

3266

MONMOUTH COUNTY
JUVENILE AND DOMESTIC RELATIONS COURT
COURT HOUSE
FREEHOLD, NEW JERSEY

J. EDWARD KNIGHT
JOHN C. GIORDANO
JUDGES

TELEPHONE 8-1940

RUTH N. LAMARCHE
CLERK OF THE COURT

JOHN L. MONTGOMERY
REFEREE

- ELVIN R. SIMMILL

WEDNESDAYS
141 N. RIVERSIDE AVENUE
RED BANK, N. J.
TEL. RED BANK 6-1204

MAY 25, 1954

EILENBERGER, LOUISE, MOTHER, O/B/O
ERIK & EDWARD WOODS,

VS.

WOODS, FREDERICK CONRAD

DOCKET NO. DRC-2013-ALABAMA

COMMISSIONER BILL DOROUGH
DEPARTMENT OF PUBLIC WELFARE
MONTGOMERY, ALABAMA

DEAR SIR:

PLEASE FIND ENCLOSED CERTIFIED COPIES OF RECORDS IN THE ABOVE ENTITLED CASE, FOR APPROPRIATE ACTION BY YOUR COURT, IN ACCORDANCE WITH RECIPROCAL LEGISLATION, AND OUR UNIFORM SUPPORT OF DEPENDENTS LAW, CHAPTER 245, LAWS OF N.J. 1953, COPY OF WHICH IS ENCLOSED, IN AN ACTION FOR SUPPORT AGAINST THE ABOVE NAMED RESPONDENT WHO IS RESIDING IN DAPHNE, ALABAMA. WILL YOU KINDLY TRANSMIT THESE PAPERS TO THE COURT HANDLING SUCH MATTERS IN THE COUNTY WHICH HAS JURISDICTION. KINDLY ACKNOWLEDGE THESE PAPERS BY RECEIPT OF SAME ON COPY OF THIS LETTER ENCLOSED.

IF AN ORDER IS MADE, WE WOULD APPRECIATE HAVING THE CHECKS SENT BY YOUR COURT TO THE MONMOUTH COUNTY PROBATION DEPARTMENT FOR ACCOUNT OF THE PETITIONER, ADDRESSED TO BOX 31, FREEHOLD, NEW JERSEY.

WILL YOU KINDLY ASK THE COURT HAVING JURISDICTION OF THIS MATTER TO INFORM US OF THE ADJUDICATION MADE?

THANK YOU FOR YOUR COOPERATION IN THIS MATTER.

VERY TRULY YOURS,

(MISS)

RUTH N. LAMARCHE
CLERK OF THE COURT

RNL

ENCLS.

DARE :

RECEIVED BY : _____

W3266

Louise Eilenberger

vs.

Fredrick Conrad Woods

Filed 6-1-54

RECEIVED
JUN 1 1954
U.S. DEPT. OF JUSTICE
WASHINGTON, D.C.

RECEIVED
JUN 1 1954
U.S. DEPT. OF JUSTICE
WASHINGTON, D.C.

TELEPHONE 8-1840

RECEIVED
JUN 1 1954
U.S. DEPT. OF JUSTICE
WASHINGTON, D.C.

UNITED STATES DEPARTMENT OF JUSTICE
WASHINGTON, D.C.



STATE OF ALABAMA
DEPARTMENT OF PUBLIC WELFARE

421 SOUTH UNION STREET
MONTGOMERY 5, ALABAMA

May 28, 1954

BILL DORROUGH
COMMISSIONER

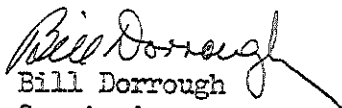
Hon. Hubert M. Hall, Judge
28th Judicial Circuit
Bay Minette, Alabama

RE: Eilenberger, Louise, Mother, O/B/O
Erik & Edward Woods,
vs.
Woods, Frederick Conrad
Docket No. DRC-2013-Alabama

My dear Judge Hall:

Attached are certified copies of records in the above entitled case which have been sent to this office for forwarding to the appropriate court in Alabama. I am sure they would be glad to have an acknowledgment from you of receipt of the documents as well as the final decision which is reached.

