

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

Your Oratrix Ann Record, presents this Bill of Complaint against John H. Record and thereupon your Oratrix complains and shows unto the Court and your Honor as follows:

1. Your Oratrix and the Respondent are each over twenty-one years of age. Your Oratrix is a bona fide resident citizen of Baldwin County, Alabama, where she has resided continuously for more than one year next preceding the filing of this Bill of Complaint. The Respondent, John H. Record, is a non-resident of the State of Alabama, whose place of residence and post office address are unknown and cannot be ascertained after diligent inquiry.

2. Your Oratrix and the said Respondent were lawfully married at Bradford, Pennsylvania, on December 20, 1941, and lived together as man and wife until about October 1, 1943, when the Respondent voluntarily abandoned her.

3. Your Oratrix is the mother and the Respondent is the father of John Terry Record, a boy approximately two years of age who is now living and has always lived with your Oratrix, his mother. Your Oratrix is in all respects a fit and proper person to have the permanent custody and control of the said child.

PRAYER FOR PROCESS

Your Oratrix prays that the usual process of this Honorable Court do forthwith issue to the Respondent, requiring him to appear and answer, plead to or demur to the Bill of Complaint filed against him in this cause under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Your Oratrix prays for the following separate and several relief:

1. That the bonds of matrimony now existing between

your Oratrix and the said Respondent be dissolved and that she be divorced from him on the ground of abandonment.

2. That your Oratrix be given and granted the permanent custody and control of the minor child, John Terry Record.

3. Your Oratrix further prays for such other, further and general relief as she may be equitably entitled to the premises considered.

Mrs. Ann Record

Oratrix.

J. B. Blackburn

Solicitor for Oratrix.

AFFIDAVIT

STATE OF ALABAMA

BALDWIN COUNTY

Before me, the undersigned authority within and for said County in said State, personally appeared Anne Record, who, after being by me first duly and legally sworn, deposes and says: That she is the Complainant named in the foregoing Bill of Complaint which has been read over and signed by her; that the allegations contained therein are true.

Mrs. Anne Record

Sworn to and subscribed before me on  
this the 29th day of January, 1945.

Irvin S. Nelson

Notary Public, State of Alabama at Large.

JAMES H. FAULKNER  
EDITOR AND PUBLISHER

# The BALDWIN TIMES

ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER  
BAY MINETTE, ALABAMA

**ORDER**  
**ANN RECORD OF PUBLICATION**  
 Vs. D. Complainant.  
 JOHN H. RECORD.  
 Respondent.  
 R. The Circuit Court of  
 Baldwin County, Alabama.  
 It being Equity.

cause from made to appear in this  
 plaintiff that the affidavit of the Com-  
 twenty-one years of age, a non-resident  
 of the state of Alabama, whose place of  
 residence and post office address are  
 unknown and cannot be ascertained after  
 diligent inquiry, it is therefore ORDER-  
 ED, ADJUDGED and DECREED that the  
 Respondent, John H. Record, appear in  
 this Court and plead, answer or demur  
 to the Bill of Complaint in this cause  
 before the 30th day of March, 1945 or  
 after the expiration of thirty days from  
 the said date a Decree Pro-Confesso will  
 be taken against him.

IT IS FURTHER ORDERED, AD-  
 JUDGED and DECREED that the Reg-  
 ister of this Court publish with as little  
 delay as may be in the Baldwin Times,

a newspaper published at Bay Minette,  
 in Baldwin County, Alabama, once a  
 week for four consecutive weeks and  
 that within twenty days from the mak-  
 ing of this order he post a copy hereof  
 at the front door of the Court House of  
 Baldwin County, Alabama.

ORDERED, ADJUDGED and DE-  
 CREED this 9th day of February, 1945.  
 It S. DUCK, REGISTER.  
 J. E. Blackburn, Solicitor for  
 Complainant.

## AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

Forrest Cook, being duly sworn, deposes and says  
that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper pub-  
lished at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Order of Publication

### COST STATEMENT

215 WORDS @ 4 1/2 cents ..... \$ 9.68

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

Forrest Cook  
Publisher.

