ment and she stated that she executed the same for the purpose therein stated.

(Sgd.) Anne P. Darcy

Assistant Clerk of Court

(SEAL)

UNDER NEW YORK UNIFORM SUPPORT LAW

PETITION FOR SUPPORT - ~~FAMILY~~
CHILDREN

STATE OF NEW YORK

DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION

County of King.....

	Sex	Age	Color	Reli- gion	Nativity	Address
Alice Fillman, mother, on Glenn Fillman, et al Petitioner...	M	73		P	U.S.	135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans
Against						
William Fillman Respondent...	M	40		P	U.S.	General Delivery, Fairhope, Alabama

TO THE DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - Family Court Division:
THE PETITION of Alice Fillman, mother, on behalf of Glenn Fillman, et al.....
respectfully shows:

1. THAT ~~petitioner is the~~ the children's mother....., ~~the Respondent,~~
~~that petitioner~~ was duly married to said Respondent on or about Mar 17, 1942...
at Charleston, South Carolina. The Respondent received a divorce on or about
No. Street City, Town or Village State of
July 12th, 1949 in Philadelphia, Pennsylvania
and now resides at 135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans
2. THAT ~~petitioner is the mother and~~ said Respondent is the father of the following
named dependent.^s.
1. Glenn....., Born July 5th....., 19 43
2. Diane....., Born October 15th....., 19 45
3....., Born....., 19....
4....., Born....., 19....
5....., Born....., 19....
6....., Born....., 19....
3. THAT ~~petitioner and~~ said child FOUR (are) in need of and THE (are) entitled
to support from the Respondent under the provisions of the New York Uniform
Support of Dependents Law (Chapter 807, Laws of 1949).
4. THAT Respondent, on or about....., 19 47 and subsequent
thereto, refused and neglected to provide fair and reasonable support for
~~petitioner and the other~~ dependent.^s according to his means and earning capacity;
5. THAT, upon information and belief, Respondent now is residing or domiciled at
General Delivery, Fairhope, Alabama
No. Street City, Town or Village State of
which State has enacted a law substantially similar and reciprocal to the New
York Uniform Support of Dependents Law (Chapter 807, Laws of 1949).

Alice Fillman, mother, on behalf of Glenn Fillman, et al
WHEREFORE, the Petitioner prays for such an Order for Support, directed to said
Respondent, as shall be deemed to be fair and reasonable, and for such other and
further relief as the law provides.

(Sgd.) Alice Fillman
~~mother~~ Petitioner on behalf of

(Sgd.) Glenn Fillman
Petitioner et al

STATE OF NEW YORK)
) SS:
COUNTY OF King)

Alice Fillman....., being duly sworn, says that she is the
Petitioner herein, and that she has read the foregoing Petition, and knows the
contents thereof; and that the same is true of her own knowledge, except as to the
matters therein stated to be alleged on information and belief, and as to those
matters she believes it to be true.

(Sgd.) Alice Fillman
~~mother~~ Petitioner on behalf of

Glenn Fillman
Petitioner et al

Sworn to before me
this 9th day of January, 19 57,

(Sgd.) Anne P. Darcy
Assistant Clerk of Court

STATE OF NEW YORK
DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION

Alice Fillman, mother, on County.....Kings.....
behalf of Glenn Fillman, et al

vs) Alice Fillman, mother, on TESTIMONY OF
William Fillman) behalf of Glenn Fillman, et al , Petitioner
Respondent) USDL
Docket No. 117/57 NY

Alice Fillman, mother, on behalf of
Glenn Fillman, et al , the Petitioner herein, being duly sworn,
on her oath testifies as follows:

- Q. What is your full name?
- A. Alice Evans Fillman
- Q. Where are you now living?
- A. 135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans
- Q. When and where were you married to the Respondent?
- A. March 17th, 1942 at Charleston, South Carolina.
- Q. Are you still the wife of the Respondent?
- A. No. Respondent received a divorce on or about July 12th, 1949 in Philadelphia, Pennsylvania.
- Q. ~~What were the reasons for the divorce?~~
- A.
- Q. Were any children born of this marriage?
- A. Yes, two children
- Q. What are the names and ages of the children under 17 years of age?
- A. Glenn, 13 years, born 7/8/43; Diane, 11 years, born 10/15/45.
- Q. Are they living with you?
- A. They attend school at Greer, (New York) School in Dover Plains, Dutchess County.
At other times they live with me
- Q. ~~What was your husband's occupation?~~
- A.
- Q. When and how much was his last contribution for support?
- A. December 1956, \$50
- Q. Is there a complaint or an order for support in any court?
- A. Bklyn Fam Ct (1203/51). Warrant issued 5/31/51 is still outstanding. Also, about 1947, order of \$12. wkly for the children entered in Municipal Court, Phila., Pa.
- Q. Are you employed? What are your earnings?
- A. I am employed by the Grace Line as a stewardess (dining room) but I am only paid for actual trips worked. I average about \$253. monthly, base pay, plus tips
- Q. Have you any other source of income?
- A. No
- Q. Are ~~the~~ the children in good health?
- A. Diane requires orthodontia work
- Q. Have you any debts outstanding?
- A. No
- Q. What do you require for the support of your ~~children~~ children?
- A. About \$50. weekly
- Q. Do you know where ~~the Respondent~~ is now living?
- A. General Delivery, Fairhope, Alabama
- Q. Do you know if and where ~~he~~ is now employed?
- A. No
- Q. What is his salary, if you know?
- A. I do not know
- Q. Are you now receiving public aid; and how much?
- A. No

