1296

MYRTLE LOUISE JOHNSON, Complainant,	IN THE CIRCUIT COURT OF
VS.	BALDWIN COUNTY, ALABAMA.
KENNETH Z. JOHNSON, Respondent.	IN EQUITY.

NOTE OF TESTIMONY

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

1. Original Bill of Complaint.

2. Answer.

3. Stipulation of parties relative to taking testimony of Complainant.

4. Oral Deposition of Myrtle Louise Johnson taken before Ora S. Nelson, acting as Commissioner.

Dated this 10th day of March, 1945.

R. Edwards

Register.

J. B. Blackburn

Solicitor for Complainant.

NOTE OF TESTIMONY

MYRTLE LOUISE JOHNSON,

Complainant,

VS.

KENNETH Z. JOHNSON,

Respondent.

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

MYRTLE LOUISE JOHNSON, Complainant, VS. KENNETH Z. JOHNSON, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

STIPULATION

IT IS AGREED by and between the Complainant, Myrtle Louise Johnson, and the Respondent, Kenneth Z. Johnson, that the testimony of the Complainant in this case be taken before Ora S. Nelson, as Commissioner, that the issuance of a commission to Mrs. Nelson is hereby expressly waived and that the testimony so taken shall be considered in all respects as though it had been taken in strict compliance with law.

Dated this 9th day of March, 1945.

Witness:
J. D. Blackburn

Myrtle Louise Johnson
Complainant.

Kenneth Z. Johnson
Respondent.

STIPULATION

MYRTLE LOUISE JOHNSON,

Complainant,

VS.

KENNETH Z. JOHNSON,

Respondent.

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

ORAL DEPOSITION

Printed by The Baldwin Times, Bay Minette.

THE STATE OF ALABAMA,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MYRTLE LOUISE JOHNSON Complainant

VS.

KENNETH Z. JOHNSON Respondent

I, Ora S. Nelson, acting

as ~~Register and~~ Commissioner

have called and caused to come before me Myrtle Louise Johnson

witness named in the Requirement for Oral Examination, on the 9th day of March 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 Myrtle Louise Johnson doth depose and say as follows:

I am over twenty-one years of age and am the Complainant in this suit. The Respondent and I are each over twenty-one years of age and residents of Baldwin County, Alabama.

I was lawfully married to the Respondent, Kenneth Z. Johnson, at Ephraim, Wisconsin on May 14, 1938 and we lived together as man and wife in Baldwin County, Alabama until about November 6, 1944 when we separated. We have not lived together since the said date.

The Respondent has, since our said marriage, become addicted to habitual drunkeness which caused our separation. Since our said marriage the said Respondent formed the habit of frequently getting drunk. That is, he would drink liquor amost every day from which he became intoxicated.

Immediately before the time of our separation he would come in late at night either drinking or would commence drinking after coming home which practice continued nightly for almost every night. This condition did not exist at the time of our marriage and the Respondent became addicted to this habit after our marriage.

I am the mother and the Respondent is the father of Craig Scofield Johnson, a boy sixteen months old who is now in my custody and who has always been in my custody. I am in all respects a fit and proper person to have the permanent custody and control of the said child but do not have sufficient property with which to maintain and support him. The Respondent is a man of means, who is able to maintain and support the said child and the sum of One Hundred Dollars ($100.00) per month under the present circumstances of all of the parties is a reasonable monthly amount to be paid by the Respondent to me for the maintenance and support of the said child.

I do not have sufficient property with which to maintain and support myself. The Respondent is a man of considerable means, owns a residence in Fairhope, Alabama which is worth Ten Thousand Dollars ($10,000.00) at a conservative value, and owns a laundry business which is worth considerable money and has other property. The sum of Ten Thousand Dollars ($10,000.00) is a reasonable amount to be paid to Complainant in a lump sum for permanent alimony.

Myrtle Louise Johnson

ORAL EXAMINATION.

I, Ora S. Nelson, acting, 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 9th day of March, 1945.

