(4849)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EVA MIMS, Complainant

vs.

PAUL MIMS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication and Testimony as noted by the Register, and upon consideration thereof, the Court is of the opinion that the Complainant is entitled to the relief prayed for in said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Defendant be, and the same are hereby dissolved, and that the said Eva Mims is forever divorced from the said Paul Mims for and on account of

Cruelty

It is further ordered, adjudged and decreed that neither party to this suit shall again marry except to each other until sixty days after the rendition of this decree, and that if appeal is taken within sixty days, neither party shall marry except to each other during the pendency of said appeal.

It is further ordered that the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that Eva Mims the Complainant pay the cost herein to be taxed, for which executed may issue.

This 16 day of January 19 62

Hubert M Hall

Judge Circuit Court, In Equity

I, _____, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the foregoing is a correct copy of the original decree, rendered by the Judge of the Circuit Court in the above stated cause, which said decree is on file and enrolled in my office.

Witness my hand and seal this the _____ day of _____, 19____

_____

Register of Circuit Court, In Equity.

No._____ Page_____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

_____

_____

Complainant

vs.

_____

_____

Respondent

DIVORCE DECREE

Filed
1-16-62
Clerk
Circuit Court

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

October 25th, 1960

Mrs. Alice J. Duck, Register,
Circuit Court, Baldwin County,
Bay Minette, Alabama.

Re: Mims vs Mims - No. 4849

Dear Mrs. Duck:

I enclose my affidavit that the defendant, Paul Mims is a non-resident of the State of Alabama, and also Notice to Non-Resident for publication in the Baldwin Times.

Please accept my signature as genuine and allow me to sign before you and publish the notice the required number of times.

Yours very truly,

John P Beebe

ORAL DEPOSITION

Baldwin Times

The State of Alabama, Baldwin County. | **Circuit Court of Baldwin County, Alabama (In Equity)**

EVA MIMS, Complainant

vs.

PAUL MIMS, Respondent

I, Martha Harrell

as ~~Register and~~ Commissioner

have called and caused to come before me

Eva Mims

witness named in the Requirement for Oral Examination, on the 13th day of January, 1962, at the office of John P. Beebe

in Robertsdale, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, and said. Eva Mims

doth depose and say as follows:

My name is Eva Mims. I am the Complainant is the above styled cause. I am 21 years of age and I live in Loxley, Baldwin County, Alabama, I married Paul Mims the Defendant, on the 14th day of June, 1958. There was one child born to us who is in my care and custody and who is now two years of age. In the month of July, 1959, on a dirt road in Rosinton, Baldwin County, in the night time while riding in a car with Paul Mims, he did make me get out of the car and when I got out he put the car in reverse and caused the car to knock me down; that at the time I was pregnant with child and the force of the car knocked me down and I had to go to the hospital and was treated there for bruises. At the time of being hit by the car Paul Mims was drinking and that since our marriage he became addicted to the use of alcohol and ~~and~~ Paul has not contributed to my support or the support of the child for the past three years. I do not know where Paul Mims is at present. When Paul knocked me down on the road in Rosinton that night he drove off and left me there to walk home and he went to a drinking party with other people. In my opinion he is an habitual drunkard.

Eva Mims

ORAL EXAMINATION

I, Martha Harrell, as ~~Register and~~ Commissioner hereby certify that the foregoing depoition _____ on Oral Examination was taken down by me in writing in the words of the witness _____ and read over to her and she signed the same in the presence of myself and John P. Beebe

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proom made before me of the identity of said witness _____; that I am not of counsel or of kin to any of the parties to said cause, or any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 13th day of January, 19 62

Martha C. Harrell (L. S.)
Commissioner

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

vs.

Complainant

Respondent

Oral Deposition

Filed _____, 19 _____

Vol. _____ Page _____

Recorded in _____ Record

Register _____

Register _____

FILED
JAN 16 1962
CLERK
REGISTER

Decree Pro Confesso of Publication.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4849 _____ Term, 19____

EVA MIMS _____ Complainant

PAUL MIMS _____ 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 3rd day of November, 19 60, in the Baldwin Times a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 3rd day of November 19 60, and

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

Paul Mims

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 Paul Mims

This 28 day of December 19 60

John P. Beebe,
Solicitor for Complainant

Alice J. Duck Register.

No._____ Page_____

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Decree Pro Confesso of Publication

Issued 12-2-8 19 60

Register.