Sincerely yours,


Bill Dorrough
Commissioner

cc: Ruth N. Lamarche, Clerk of the Court
Juvenile and Domestic Relations Court - Court House
Freehold, New Jersey

Administrative Director of the Courts (State Information Agency)
State House Annex
Trenton, New Jersey

STATE OF NEW JERSEY,
(LOUISE EILENBERGER, COMPLAINANT)

vs.

FREDERICK CONRAD WOODS,

DEFENDANT.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

NO. _____

DECREE

This cause coming to be heard by the Court on this 5th day of August, 1954, and it appearing to the Court from the pleadings on file in this cause that the Complainant is entitled to relief and that Complainant and Defendant have agreed, subject to the approval of this Court, that Defendant will pay the sum of \$50.00 each month for the support and maintenance of the two minor children born of the former marriage between Complainant and Defendant, and it appearing that such agreed sum of \$50.00 per month should be approved,

IT IS ORDERED, ADJUDGED AND DECREED that effective this 5th day of August, 1954, Frederick Conrad Woods, the Defendant, shall remit to Complainant, Louise Eilenberger, through the Office of the Register of the Chancery Court of Baldwin County, Alabama, the sum of \$50.00, and the sum of \$50.00 on the 5th day of each month thereafter, for as long as both of said children are under the age of eighteen years, and are not financially independent, which payment shall be used by the Complainant solely for the maintenance, support and education of said two minor children, Erik Conrad Woods and Edward James Woods.

DATED this 5th day of August, 1954.

W. L. Hubert M. Hall
Judge

Filed 8-6-54
Alice J. French
Recd

McCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS

ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

TELEPHONE 3-6556 P. O. BOX 1070

MOBILE 6, ALABAMA

GESSNER T. McCORVEY
BEN D. TURNER
C. M. A. ROGERS
C. A. L. JOHNSTONE, JR.
R. F. ADAMS
JAMES L. MAY, JR.
CHAUNCEY MOORE
ALEX T. HOWARD, JR.

July 14, 1954

Mrs. Alice J. Duck
Chancery Court of Baldwin County
Bay Minette, Alabama

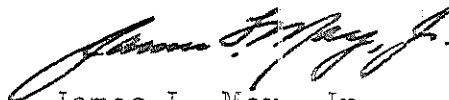
Re: Louise Eilenberger vs. Frederick Conrad Woods

Dear Mrs. Duck:

Enclosed is the appearance of our firm on behalf of Frederick Conrad Woods, which is to be filed in the above cause. Although the summons showed that the bill of complaint was filed by Louise Eilenberger, one of the papers given Mr. Woods showed the caption to be "State of New Jersey vs. Frederick Conrad Woods. If, therefore, the caption of the enclosed appearance form is erroneous, we respectfully request that you change the name of the Complainant to show the proper Complainant, and this is your authority to do so.

Mr. Kenneth Cooper, solicitor, understands that the appearance is being filed at this time, and has agreed that I am to telephone him on or about August 16, 1954, in order to fix a special date on which this matter will be heard. In the meantime, effort is being made to effect a settlement directly between the parties.

Yours very truly,



James L. May, Jr.

JLM, Jr./lgn
enclosure

APPEARANCE
State of Alabama --- ^{BALDWIN} Mobile County

EQUITY
CIRCUIT COURT — ~~CIVIL~~ DIVISION

Louise Eilenberger,

Complainant

vs.

Frederick Conrad Woods,

Respondent.

CASE NO. 3266

Bay Minette,
~~MOBILE~~ Ala., July 13, 1954

We _____ appear for

Frederick Conrad Woods, Defendant~~s~~.

in the above entitled cause and reserve the right to demur or plead specially.