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

NO. 1296 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

MYRTLE LOUISE JOHNSON

vs. Complainant

KENNETH Z. JOHNSON

Respondent.

Oral Deposition

Filed March 9th, 1945
[illegible], Register.

Recorded in

Record

Vol. Page

, Register.

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

Your Oratrix, Myrtle Louise Johnson, presents this Bill of Complaint against Kenneth Z. Johnson 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 and are each residents of Baldwin County, Alabama.

2. Your Oratrix and the Respondent were lawfully married at Ephraim, Wisconsin on May 14, 1938 and lived together as man and wife in Baldwin County, Alabama until about November 6, 1944 when they separated and they have not lived together since that date.

3. The Respondent has become addicted since marriage to habitual drunkeness.

4. Your Oratrix is the mother and the Respondent is the father of Craig Scofield Johnson, a boy sixteen months old who now, and who has always resided with your Oratrix, who is in all respects a fit and proper person to have the permanent custody and control of the said child. Your Oratrix further alleges that she does not have sufficient funds with which to maintain and support the said child, that the Respondent is a man of means who is able to maintain and support him and she further alleges that the sum of One Hundred Dollars ($100.00) per month is a reasonable amount to be paid by the Respondent to her for the maintenance and support of the said child.

5. Your Oratrix has no property with which to support herself and the Respondent is a man of means and well able to provide for her maintenance and support. Your Oratrix further alleges that the said Respondent is able to pay alimony to her in a lump sum and further alleges that such method of payment will be to the best interest of herself and the said Respondent.

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 plead, answer or demur to this Bill of Complaint within the time and under the pains and 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 habitual drunkeness.

2. That your Oratrix be granted the permanent custody and control of the minor child, Craig Scofield Johnson.

3. That a proper decree be rendered requiring the Respondent to pay a reasonable sum each month to your Oratrix for the maintenance and support of the said minor child.

4. That a proper decree be rendered requiring the Respondent to pay a reasonable amount in a lump sum to your Oratrix for alimony.

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

Myrtle Louise Johnson

Oratrix.

J. B. Blackburn

Solicitor for Oratrix.

MYRTLE LOUISE JOHNSON, Complainant, VS. KENNETH Z. JOHNSON, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

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, Answer and Testimony as noted by the Register, upon consideration of all of which the Court is of the opinion that the Complainant is entitled to the relief prayed for in her said Bill of Complaint, whereupon it is therefore ORDERED, ADJUDGED AND DECREED by the Court as follows:

1. That the bonds of matrimony heretofore existing between the Complainant, Myrtle Louise Johnson, and the Respondent, Kenneth Z. Johnson, be, and they are hereby dissolved and the said Complainant is hereby divorced from the said Respondent on the ground of habitual drunkeness.

2. The parties to this cause 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 this cause they shall not marry except to each other during the pendency of the said appeal.

3. The Complainant, Myrtle Louise Johnson, is hereby given and granted the permanent custody and control of the minor child, Craig Scofield Johnson, subject however, to the right of the Respondent to visit the said child on all reasonable occasions and in so long as he conducts himself in a gentlemanlike manner.

4. That the Complainant have and recover of the Respondent the sum of One Hundred Dollars ($100.00) per month

commencing with the month of March, 1945, for the maintenance and support of the said minor child, Craig Scofield Johnson, for which execution may issue.

5. That the Complainant have and recover of the Respondent the sum of Ten Thousand Dollars ($10,000.00) in a lump sum as and for permanent alimony, for which execution may issue.

6. The costs of this proceeding are hereby taxed against the Respondent for which execution may issue.

7. Jurisdiction of this cause is reserved for such other and further orders and decrees as may be or become necessary or proper.

ORDERED, ADJUDGED AND DECREED on this the 10th day of March, 1945.

F. W. Hare

Judge.