~~Testimony~~ sworn to before me
this.....day of....Jan.. 17,....., 1957.

(Sgd.) Louis A. Pagnucco
Justice, DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK

(Sgd.) Alice Fillman
Mother on ~~Glenn Fillman~~ behalf of
(Sgd.) Glenn Fillman
Petitioner et al

COURT'S EXHIBIT NO. 2

D. R. C.

L. S. Jan. 17, 1957

SUMMONS AND COMPLAINT

Moore Ptg. Co.

The State of Alabama,
Baldwin County.

}

Circuit Court, Baldwin County

No. 3956

TERM, 19

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Commanded to Summon William Fillman

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

William Fillman, Defendant

by Alice Fillman, Mother of Glen Fillman et als

Plaintiff

Witness my hand this 22nd day of January 19 57.

Alice J. Wacker, Clerk

The State of Alabama
Baldwin County

CIRCUIT COURT

ALICE FILLMAN

Plaintiffs

vs.

WILLIAM FILLMAN

256 N Summit

Defendants

Summons and Complaint

Filed 1-22-57 19

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

Jan 23 1957

Sheriff

I have executed this summons

this 17 Day of Feb 1957
by leaving a copy with

William Fillman

Sheriff claims 70 miles at

Ten Cents per mile Total \$ 7.00
TAYLOR WILKINS, Sheriff

BY E. E. Newell
DEPUTY SHERIFF

Taylor Wilkins Sheriff

E. E. Newell Deputy Sheriff

Handwritten signature

State of New York
DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION
COUNTY OF Kings

Alice Fillman, mother, on behalf of

Glenn Fillman, et al

Petitioner

Against

William Fillman

Respondent

Docket No. NSDL 117/1957 NY

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2. That no Summons was issued for the above named Respondent since it appears from pertinent evidence contained in the sworn testimony of the Petitioner herein, as set forth on Form F-174 attached hereto, that the Respondent is residing or domiciled at General Delivery, Fairhope, Alabama

3. That the undersigned, A JUSTICE of the DOMESTIC RELATIONS COURT of the CITY OF NEW YORK, has examined the Petitioner under oath, as set forth on Form F-174 attached hereto, and in the opinion of the undersigned, the needs of the dependent named in the petition are the sum of \$50.00 per (week) ~~(month)~~.

4. That in the opinion of the undersigned JUSTICE the Respondent should be compelled to answer such Petition and be dealt with according to law.

WHEREFORE, it is hereby ORDERED that this certificate together with the ~~complete~~ ^{certi-} fied copies of the Petition be transmitted to Circuit Court,

Baldwin County, Bay Minette, Alabama

City, Town or Village

State of

(Sgd.) Louis A. Pagnucco

Justice of the Domestic Relations Court
of the City of New York

Dated Jan. 17, 1957, 19

STATE OF NEW YORK
DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION
County of Kings.....

STATE OF NEW YORK)
COUNTY OF, Kings.) SS:

I, William F. Lindeman, Acting Clerk of the Domestic Relations Court of the City of New York, Family Division, County of Kings, Acting, in the State of New York, DO HEREBY ATTEST AND CERTIFY that, as such/Clerk, I am keeper and custodian of all court records, papers, proceedings and process in and for the Family Division of this Court in said County, and that said records, papers, proceedings and process are kept by me in my files in conformity with the law.

I do further attest and certify that the annexed is a true copy of an original record now on file in this Court, in the matter of Alice Fillman, mother of dependents, against William Fillman, Respondent, Docket No. USDL #117/57 NY, that I have compared the transcript hereto annexed with the said original record, and that the same is a true and correct transcript of the said original record and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the SEAL of the said Court at Brooklyn, N.Y. on this 17th day of January, 1957.

