

239

The State Of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ALEATHA GOETZ.

Complainant

VS

CHRIS GOETZ

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decress Pro Confesso on _____ 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 ALEATHA GOETZ is forever divorced from the said

CHRIS GOETZ

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 again marry except to each other during the pendency of said appeal.

It is further ordered that ALEATHA GOETZ AND CHRIS GOETZ be, and They are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Aleatha Goetz, the Complainant pay the cost herein to be taxed, for which execution may issue.

This 25th day of January, 19 43.

J. M. Hare
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.

RECORDED

RECORDED

N 839 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

GOETZ

vs. Complainant.

GOETZ

Respondent.

DIVORCE DECREE

Faint, illegible text in the main body of the document, possibly containing the terms of the divorce decree.

ALEATHA GOETZ,
Complainant,
vs.
CHRIS GOETZ,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANSWER

Comes now the above named Respondent and for answer to the Bill of Complaint says:

1.

He admits the averments of Paragraph One.

2.

He admits the allegations of Paragraph two except he avers that the Complainant and Respondent were married in the year 1933 instead of the year 1938.

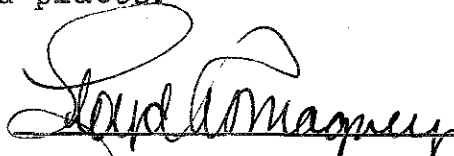
3.

He denies the allegations of Paragraph three.

4.

He admits that there was born to the marriage between the Complainant and the Respondent one son, Willie Joe Goetz, now seven years old and avers that he is better able than the Complainant to provide for, raise and educate said child; that he is, in every respect, a fit and proper person to have the care, custody and control of said minor child and that it would be for the best interests of said minor child if the care, custody and control of such minor child be awarded to him.

WHEREFORE, having fully answered, your Respondent prays that the Complainant take nothing by her action; that the exclusive care, custody and control of Willie Joe Goetz be awarded to him, subject to the right of the Complainant to see and visit said child at all reasonable times and places.



Solicitor for Respondent.

ALEATHA GOETZ,

Complainant,

vs.

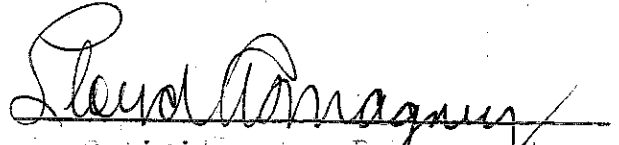
CHRIS GOETZ,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

WAIVER

Comes now, Lloyd A. Magney, Solicitor of record for the above named Respondent and hereby waives all notices of the time of taking testimony on behalf of the Complainant, the right to cross-examine the Complainant and stipulates and agrees that the cause may be submitted forthwith without further notice.


Solicitor for Respondent

Aleatha Goetz

VS.

Chris Goetz

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
~~answer and waiver of the Respondent, and testimony of Aleatha Goetz and W. M.~~
~~Phillips~~

and in behalf of Defendant upon _____

Register

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 834

Term, 194

Aleatha Goetz

, Complainant

Vs.

Chris Goetz

, Defendant

To R. S. Duck, Register

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Chris Goetz

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beebe & Hall

Solicitor for Complainant.

THE STATE OF ALABAMA, }
Baldwin County }

CIRCUIT COURT

TO (Mrs) Virginia Keel

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 Aleatha Goetz and W. M. Phillips

as witnesses in behalf of Complainant in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Aleatha Goetz

Complainant

and Chris Goetz

Defendant,

on oath to be by you administered, upon

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

Witness 21st day of January, 19 43

R. Duck

REGISTER

Commissioner's Fee \$

Witness' Fees, \$

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon CHRIS GOETZ to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, exercising Chancery jurisdiction within thirty days after the service of summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by ALEATHA GOETZ against CHRIS GOETZ, and further to do and perform what said Judge shall order and direct in that behalf. And this the said Respondent shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS R. S. DUCK, Register of said Circuit Court, this the 100 day of July, 1942.


Register.

ALEATHA GOETZ, COMPLAINANT,

IN THE CIRCUIT COURT OF

VS.

BALDWIN COUNTY, ALABAMA,

CHRIS GOETZ, RESPONDENT.

IN EQUITY.

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

Now comes your Complainant, ALEATHA GOETZ, and humbly complaining against the Respondent, CHRIS GOETZ, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That the Complainant and the Respondent are both over twenty-one years of age, and residents of Baldwin County, Alabama;

2.

That the Complainant and the Respondent were married at Pensacola, Florida, on September 18, 1938, and lived together as husband and wife in Baldwin County, Alabama, until, to-wit: October 1, 1940;

3.

That, on to-wit: October 1, 1940, and at various times prior thereto, the Respondent cursed, threatened and abused the Complainant and did actual violence to her person, which necessarily endangered her life and health; that the conduct of the Respondent was such as to give the Complainant every reasonable apprehension to believe, and she did actually believe that if she continued to live with him as his wife he would do further violence to her person, which would necessarily endanger her life and health;

4.

That there was born to the marriage between the Complainant and the Respondent

one son, Willie Joe Goetz, now seven years old; that said child is now and has been all of his life living with the Complainant; that the Respondent is an able-bodied man, easily capable of supporting the Complainant and her minor child; that the Complainant has no funds with which to support herself and child, and with which to prosecute this action.