MYRTLE LOUISE JOHNSON, Complainant, VS. KENNETH Z. JOHNSON, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

ANSWER

Now comes Kenneth Z. Johnson, the Respondent named in the above entitled cause and accepts service of a copy of the Bill of Complaint and waives all other and further notice thereof. Respondent further waives notice of taking testimony, appointment of a commissioner and agrees that the cause be submitted for final decree without notice to him, all of which is hereby expressly waived.

Respondent admits that the Complainant is a fit and proper person to have the permanent custody and control of the minor child, Craig Scofield Johnson, and that the sum of One Hundred Dollars ($100.00) per month is a reasonable amount to be paid by the Respondent for maintenance and support of the said minor. Respondent further admits that in the event the Complainant is divorced from the Respondent the sum of $10,000.00 is a reasonable amount to be paid to her in a lump sum for alimony.

Respondent denies each and all of the other allegations of the Bill of Complaint and demands strict proof thereof.

Kenneth Z. Johnson (SEAL)

STATE OF ALABAMA

BALDWIN COUNTY

I, Ora S. Nelson, a Notary Public, within and for ~~said County in said State, hereby~~ State of Alabama certify that Kenneth Z. Johnson, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 9th day of March, 1945.

Ora S. Nelson
Notary Public, ~~Baldwin County, Alabama.~~
State of Alabama at Large

1296

ANSWER

MYRTLE LOUISE JOHNSON,

Complainant,

VS.

KENNETH Z. JOHNSON,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA.

IN EQUITY.

Filed 3-9-1945

R. Duck
Register

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

Your Petitioner, KENNETH Z. JOHNSON, respectfully represents and shows unto your Honor as follows:

1.

That on March 10, 1945, a decree of divorce was rendered by this court in the case of Myrtle Louise Johnson, Complainant, vs Keeneth Z.JOhnson, Respondent.

2.

That in, by and as a part of said decree your petitioner was required to pay to the said Myrtle Louise Johnson for the maintenance and support of the minor child, Craig Scofield Johnson, the sum of one Hundred ($100.00 DOLLARS per month.

3.

That the decree further provided that the said Myrtle Louise Johnson have and recover of your petitioner the sum of TEN THOUSAND ($10,000.00) DOLLARS in a lump sum as and for permanent alimony.

4.

That at the time of the rendition of the decree your petitioner was financially able to make the payment in accordance therewith, however, his business has dropped off to the extent that he is now unable to make the payments in accordance with the decree.

5.

That he operates a lanndry in Fairhope, Alabama, and his business has dropped off to the extent that it is absolutely impossible for him to make the payments in accordance with the decree.

6.

That said Myrtle Louise Johnson is now a non resident of the State of Alabama, her address being 206 North Central Avenue, Chicago 44, Illinois.

WHEREFORE, the premises considered, your petitioner prays that your Honor will set the matter down for hearing and that such notices be given the said Myrtle Louise Johnson as necessary and that upon a hearing hereof the final decree heretofore rendered in this cause be amended and modified as to your Honor may seem just and proper

Kenneth C. Johnson

Sworn to and subscribed before me on this the 18 day of September, 1946.

Jno. S. Hoffman
Notary Public, Baldwin County, Alabama

The foregoing petition shows on its face that at the time of the rendition of the decree complained of petitioner was financially able to make the payments ordered in the decree but fails to show that petitioner made said payments when so able to make them - He is not in a position to invoke the action of the court and his petition is denied.

This Sept. 23rd 1946

F.W. Hare
Judge

Filed 1296

Myrtle Louise Johnson

Complainant

vs

Kenneth Z. Johnson

Respondent

Petition

Filed
9-20-46
R.S. Mick
Register.

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

Your Petitioner, KENNETH Z. JOHNSON, respectfully represents and shows unto your Honor as follows:

1.

That on March 10, 1948, a decree of divorce was rendered by this court in the case of Myrtle Louise Johnson, Complainant, vs Keeneth Z.JOhnson, Respondent.

2.