(SEAL)


Acting Clerk of Court

UNDER NEW YORK UNIFORM SUPPORT LAW

PETITION FOR SUPPORT - ~~FAMILY~~
CHILDREN

STATE OF NEW YORK

DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION

County of Kings.....

	Sex	Age	Color	Reli- gion	Nativity	Address
Alice Fillman, mother, on Glenn Fillman, et al Petitioner...	M	13		P	U.S.	135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans
Against William Fillman Respondent...	M	40		P	U.S.	General Delivery, Fairhope, Alabama

TO THE DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - Family Court Division:
THE PETITION of... Alice Fillman, mother, on behalf of Glenn Fillman, et al.....
respectfully shows:

1. THAT ~~respondent~~ the children's mother....., ~~respondent~~
~~respondent~~ was duly married to said Respondent on or about Mar 17, 1942...
at... Charleston, South Carolina. The Respondent received a divorce on or about...
No. Street City, Town or Village State of
July 12th, 1949 in Philadelphia, Pennsylvania.....
and now resides at... 135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans.....
2. THAT ~~respondent~~ said Respondent is the father of the following
named dependent(s).
1. Glenn Born... July 8th....., 1942.
2. Diane Born... October 15th....., 1945.
3....., Born....., 19.....
4....., Born....., 19.....
5....., Born....., 19.....
6....., Born....., 19.....
3. THAT ~~respondent~~ said child(ren) (are) in need of and ~~is~~ (are) entitled
to support from the Respondent under the provisions of the New York Uniform
Support of Dependents Law (Chapter 807, Laws of 1949).
4. THAT Respondent, on or about....., 1947 and subsequent
thereto, refused and neglected to provide fair and reasonable support for
~~respondent~~ and the ~~other~~ dependent(s) according to his means and earning capacity;
5. THAT, upon information and belief, Respondent now is residing or domiciled at
General Delivery, Fairhope, Alabama.....
No. Street City, Town or Village State of
which State has enacted a law substantially similar and reciprocal to the New
York Uniform Support of Dependents Law (Chapter 807, Laws of 1949).

Alice Fillman, mother, on behalf of Glenn Fillman, et al

WHEREFORE, the Petitioner prays for such an Order for Support, directed to said
Respondent, as shall be deemed to be fair and reasonable, and for such other and
further relief as the law provides.

(Sgd.) Alice Fillman
Mother ~~Respondent~~ on behalf of

STATE OF NEW YORK)
) SS: (Sgd.) Glenn Fillman
COUNTY OF Kings.....) Petitioner et al

Alice Fillman....., being duly sworn, says that she is the /
Petitioner herein, and that she has read the foregoing Petition, and knows the
contents thereof; and that the same is true of her own knowledge, except as to the
matters therein stated to be alleged on information and belief, and as to those
matters she believes it to be true.

(Sgd.) Alice Fillman
Mother ~~Petitioner~~ on behalf of

Sworn to before me

Glenn Fillman
Petitioner et al

this 9th day of January, 1957.,

(Sgd.) Anne P. Darcy
Assistant Clerk of Court

Docket No. ... USDL 117/1957 NY ...
(See 1203/1951)

STATE OF NEW YORK
DOMESTIC RELATIONS COURT
OF THE CITY OF NEW YORK

FAMILY COURT DIVISION

County of ... Kings

Alice Fillman, mother, on behalf of
Glenn Fillman, et al

Petitioner..

Against

William Fillman

Respondent..

UNDER NEW YORK UNIFORM SUPPORT LAW

PETITION - ~~FAMILY~~ CHILDREN

Filed. January 9th 19.57.

Before. Hon. Juvenal Marchigis Justice

FINAL DISPOSITION

Justice

Dated....., 19....

Form F-161- 091549

COURT'S EXHIBIT NO. 1

D. R. C.
L. S. Jan. 17, 1957

Dates Orders and Adjournments

1/9/57 Case in court 1/17/57.

Pct. advised. APD.

1/27/57

UNIFORM SUPPORT OF DEPENDENTS
LAW OF THE STATE OF NEW YORK
(CHAPTER 807, LAWS OF 1949)
Jan. 17, 1957

Petitioner present and
represented by the Corporation
Counsel of the City of New York.
On the ye... A petition,

the testimony of the
Petitioner and on motion of
the Corporation Counsel, it
is ordered.

That the papers and the
testimony herein be forwarded
to the proper court in the
responding state.