Recorded in _____ Record

Vol._____ Page_____

Register.

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

8601—Motion for Decree Pro Confesso on Publication.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No. 4849 _____ Term, 19____

EVA MIMS _____ Complainant

Vs.

PAUL MIMS _____ Defendant

Motion is hereby made for a Decree Pro Confesso against _____

Paul Mims _____ 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 27th day of December 19 60

746 Code

John P. Beebe
Solicitor for Complainant _____ Solicitor.

EVA MIMS, Complainant, vs PAUL MIMS, Defendant.	)	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, IN EQUITY SITTING:

Comes your Complainant, Eva Mims, and humbly complaining against Paul Mims, Defendant, and respectfully shows unto your Honor:

FIRST: That your Complainant is nineteen years of age and is a resident of the Town of Loxley, Baldwin County, Alabama, where she has lived practically all of her life.

SECOND: That the said Defendant is over the age of twenty one years and is a resident of Baldwin County, Alabama.

THIRD: That your Complainant and the said Defendant were married in the City of Bay Minette, Baldwin County, Alabama, on to-wit: the 14th day of June, 1958, and this union produced one child, named Jimmie Ray Mims, who is four months old and is in the care and custody of your Complainant.

FOURTH: Your Complainant further avers that the said Defendant has committed actual physicial violence to her person attended with danger to her life and health, by striking her with his fists and by forcing her out of their car when she was pregnant with child and then intentionally causing the said car to knockher to the ground and knowingly left her lying in such a position while she was in such a condition, and that from his conduct she is reasonably apprehensive of other and further violence, so much so that she can no longer live with the said Defendant as husband and wife.

FIFTH: Complainant further shows to the Court that the Defendant has since marriage become addicted to habitual drunkeness, which habit continues to this date.

SIXTH: Complainant further shows to the Court that the Defendant is gainfully employed and for his work and labor receives in

excess of Forty ($40.00) Dollars, per week and is financially able to support their said minor child, and to pay the cost of this proceeding.

WHEREFORE, your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and make the said Paul Mims party Defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter an order and decree forever dissolving the bonds of matrimony between this Complainant and the said Defendant, and that the Complainant be awarded the custody of their said minor child, namely: Jimmie Ray Mims, and ordering and decreeing a sufficient amount to be paid by the said Defendant for the care and support of said child; and Complainant prays for such other, further or different relief as she shall in equity and good conscience be entitled to in the premises.

FILED
FEB 12 1960
ALICE L. BUCK, CLERK REGISTER

John P. Beeler
Solicitor for Complainant

EVA MIMS, Complainant,	)	IN THE CIRCUIT COURT OF
vs	)	BALDWIN COUNTY, ALABAMA
PAUL MIMS, Defendant.	)	IN EQUITY

Before me the undersigned authority in and for said State and County, this day personally appeared John P. Beebe, who being by me first duly sworn deposes and says that he is the Solicitor of record for the Complainant, Eva Mims, in the above entitled cause, wherein Paul Mims is the defendant; that the said Paul Mims is over the age of twenty one years and is a non resident of the State of Alabama, that the said Paul Mims is now residing at 602 West Wright Street, Pensacola, Florida.

John P. Beebe

FILED
JUL 14 1960
ALICE J. DUCK, CLERK REGISTER

Sworn to and subcribed before me on this the 14 day of July, 1960.

Alice J. Duck

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No._____

_____TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Paul Mims

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

Paul Mims, Defendant

by Eva Mims

, Plaintiff

Witness my hand this 12 day of Feb 19 60

Alice J. Nuckles, Clerk

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SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No._____

_____TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Paul Mims

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

Paul Mims, Defendant

by Eva Mims

, Plaintiff

Witness my hand this 12 day of Feb 19 60

Alice J. Wheeler, Clerk

No. 4849 Page

STATE of ALABAMA
Baldwin County

CIRCUIT COURT

EVA MIMS

Plaintiffs

vs.

PAUL MIMS

Defendants

Summons and Complaint

Filed 2-12- 1960

Alice J. Duck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

Received In Office

2-12, 1960

Sheriff.

I have executed this summons

this 19

by leaving a copy with

Sheriff.

Deputy Sheriff.