That in, by and as a part of said decree your petitioner was required to pay to the said Myrtle Louise Johnson for the maintenance and support of the minor child, Craig Scofield Johnson, the sum of one Hundred ($100.00 DOLLARS per month.

3.

That the decree further provided that the said Myrtle Louise Johnson have and recover of your petitioner the sum of TEN THOUSAND ($10,000.00) DOLLARS in a lump sum as and for permanent alimony.

4.

That at the time of the rendition of the decree your petitioner was financially able to make the payment in accordance therewith, however, his business has dropped off to the extent that he is now unable to make the payments in accordance with the decree.

5.

That he operates a lamndry in Fairhope, Alabama, and his business has dropped off to the extent that it is absolutely impossible for him to make the payments in accordance with the decree.

6.

That said Myrtle Louise Johnson is now a non resident of the State of Alabama, her address being 206 North Central Avenue, Chicago 44, Illinois.

WHEREFORE, the premises considered, your petitioner prays that your Honor will set the matter down for hearing and that such notices be given the said Myrtle Louise Johnson as necessary and that upon a hearing hereof the final decree heretofore rendered in this cause be amended and modified as to your Honnr may seem just and proper

Kenneth Gilmer

Sworn to and subscribed before me on this the 18 day of September, 1946.

Jno. S. Hollinger

Notary Public, Baldwin County, Alabama

Filed
Sep 18 1946
Wade H. Hall
Clerk

Recorded
Sep 18 1946
Wade H. Hall
Clerk

Petition

Beebenbeck

Jerome J. Lipman

Attorney

Complainant

vs

Marie Lenel Lipman

Respondent

Myrtle Louise Johnson

Complainant

vs

Kenneth Z. Johnson

Respondent

Petition

Filed
9-20-46
R.S. Duck
Register

Sir 9.21.46

Myrtle Louise Johnson vs Kenneth Z. Johnson

Petition

Filed 9-20-46

R.S. Duck
Register

Sir 9.21.46

STATE OF OHIO COMMONWEALTH OF MICHIGAN

Before me personally appeared the above named petitioner and makes oath that the facts stated in the petition are true to the best of petitioner's knowledge and belief.

MYRTLE LOUISE JOHNSON, Complainant, vs. KENNETH Z. JOHNSON, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY. # 1296

PETITION OF MYRTLE LOUISE JOHNSON,
COMPLAINANT

NOW COMES MYRTLE LOUISE JOHNSON, Complainant, and respectfully represents that heretofore on the 10th day of March, 1945, she secured a divorce from the defendant, KENNETH Z. JOHNSON, as will more fully appear from the Decree heretofore entered in the above entitled cause; that said Decree among other provisions set forth the following:

"Paragraph 4. That the Complainant have and recover of the Respondent the sum of One Hundred Dollars ($100.00) per month commencing with the month of March, 1945, for the maintenance and support of the said minor child, Craig Scofield Johnson, for which execution may issue.

"Paragraph 5. That the Complainant have and recover of the Respondent the sum of Ten Thousand Dollars ($10,000.00) in a lump sum as and for permanent alimony, for which execution may issue.

"Paragraph 6. The costs of this proceeding are hereby taxed against the Respondent for which execution may issue.

"Paragraph 7. Jurisdiction of this cause is reserved for such other and further orders and decrees as may be or become necessary or proper."

That under Paragraph 4 there was due from March, 1945, until January 1948, thirty-four payments at $100.00 each, or a total of Thirty-four Hundred Dollars ($3,400.00). That said defendant, KENNETH Z. JOHNSON, has paid under the terms of said

Decree from March, 1945, until the present date, the sum of $ 2050.00. That there is now due to the Complainant from the Defendant under the terms of Paragraph 4 the sum of $ 1350.00.