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

- Date of 1st publication Feb. 15, 1945 Vol. 5 No. 3
- Date of 2nd publication Feb. 22, 1945 Vol. 56 No. 4
- Date of 3rd publication March 1, 1945 Vol. 56 No. 5
- Date of 4th publication March 8, 1945 Vol. 56 No. 6

Subscribed and sworn before the undersigned this 10 day of May 1945

J. B. Blackburn  
Notary Public, Baldwin County.

Forrest Cook  
Publisher.

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_.

CERTIFICATE

I, R. S. Duck, Register of the Circuit Court of Baldwin County, Alabama, in Equity, do hereby certify that the Order of Publication shown on the attached affidavit of publication was published for four successive weeks commencing February 15, 1945, in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, and that a copy of the said order was posted at the Court House door of Baldwin County, Alabama, on the 9th day of February, 1945.

Witness my hand this 10th day of May, 1945.



Register.

AFFIDAVIT AND CLERK'S CERTIFICATE TO PUBLICATION.

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1281.

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1281

#### FINAL DECREE

This cause coming on to be heard on this date is submitted for Final Decree on behalf of the Complainant upon the original Bill of Complaint, the affidavit thereto attached, Order of Publication, Proof of Publication and Register's Certificate thereto, Motion for Decree Pro Confesso against Respondent, Decree Pro Confesso against Respondent and the Testimony as noted by the Register, upon consideration of all of which it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Ann Record, also known as Anna Record, and the Respondent, John H. Record, be, and they are hereby dissolved and the said Complainant is hereby divorced from the Respondent on the ground of abandonment.

2. The Complainant and the Respondent are each hereby permitted to again contract marriage but they shall not marry except to each other until after the expiration of sixty days from the date of this Decree and if an appeal is taken in the said cause within the said sixty days they shall not marry except to each other during the pendency of said appeal.

3. The Complainant, Ann Record, also known as Anna Record, is hereby given and granted the permanent and exclusive custody and control of the minor child, John Terry Record, subject however to the right of the Respondent to visit him on reasonable occasions and in so long as he conducts himself in a gentlemanlike manner.

4. Jurisdiction of this cause is reserved for such other, and further orders and decrees relative to the custody of the said

minor child which may be necessary or proper.

5. The costs of the said proceeding are hereby taxed against the Complainant, for which execution may issue.

ORDERED, ADJUDGED AND DECREED this 12<sup>th</sup> day of May, 1945.

*F. M. Hare*

Register. JUDGE.



ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_\_.

NOTE OF TESTIMONY

This cause is submitted on behalf of the Complainant upon the following:

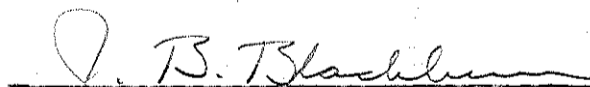
1. Original Bill of Complaint and affidavit thereto attached.
2. Order of Publication.
3. Proof of Publication and Register's Certificate thereto.
4. Motion for Decree Pro Confesso on Publication.
5. Decree Pro Confesso.
6. Oral deposition of Ann Record taken before Ora S.

Belson as Commissioner.

Dated this 11th day of May, 1945.



Register.



Solicitor for Complainant.

1281  
NOTE OF TESTIMONY

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1281.

*Filed May 11,  
1945*

*R. H. [unclear]  
[unclear]*

THE STATE OF ALABAMA,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

ANN RECORD

Complainant

VS.

JOHN H. RECORD

Respondent

I, Ora S. Nelson

as ~~Register and~~ Commissioner

have called and caused to come before me Ann Record, also known as Anna Record,

witness named in the Requirement for Oral Examination, on the 11th day of May 1945, at the office of J. B. Blackburn in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Ann Record, also known as Anna Record, doth depose and say as follows:

My name is Ann Record, also known as Anna Record. I am over twenty-one years of age and am a bona fide resident citizen of Baldwin County, Alabama, where I have resided continuously for more than one year next preceding the filing of this suit. The Respondent, John H. Record, is a non-resident of the State of Alabama, whose place of residence and post office address are unknown and cannot be ascertained after diligent inquiry. In this connection, and in attempting to locate my husband, John H. Record, I contacted members of his family who refused to give me his residence and post-office address on repeated occasions. I know that he has never resided in Alabama. The said John H. Record is near-sighted and for this reason he was rejected for military service and is not now in the military service.

I was lawfully married to the Respondent, John H. Record, at Bradford Pennsylvania, on December 20, 1941 and we lived together as man and wife until about October 1, 1943 when he voluntarily abandoned me without fault on my part and we have not lived together since the said date.