EVA MIMS, Complainant,	)	IN THE CIRCUIT COURT OF
vs	)	BALDWIN COUNTY, ALABAMA
PAUL MIMS, Defendant.	)	IN EQUITY No. 4849

STATE OF ALABAMA

BALDWIN COUNTY

Before me the undersigned authority in and for said State and County, this day personally appeared John P. Beebe, who being by me first duly sworn deposes and says: That he is the Solicitor of record for the Complainant in the above entitled cause, and as such has made diligent search and inquiry to locate the present whereabouts of the Defendant, Paul Mims; that the said Paul Mims is a non-resident of the State of Alabama, over the age of twenty one years, presently residing in the City of Pensacola, Florida, his resident address cannot be ascertained after reasonable effort, and an attempt to perfect service of process on the said defendant by Registered Mail proved to be of no avail.

John P. Beebe
Solicitor for Complainant

Sworn to and subscribed before me on this the 24 day of October, 1960.

Register

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

EVA MIMS,

Complainant,

No. 4849

vs.

PAUL MIMS,

Defendant

The State of Alabama,

Baldwin County.

Circuit Court, in Equity

This the 26 day of October, 1960

In this cause it being made to appear to the Clerk of this Court by the affidavit of John P. Beebe, Solicitor for Complainant, Eva Mims.,

that the Defendant Paul Mims

is a non-resident of the State of Alabama and his resident address cannot be ascertained after reasonable effort,

and further, that, in the belief of said Affiant the Defendant Paul Mims is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring the said Paul Mims

to answer or demur to the Bill of Complaint in this cause by the 26 day of Nov 1960, or after thirty days therefrom a decree Pro Confesso may be taken against Him

Register.

John P. Beebe,
Solicitor for Complainant

8601—Motion for Decree Pro Confesso on Publication.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No._____ _____Term, 19____

EVA MIMS _____Complainant____

Vs.

PAUL MIMS _____Defendant____

Motion is hereby made for a Decree Pro Confesso against Paul Mims, the _____

_____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 15 day of January 19 62

746 Code

John P. Beebe Solicitor.

No._____ Page_____

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

_____

(_____

Complainant____

Vs.

_____

_____

Defendant____

Motion for Decree Pro Confesso on Publication

fi' ' _____ FILED _____ 19____

JAN 15 1962

_____ Register.

ALICE L. BUCK, CLERK
REGISTER

Recorded in _____Record

Vol._____Page_____

_____

Register.

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

Decree Pro Confesso of Publication.

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

No._____ _____Term, 19____

EVA MIMS _____Complainant____

PAUL MIMS _____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 3rd day of November, 1960, in the Baldwin Times a newspaper published in Bay Minette, 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

Paul Mims

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 Paul Mims

This 15 day of January 19 62

Alice J. Duck Register.

John P. Beebe,
Attorney at Law,
Robertsdale, Alabama

No._____ Page_____

The State of Alabama
BALDWIN COUNTY

Circuit Court, In Equity

_____

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_____

Vs.

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Decree Pro Confesso of Publication

Issued FILED 19____

JAN 16 1962

ALICE J. DUCK CLERK REGISTER Register.

Recorded in _____ Record

Vol._____ Page_____

_____ Register.

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

8851—NOTE OF TESTIMONY

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

EVA MIMS,

Complainant,

vs.

PAUL MIMS,

Defendant.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY

CIRCUIT COURT Of BALDWIN COUNTY

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Decree Pro Confesso on Publication and testimony as noted by the Register,

and in behalf of Defendant upon Decree Pro Confesso on Publication

John P. Beebe,
Solicitor for Complainant,
Robertsdale, Alabama.

Alice J. Duck
Register.

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No._____

State of Alabama
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

VS.

Note of Testimony

Filed in Open Court this_____

day of_____, 19____

Register.

MOORE PRINTING COMPANY • BAY MINETTE, ALA.

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

December 27th, 1960

Mrs. Alice J. Duck, Register,
Circuit Court, Baldwin County,
Bay Minette, Alabama.

Re: Eva Mims vs. Paul Mims - No. 4849

Dear Mrs. Duck:

I enclose Motion for Decree Pro Confesso on Publication and Decree Pro Confesso on Publication for entry in the above entitled cause.

Sincerely yours,

John P. Beebe

[illegible] is employed by Doering Tire & Vulcanizing Company in Robertsdale, and can be served by the Sheriff with a copy of the bill of complaint at the place where he is employed. (He refuses to accept service of process)

Thank you, I am

Sincerely yours,

John P. Beeler

JOHN P. BEEBE
ATTORNEY AT LAW
ROBERTSDALE, ALABAMA

July 13th, 1960

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

Re: Mims vs. Mims - Case No. 4849

Dear Mrs. Duck:

I enclose my affidavit to the effect that the defendant is now a non-resident of the State and is at present living at 602 West Wright Street, Pensacola, Florida.