McCORVEY, TURNER, ROGERS, JOHNSTONE
& ADAMS:

Filed _____, 19____,

By: *James M. May Jr.*

Attorney for Respondent

Clerk

FILED

JUL 15 1954

ALICE J. DUCK, Clerk

STATE OF NEW JERSEY

County Court of Monmouth County

DOMESTIC RELATIONS AND JUVENILE DIVISION

STATE OF NEW JERSEY

vs.

FREDERICK CONRAD WOODS

Defendant

CERTIFICATE

Docket No. ~~DRC-2013-ALABAMA~~

THE UNDERSIGNED, a JUDGE of the COUNTY COURT OF MONMOUTH COUNTY,
hereby certifies:

1. THAT on FEBRUARY 10, 1954 a complaint was
verified by LOUISE EILENBERGER

and was duly filed in this court in a proceeding against the above defendant commenced under the
provisions of the New Jersey Reciprocal Enforcement of Support Act (Chapter 197, New Jersey
Laws of 1952) to compel the support of the dependent(s) named in that complaint.

2. THAT the above named defendant is believed to be residing at DAAPHNE, ALABAMA, which state has enacted
a law substantially similar to the Reciprocal Enforcement of Support Act (Chapter 197, New
Jersey Laws of 1952).

3. THAT the undersigned, a Judge of the COUNTY COURT OF MONMOUTH COUNTY,
has examined the complainant under oath and she has re-affirmed the allegations contained in the
complaint; and that according to the testimony of the complainant the needs of the dependent(s)
named in the complaint for support from the defendant are the sum of \$ 30.00 per ~~week~~/ MONTH.

4. THAT in the opinion of the undersigned Judge, the defendant should be compelled
to answer such complaint and be dealt with according to law.

WHEREFORE, it is hereby ordered that certified copies of the complaint, the certificate
and an authenticated copy of the act be transmitted to the CIRCUIT Court of SITTING IN EQUITY,
COUNTY, ALABAMA.

Dated: MAY 24, 1954

Ernest R. Russell
JUDGE

County Court of Monmouth County

DOMESTIC RELATIONS AND JUVENILE DIVISION

STATE OF NEW JERSEY

CERTIFICATE

DRC-2013-ALABAMA
STATE OF NEW JERSEY
COUNTY COURT
OF MONMOUTH COUNTY
Domestic Relations and Juvenile Division

STATE OF NEW JERSEY

vs.

FREDERICK CONRAD WOODS

Defendant

CERTIFICATE

Docket No. DRC-2013-ALABAMA

County Court of Monmouth County

DOMESTIC RELATIONS AND JUVENILE DIVISION

STATE OF NEW JERSEY

TESTIMONY

vs.

of

Frederick Conrad Woods

Louise Eilenberger

(Complainant)