Wherefore, the premises considered, your Complainant prays that your Honor will by proper process make the said CHRIS GOETZ party respondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court; that your Honor will order a reference to determine a reasonable alimony by the Respondent to the Complainant pendente lite and also a reasonable attorney's fee.

Your Complainant further prays that upon a final hearing hereof, your Honor will give and grant unto her a divorce decree of divorce forever barring the bonds of matrimony existing between the Complainant and the Respondent; that she will be awarded the custody of the minor child, Willie Joe Goetz; that your Honor also award her such amount as may be just and proper as permanent alimony; that your Honor will give and grant unto her such other, further, different and general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL

By: 
Solicitor for Complainant.

839 RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ALEATHA GOETZ,

Complainant,

vs.

CHRIS GOETZ,

Respondent.

WAIVER

File # 251943
Lloyd A. Magney
Attorney

Lloyd A. Magney
Attorney,
Foley, Alabama.

RECORDED
857

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ALEATHA GOETZ,

Complainant,

vs.

CHRIS GOETZ,

Respondent.

ANSWER

20 JAMES 1943
Lloyd A. Magney
By

LLOYD A. MAGNEY,
Attorney
Foley, Alabama.

RECORDED

NO. 839

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT

Complainant

VS.

Defendant

Commission To Take Deposition

COMMISSIONER:

Witnesses:

839

RECORDED

ALCATHA GOETZ, COMPLAINANT,

VS.

CHRIS GOETZ, RESPONDENT.

RECORDED

Received in Sheriff's Office

this 12 day of July, 1942

W. R. STUART, Sheriff

Executed *This 13th of July 1942* 19

by serving copy of within Summons and Complaint on:

Chris Goetz

W.R. Stuart Sheriff

By *B.F. Guera* Deputy Sheriff

SUMMONS AND COMPLAINT

Filed July 10 1942
R. J. [unclear]
[unclear]

BEEBE & HALL
Lawyers.

*Respondent lives
at Summitville*

Aleatha Goetz

VS.

Chris Goetz

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, _____
answer and waiver of the Respondent, and testimony of Aleatha Goetz and W. M.
Phillips

and in behalf of Defendant upon _____

Resnick

Register.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 834

Term, 194

Aleatha Goetz

, Complainant

Vs.

Chris Goetz

, Defendant

To R. S. Duck, Register

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Chris Goetz

_____ Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Beebe & Hall

Solicitor for Complainant.

RECORDED

No. 839 Page _____

The State of Alabama,

Baldwin County

CIRCUIT COURT, IN EQUITY

Vs.

REQUEST FOR DECREE IN VACATION

Filed Jun. 25, 1942

Adams

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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RECORDED

No. 839

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

VS.

NOTE OF TESTIMONY

Filed in Open Court this 23

day of June 1943

R. W. [Signature]

Register.

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

Aleatha Goetz

COMPLAINANT

VS.

Chris Goetz

RESPONDENT

I, Virginia Keel

as Register and Commissioner

have called and caused to come before me Aleatha Goetz and W. M. Phillips

witnesses named in the Requirement for Oral Examination, on the 21 day of January

1943, at the office of BEEBE & HALL, Bay Minette, Alabama

in _____, Alabama, and having first sworn said witnesses to speak the truth,

the whole truth, and nothing but the truth, the said Aleatha Goetz

doth depose and say as follows:

My name is Aleatha Goetz. I live at Robertsdale, in Baldwin County, Alabama. I am over twenty-one years of age.

Chris Goetz is over twenty-one years of age and a resident of Baldwin County, Alabama.

Chris Goetz and I were married at Pensacola, Florida, on September 18th, 1938. We lived together as man and wife in Baldwin County, Alabama, until October 1st, 1940.

On October 1st, 1940, and various other times the said Chris Goetz threatened, cursed and abused me, and on several occasions did actual violence to me person by striking me with his hand, which necessarily endangered my life and health.

On one or more occasions he threatened to strike with a stick of wood, which would have endangered my life.

His conduct was such that I had every reasonable apprehension to believe and did actually believe that if I continued to live with him he would carry out his threats and do further violence to my person, which would endanger my life and health.

It wa absolutely impossible for me to live with him.

Mrs Aleatha Goetz

W. M. Phillips, a witness for the Complainant who being duly sworn by me deposes and says:

My name is W. M. Phillips.

I live in Robertsdale, Baldwin County, Alabama.

I am personally acquainted with the Complainant and the Respondent in the above styled cause. The Complainant and Respondent lived near me for awhile during the time they lived together as husband and wife. I know of my own personal knowledge that on various occasions the Respondent threatened and abused the Complainant and that his conduct was such as to render it absolutely impossible for the Complainant to live with him as his wife.

Wm Phillips

ORAL EXAMINATION

I, Virginia Keel, as ~~Register~~ and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down in writing by me in the words of the witness— and read over to them and they signed the same in the presence of myself Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness— or had proof 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 21st day of January, 1943

Virginia Keel (L. S.)

No. 839 Page _____

THE STATE OF ALABAMA
Baldwin County

IN CIRCUIT COURT, IN EQUITY

Complainant _____

Vs. _____

Respondent _____

ORAL DEPOSITION

Filed Jan 23, 1943

Virginia Keel, Register

RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____