I am the mother and the Respondent, John H. Record, is the father of a boy two years of age whose name is John Terry Record. He is now living with me and has always lived with me. I am in all respects a fit and proper person to have the permanent custody and control of the said child

Ann Record

**ORAL EXAMINATION.**

I, Ora S. Nelson, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition—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 J. B. Blackburn 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 11th day of May, 1945.

Ora S. Nelson (L. S.)  
Commissioner.

NO. 1281 PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

ANN RECORD,

vs. Complainant

JOHN H. RECORD,

Respondent.

**Oral Deposition**

Filed May 11, 1945

[Signature] Register.

Recorded in

Record

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

Page \_\_\_\_\_

Register.

THE STATE OF ALABAMA, }  
Baldwin County

CIRCUIT COURT

TO Ora S. Nelson

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

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Ann Record is

Complainant  
and John H. Record is

Defendant,  
on oath to be by you administered, upon her

to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness this 11<sup>th</sup> day of May, 19 45.

*R. [Signature]*

REGISTER

Commissioner's Fee \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

NO. 1281

**THE STATE OF ALABAMA**  
**Baldwin County**  
**CIRCUIT COURT**

ANN RECORD,

**Complainant**

**vs.**

JOHN H. RECORD,

**Defendant**

**Commission To Take Deposition**

**COMMISSIONER:**

Ora S. Nelson

**Witnesses:**

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

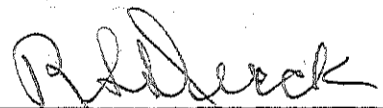
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_.

DECREE PRO CONFESSO

In this cause it appears to the Register that the Order of Publication heretofore made in this cause was published for four consecutive weeks commencing on the 15th day of February, 1945, in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama; that a copy of the said order was posted at the Court House door of Baldwin County, in Bay Minette, Alabama on the 9th day of February, 1945, and it now further appearing to the Register that the said Respondent, John H. Record has to the date hereof failed to plead, answer or demur to the Bill of Complaint in this cause, it is therefore, on motion of the Complainant, ORDERED AND DECREED by the Register that the said Bill of Complaint be and it hereby is in all things taken as confessed against the said John H. Record.

Witness my hand this 11th day of May, 1945.



Register.

DECREE PRO CONFESSO

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER 1281



ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF


BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_\_.

MOTION FOR DECREE PRO CONFESSO

Motion is hereby made for a Decree Pro Confesso against the Respondent, John H. Record, on the ground that the Order of Publication in this cause requiring the said Respondent to appear before the thirtieth day of March, 1945, or after the expiration of thirty days from the said date a decree pro confesso would be taken against him, was published once a week for four consecutive weeks in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, the said notice appearing in the issues of said paper of February 15, 1945, February 22, 1945, March 1, 1945 and March 8, 1945, and that the said Respondent has to date failed to appear and plead, answer or demur to the Bill of Complaint filed against him in the said cause.

Respectfully submitted,

  
Solicitor for Complainant.

MOTION FOR DECREE PRO CONFESSO

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NUMBER \_\_\_\_.

*Filed May 11,  
1945*

*R. M. Neal  
Registrar*

ORDER OF PUBLICATION

ANN RECORD,

Complainant,

VS.

JOHN H. RECORD,

Respondent.


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

It being made to appear in this cause from the affidavit of the Complainant that the Respondent is over twenty-one years of age, a non-resident of the State of Alabama, whose place of residence and post office address are unknown and cannot be ascertained after diligent inquiry, it is therefore ORDERED, ADJUDGED AND DECREED that the Respondent, John H. Record appear in this Court and plead, answer or demur to the Bill of Complaint in this cause before the 30th day of March, 1945 or after the expiration of thirty days from the said date a Decree Pro Confesso will be taken against him.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Register of this Court publish with as little delay as may be in the Baldwin Times, a newspaper published at Bay Minette, in Baldwin County, Alabama, once a week for four consecutive weeks and that within twenty days from the making of this order he post a copy hereof at the front door of the Court House of Baldwin County, Alabama

ORDERED, ADJUDGED AND DECREED this 9th day of February, 1945.

J. B. Blackburn,  
Solicitor for Complainant.

  
Register.