That under the terms of Paragraph 5 this Complainant was entitled to a lump sum settlement in the sum of Ten Thousand Dollars ($10,000.00); that this Complainant received thereon a lump sum payment of Seven Thousand Two Hundred Dollars ($7,200.00), and thereafter by a banking arrangement she collected an additional sum of Thirteen Hundred Dollars ($1,300.00). That under said Paragraph 5 she has received a total sum of Eight Thousand Five Hundred Dollars ($8,500.00). That there is due her under paragraph 5 the sum of Fifteen Hundred Dollars ($1,500.00). That under Paragraph 7 of the Decree heretofore entered the Court has reserved jurisdiction in the above proceeding and has jurisdiction herein to require the defendant to show cause why he should not be attached for contempt of Court for failure to comply with Paragraphs 4 and 5 of the Decree heretofore entered, or in the alternative to issue execution against the defendant, KENNETH Z. JOHNSON, in the proper sum that may be due under the terms of the above Decree.

WHEREFORE, your petitioner prays that the Court enter an Order requiring the defendant to show cause, if any he may have, why he may not be attached for contempt of Court for failure to comply with the terms and conditions of the Decree heretofore entered in the cause; and that the Court fix a time for hearing on this petition and the return of the rule to show cause, and that upon hearing, the Court require the defendant to pay the amount of $ 2850.00 due the Complainant under Paragraphs 4 and 5 of the Decree heretofore entered, or if payment is not made, that the Court issue an execution in favor of the Complainant against the defendant in the amount of $ 2850.00, the sum being due the Complainant under the terms of Paragraphs 4 and 5 of the Decree heretofore

entered, and that the Court enter such other Order or Orders as may be necessary or proper in this proceeding.

Myrtle Louise Johnson

MYRTLE LOUISE JOHNSON, being first duly sworn on oath deposes and states that she is the Complainant in the above entitled cause; that she has read the foregoing petition by her subscribed and that the same is true.

Myrtle Louise Johnson

SUBSCRIBED AND SWORN to before me this 5th day of January, A. D. 1948.

Virginia F. Smillie
Notary Public.

No 1296

Myrtle Louise Johnson

vs.

Kenneth Z. Johnson

FILED

JAN 22 1948

ALICE J. DOOR, Register

LAW OFFICES
ELLIOTT G. RICKARBY
RICKARBY & RICKARBY
FAIRHOPE, ALABAMA
E. G. RICKARBY, JR.

February 3, 1948

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

Dear Mrs. Duck:-

Today Mr. Kenneth Johnson came in and saw us, told us he had employed Mr. Hall to represent him in the proceeding now pending in your Court and that Mr. Hall was out of town and he didn't know what to do. We therefore phoned the Judge, laid the fact before him and the Judge stated that he could not hear the case on such short notice without Mr. Johnson's Attorney, and laid the case over until Mr. Hall will have an opportunity to be here and suggested that as soon as Mr. Hall would return you notify Mr. Johnson and arrange for a speedy hearing.

We are sending copies of this letter to Mr. Johnson and Mrs. Johnson c/o Mr. Kirby Wharton who we are unable to locate by phone tonight.

Yours very truly,
RICKARBY & RICKARBY
by:- E. G. Rickarby Jr.

EGRjr:pw
cc: Mr. Kenneth Johnson
Mrs. Johnson

TWENTY-FIRST JUDICIAL CIRCUIT
OF ALABAMA
F. W. HARE, JUDGE
A. H. ELLIOTT, CIRCUIT SOLICITOR
LOUISE J. DUSENBURY, COURT REPORTER
MONROEVILLE, ALABAMA

January 23, 1948

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

Dear Mrs. Duck:-

IN RE: Myrtle Louise Johnson vs.
Kenneth Z. Johnson.

I am returning the file in the above styled case, with an order setting the same down for hearing at 10 A. M. on February 3rd. next.

Please see that a copy of the order is served upon the Respondent and notify the Attorney for the Complainant.