If you will accept my signature to the affidavit as genuine and obtain service on this party by registered mail, it will be appreciated by all concerned.

Thanking you, I am

Sincerely yours,

John P. Beebe

The Baldwin Times

"Baldwin's Only All County Newspaper"

BAY MINETTE, ALABAMA

J. H. FAULKNER, Publisher
E. R. MORRISSETTE, Jr., Editor-Manager

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, Jr., being duly sworn, deposes and says that he is the EDITOR of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Mims vs. Mims

COST STATEMENT

177 WORDS @ 6½ cents — — — $ 11.51

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner Jr.
Editor.

was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication Nov. 3, 1960 Vol. 72 No. 43

Date of 2nd publication Nov. 10, 1960 Vol. 72 No. 44

Date of 3rd publication Nov. 17, 1960 Vol. 72 No. 45

Date of 4th publication Nov. 24, 1960 Vol. 72 No. 46

Subscribed and sworn before the undersigned this 25 day of Nov, 1960

Dorothy Martin
Notary Public, Baldwin County.

Jimmy Faulkner Jr.
Editor.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: MARTHA C. HARRELL

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine

Eva Mims

a witness in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

EVA MIMS is

, Complainant

and

PAUL MIMS, is

Respondent

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

Witness 13th day of January 1962

Alice J. Dunks
Register

Commissioner's Fee, $

Witness' Fees, $

SUMMONS AND COMPLAINT

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama,
Baldwin County.

Circuit Court, Baldwin County

No._____

_____TERM, 19____

TO ANY SHERIFF OF THE STATE OF ALABAMA

You Are Commanded to Summon Paul Mims

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 _____

Paul Mims, Defendant

by Eva Mims

_____, Plaintiff

Witness my hand this 12 day of Feb 19 60

Alice F. Houck Clerk

No._____ Page_____

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

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Sheriff.

_____

Deputy Sheriff.

EVA MIMS, Complainant,	)	IN THE CIRCUIT COURT OF
vs	)	BALDWIN COUNTY, ALABAMA
PAUL MIMS, Defendant.	)	IN EQUITY

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

Comes your Complainant, Eva Mims, and humbly complaining against Paul Mims, Defendant, and respectfully shows unto your Honor:

FIRST: That your Complainant is nineteen years of age and is a resident of the Town of Loxley, Baldwin County, Alabama, where she has lived practically all of her life.

SECOND: That the said Defendant is over the age of twenty one years and is a resident of Baldwin County, Alabama.

THIRD: That your Complainant and the said Defendant were married in the City of Bay Minette, Baldwin County, Alabama, on to-wit: the 14th day of June, 1958, and this union produced one child, named Jimmie Ray Mims, who is four months old and is in the care and custody of your Complainant.

FOURTH: Your Complainant further avers that the said Defendant has committed actual physicial violence to her person attended with danger to her life and health, by striking her with his fists and by forcing her out of their car when she was pregnant with child and then intentionally causing the said car to knockher to the ground and knowingly left her lying in such a position while she was in such a condition, and that from his conduct she is reasonably apprehensive of other and further violence, so much so that she can no longer live with the said Defendant as husband and wife.

FIFTH: Complainant further shows to the Court that the Defendant has since marriage become addicted to habitual drunkeness, which habit continues to this date.

SIXTH: Complainant further shows to the Court that the Defendant is gainfully employed and for his work and labor receives in

excess of Forty ($40.00) Dollars, per week and is financially able to support their said minor child, and to pay the cost of this proceeding.

WHEREFORE, your Complainant prays that this Honorable Court will take jurisdiction of the cause made by this bill of complaint and make the said Paul Mims party Defendant hereto and by appropriate process require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter an order and decree forever dissolving the bonds of matrimony between this Complainant and the said Defendant, and that the Complainant be awarded the custody of their said minor child, namely: Jimmie Ray Mims, and ordering and decreeing a sufficient amount to be paid by the said Defendant for the care and support of said child; and Complainant prays for such other, further or different relief as she shall in equity and good conscience be entitled to in the premises.

John P. Beeler

Solicitor for Complainant