The sum of \$ 50.00

per week, for the support of
~~the~~ two (2)
the Petitioner and

children is recommended.
(Sgt.) John A. Ragnese

JUSTICE

Dates Orders and Adjournments

Dates Orders and Adjournments

STATE OF NEW YORK
DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK - FAMILY COURT DIVISION

Alice Fillman, mother, on County.....Kings.....
behalf of Glenn Fillman, et al

Petitioner) Alice Fillman, mother, on TESTIMONY OF
vs) behalf of Glenn Fillman, et al , Petitioner
William Fillman)

Respondent) Alice Fillman, mother, on behalf of
Glenn Fillman, et al , the Petitioner herein, being duly sworn,
on her oath testifies as follows:

- Q. What is your full name?
- A. Alice Evans Fillman
- Q. Where are you now living?
- A. 135 Prospect Park, S.W., Bklyn 18, NYC, c/o Evans
- Q. When and where were you married to the Respondent?
- A. March 17th, 1942 at Charleston, South Carolina.
- Q. Are you still the wife of the Respondent?
- A. No. Respondent received a divorce on or about July 12th, 1949 in Philadelphia, Pennsylvania.
- Q. ~~What were the circumstances leading to your separation from your husband?~~
- A.
- Q. Were any children born of this marriage?
- A. Yes, two children
- Q. What are the names and ages of the children under 17 years of age?
- A. Glenn, 13 years, born 7/8/43; Diane, 11 years, born 10/15/45.
- Q. Are they living with you?
- A. They attend school at Greer, (New York) School in Dover Plains, Dutchess County. At other times they live with me
- Q. ~~When was the last contribution for support received from your husband?~~
- A.
- Q. When and how much was his last contribution for support?
- A. December 1956, \$50
- Q. Is there a complaint or an order for support in any court?
- A. Bklyn Fam Ct (1203/51). Warrant issued 5/31/51 is still outstanding. Also, about 1947, order of \$12. wkly for the children entered in Municipal Court, Phila., Pa.
- Q. Are you employed? What are your earnings?
- A. I am employed by the Grace Line as a stewardess(dining room) but I am only paid for actual trips worked. I average about \$253. monthly, base pay, plus tips
- Q. Have you any other source of income?
- A. No
- Q. Are ~~you and~~ the children in good health?
- A. Diane requires orthodontia work
- Q. Have you any debts outstanding?
- A. No
- Q. What do you require for the support of your ~~children~~ children?
- A. About \$50. weekly
- Q. Do you know where ~~the Respondent~~ is now living?
- A. General Delivery, Fairhope, Alabama
- Q. Do you know if and where ~~he~~ is now employed?
- A. No
- Q. What is his salary, if you know?
- A. I do not know
- Q. Are you now receiving public aid; and how much?
- A. No

~~sworn to~~ sworn to before me
this.....day of....Jan..17,....., 1957.

(Sgd.) Louis A. Pagnucco

Justice, DOMESTIC RELATIONS COURT OF THE CITY OF NEW YORK

(Sgd.) Alice Fillman

Mother on ~~behalf~~ behalf of

(Sgd.) Glenn Fillman

Petitioner et al

COURT'S EXHIBIT NO. 2

D. R. C.

L. S. Jan. 17, 1957

STATE OF ALABAMA)
BALDWIN COUNTY)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,

IN EQUITY.

Case No. 3956

IN THE MATTER OF THE PETITION
FOR RECIPROCAL ENFORCEMENT OF
SUPPORT OF DEPENDENTS,

ALICE FILLMAN, Petitioner,

vs

WILLIAM FILLMAN, Respondent.

This cause coming on to be heard was submitted upon a true copy of a petition filed by Alice Fillman in this Court under the provisions of the Reciprocal Enforcement of Support of Dependents Law, as provided by the Code of Alabama, 1940, as amended, Title 34, Sections 105 to 122, inclusive; a copy of said petition was duly served upon the respondent, William Fillman, on the 17th day of February, 1957; and the evidence in the cause heard this date. And according to the said evidence the Respondent, William Fillman, is already supporting his two minor children, Glenn Fillman, born July 8, 1943, and Diana Fillman, born October 5, 1945, in a fair and reasonable amount, to-wit, fifty dollars (\$50.00) per month, as per decree in the case of Commonwealth vs. Wm. Fillman, Municipal Court, Domestic Relations Division, Philadelphia, Pennsylvania, No. 159 901, dated May 25, 1948. It is therefore

Ordered, Adjudged and Decreed by the Court that the aforementioned petition filed in this case in this Court by Alice Fillman against William Fillman be dismissed. The cost of this proceeding be taxed against the Respondent for which let execution issue, and if execution is returned "No property found" the said cost be taxed against the State of Alabama.

Done this 16th day of July, 1957.


Hubert M. Hall
Judge