With regards, I am

Yours very truly,

F. W. Hare

F. W. HARE

Inge Moore

Thor Laundry

MYRTLE LOUISE JOHNSON
Complainant
VS.
KENNETH Z. JOHNSON,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
1296

ORDER

This cause coming on to be heard upon the Petition of MYRTLE LOUISE JOHNSON, and it appearing that the Defendant, KENNETH Z. JOHNSON has had notice by United States mail, and the Court having considered the Petition finds that according thereto there is now due the Complainant the sum of Twenty-eight Hundred and Fifty Dollars ($2850.00), the sum being payments alleged to be due under paragraphs 4 and 5 of the Decree heretofore entered in the above entitled cause.

It is therefore ordered that a hearing be had on said Petition on the 3rd day of February, 1948, at 10 o'clock, A.M. at Bay Minette, Alabama. And the said defendant KENNETH Z. HOHNSON is hereby ordered on said date to show cause if any he may have, why he should not be attached for contempt of court for failure to comply with the provisions of the Decree heretofore entered in the above entitled cause. Or in the alternative to show cause why execution should not be issued against him for the sum of Twenty-eight Hundred and Fifty Dollars ($2850.00), the amount shown due the Complainant according to her Petition filed in this cause.

This Jan. 23rd, 1948

ENTER:

F. W. HARE
Judge.

No 1296

Myrtle Louise Johnson

VS

Kenneth Z. Johnson

Order

Filed 1-26-48

Alice J. Veich

Register

Received in Sheriff's Office
this 26 day of Jan, 1948
TAYLOR WILKINS, Sheriff

Executed By Serving a
Copy of the Written Within
on Kenneth Z. Johnson
January 27-1948
Taylor Wilkins Sheriff
Zellie B. Griffin D.S.

IN THE CIRCUIT COURT
MARION COUNTY, ILLINOIS

MYRTLE LOUISE JOHNSON,
Petitioner,

vs.

KENNETH Z. JOHNSON,
Respondent.

No. 1296

ORDER

This cause comes on to be heard upon the petition of Myrtle Louise Johnson, and it appearing to the Court that the petitioner is a bona fide resident of this state and the Defendant, Kenneth Z. Johnson, has been served with process herein, and the Defendant being in default for appearance, and the Court being fully advised in the premises, finds that the allegations of the petition are true, and that the petitioner is entitled to a decree of divorce as prayed for.

It is therefore ordered that the bonds of matrimony heretofore existing between the petitioner and the defendant be and the same are hereby dissolved, and the petitioner be granted a divorce from the defendant, Kenneth Z. Johnson, upon the ground of habitual drunkenness, and the petitioner be restored to her former name, Myrtle Louise Johnson.

It is further ordered that the petitioner be allowed the sum of Twenty Dollars ($20.00) per month for the support of the minor children, Myrtle Ann, aged 2 years, and Kenneth Lee, aged 1 year, the said sum to be paid on the 3rd day of January, 1948, and on the 3rd day of each and every month thereafter until further order of this court.

It is further ordered that the petitioner be allowed the sum of Twenty Dollars ($20.00) per month for the support of the minor children, Myrtle Ann, aged 2 years, and Kenneth Lee, aged 1 year, the said sum to be paid on the 3rd day of each and every month thereafter until further order of this court.

It is further ordered that the petitioner be restored to her former name, Myrtle Louise Johnson.

It is further ordered that the petitioner be granted the custody of the minor children, Myrtle Ann, aged 2 years, and Kenneth Lee, aged 1 year, and the defendant be granted the right to visit the minor children at reasonable times and places.

It is further ordered that the defendant be ordered to pay the costs of this suit.

E. W. HAM
Judge.

MYRTLE LOUISE JOHNSON Complainant -vs- KENNETH Z. JOHNSON, Respondent	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY # 1296

ORDER

This cause coming on to be heard upon the Petition of MYRTLE LOUISE JOHNSON, and it appearing that the Defendant, KENNETH Z. JOHNSON has had notice by United States mail, and the Court having considered the Petition finds that according thereto there is now due the Complainant the sum of Twenty-eight Hundred and Fifty Dollars ($2850.00), the sum being payments alleged to be due under paragraphs 4 and 5 of the Decree heretofore entered in the above entitled cause.

It is therefore ordered that a hearing be had on said Petition on the 3rd day of February 1948 at 10 o'clock, A. M. at Bay Minette, Alabama. And the said defendant, KENNETH Z. JOHNSON is hereby ordered on said date to show cause if any he may have, why he should not be attached for comtempt of court for failure to comply with the provisions of the Decree heretofore entered in the above entitled cause. Or in the alternative to show cause why execution should not be issued against him for the sum of Twenty-eight Hundred and Fifty Dollars ($2850.00), the amount shown due the Complainant according to her Petition filed in this cause. This Jan. 23rd 1948

ENTER:

F. M. Hare
Judge.

MYRTLE LOUISE JOHNSON, Complainant, VS. KENNETH Z JOHNSON. Respondent.	)	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY

In this cause it is ordered that the decree heretofore rendered fixing the monthly support for the child, Craig Scofield Johnson, be and the same is hereby ordered modified so as to require the payment of SEVENTY-FIVE ($75.00) DOLLARS per month on the first day of each month hereafter, commencing on March 1st. next. And it appearing to the Court that the respondent has defaulted in said monthly support payments in the sum of SIXTEEN HUNDRED FIFTY ($1650.00) DOLLARS, and that heretofore several months ago he filed petition to the court to have said monthly payments reduced because of changed conditions and circumstances, and the Court having refused to entertain said petition because he was, at the time, in default, and the court being convinced that the said Kenneth Z. Johnson is honestly endeavoring to meet his obligations in the premises; IT IS ORDERED that TWENTH-FIVE ($25.00) DOLLARS per month of the SEVENTY-FIVE ($75.00) DOLLARS herein ordered paid be credited to the past due payments on which he has defaulted.

The Court retains jurisdiction of the cause for any and all further orders.

This 10th day of February, 1948.

F. M. Hare
JUDGE

MYRTLE LOUISE JOHNSON Complainant,	)	IN THE CIRCUIT COURT OF
-vs-	)	BALDWIN COUNTY, ALABAMA.
KEENETH Z. JOHNSON, Respondent	)	IN EQUITY # 1296

N O T I C E

To: Kenneth Z. Johnson
Respondent,
c/o DuBrock Laundry & Cleaners
Fairhope, Alabama

1. PLEASE TAKE NOTICE that we have this day mailed to the Register of Baldwin County, Alabama, the Petition of Myrtle Louise Johnson, copy of which is attached hereto and made a part hereof.

2. That we have requested in said Petition a hearing on said Petition and for an order directed to you requiring that you show cause on a day to be fixed by the Circuit Court of Baldwin County, why you should not be attached for contempt of court for failure to comply with paragraphs 4 and 5 of the Decree heretofore entered in the above entitled cause. Or if payment is not made, that the Court issue an execution in favor of Myrtle Louise Johnson, the Complainant, against you for the amount of Twenty-Eight Hundred and Fifty Dollars due under the terms of the Petition herein filed and hereto attached. You will please govern yourself accordingly.

Edwin T. Peifer
Attorney for Myrtle Louise Johnson.

EDWIN T. PEIFER, being first duly sworn on oath deposes and states that he is of legal age and that he served a copy of this Notice, together with Petition attached thereto on Kenneth Z. Johnson by enclosing said Notice and Petition in an envelope properly addressed to Kenneth Z. Johnson at Fairhope, Alabama, sealing same, placing postage thereon and depositing said sealed envelope in a United States mail depository at 100 W. Monroe Street, Chicago, Illinois, on the 20th day of January, 1948, at 11. o'clock in the forenoon.

Edwin T. Peifer

SUBSCRIBED AND SWORN to
BEFORE me this 20th day of
January, A. D. 1948.

Virginia F. Smillie
Notary Public.

FILED
JAN 23 1948
ALICE J. DOON, Register