Defendant

Docket No. DRC-2013-ALABAMA

Louise Eilenberger

_____, complainant herein, being duly sworn, on her oath testifies as follows:

Q. What is your name?

A. Louise Stahl Eilenberger.

Q. What is your present address?

A. 16 South St., Sea Bright, New Jersey.

Q. What is your age?

A. 35.

Q. Are you married to Frederick Conrad Woods,

A. He obtained a divorce from me in Dade Co., Florida, in February 1945.

Q. When and where were you married to the defendant?

A. December 31, 1938. Pemberton, New Jersey.

Q. Were any children born of this marriage?

A. Yes, 2 sons.

Q. What are the names and ages of the dependent children?

A. Erik Conrad Woods 14 years _____ years

1/2/40

years

years

Edward James Woods

12

years

years

4/19/41

years

years

Q. Did the defendant leave you?

A. Yes, he deserted me. Went to Florida and applied for a divorce.

Q. When and where did the defendant last live with you?

A. In 1944, August, Gaarksburg, W. Va.

Q. How much has the defendant contributed for support since January 1st, 19_____?

A. Irregularly he has been sending me \$80.00 per month for the children.

Q. When and how much was the defendant's last contribution?

A. December 1953, \$80.00.

Q. Is there a support order against the defendant in any court?

A. No.

Q. How much per week is required to support the dependent(s)?

A. At least \$80.00 per month.

Q. Do you know the defendant's present address?

A. He remarried and has a home in Daphne, Alabama, I dont know name of street.

Q. Do you know where the defendant is employed and his salary?

A. He is a partner of Hammond & Woods, architects in Mobile, Alabama.

Q. Do you have any other source of income?

A. My present husband, Clarence Eilenberger, is my sole support.

Q. Is special medical attention required by any of the dependent(s)?

A. Nothing special.

Q. Do you owe any bills incurred in the support of the dependent(s) named herein?

A. Loans from my sister before I remarried.

Q. Have you applied for, or do you receive public assistance?

A. No.

Sworn and subscribed to before me

Complainant

this 10th day of February,

1954.

Clerk of the Court

DRC-2013-ALABAMA

STATE OF NEW JERSEY
COUNTY COURT
OF MONMOUTH COUNTY
Domestic Relations and Juvenile Division

STATE OF NEW JERSEY

vs.

FREDERICK CONRAD WOODS

Defendant

TESTIMONY

of

LOUISE EILENBERGER

Complainant

Docket No. DRC-2013-ALABAMA

STATE OF NEW JERSEY

DOMESTIC RELATIONS AND JUVENILE DIVISION

TESTIMONY

(Complainant)

County Court of Monmouth County

STATE OF NEW JERSEY

County Court of Monmouth County

DOMESTIC RELATIONS AND JUVENILE DIVISION

STATE OF NEW JERSEY

VS.

COMPLAINT

Frederick Conrad Woods

Docket No. DRC-2013-ALABAMA

Defendant

The complaint of Louise Eilenberger respectfully shows:

1. THAT, she is the divorced wife of Frederick Conrad Woods, the defendant; that complainant was duly married to said defendant on or about 12/31/38 at Pemberton, New Jersey, and now resides at 16 South St., Sea Bright, New Jersey.

2. THAT, complainant is the mother and said defendant is the lawful father of the following named dependent(s):

<u>Erik Conrad Woods</u>	, age (<u>14</u>) years	, age () years
<u>1/2/40</u>	, age () years	, age () years
<u>Edward James Woods</u>	, age (<u>12</u>) years	, age () years
<u>4/19/41</u>	, age () years	, age () years

3. THAT, ~~complainant and~~ said child(ren) (is) (are) entitled to and in need of support from the defendant under the provisions of the Reciprocal Enforcement of Support Act of this State (Chapter 197, New Jersey Laws of 1952) copy of which is attached and made a part hereof.

4. THAT, said defendant, on or about, December 15, 1954 and subsequent thereto, willfully and unlawfully neglected to provide fair and reasonable support for the ~~complainant and~~ the ~~child~~ dependent(s) named herein.

5. THAT, upon information and belief, said defendant now is residing at Daphne, Alabama, and is within the jurisdiction of the Court of _____, which State has enacted a law substantially similar to the Reciprocal Enforcement of Support Act of this State.

WHEREFORE, the complainant asks for such an order for support directed to said defendant, as shall be deemed to be fair and reasonable, and for such other and further relief as the law provides.

Louise Eilenberger
Complainant

STATE OF NEW JERSEY }
COUNTY OF MONMOUTH } ss.

Louise Eilenberger

_____, complainant, personally appeared before me and being duly sworn, made oath that she has read the foregoing complaint and knows the contents thereof, and that the same are true of her own knowledge except as to the matter stated on information and belief, and as to these matters she believes them to be true.

Sworn and subscribed to before me
this 10th day of February,
19 54

Rita N. Lawrence
Clerk of the Court

STATE OF NEW JERSEY
COUNTY COURT
OF MONMOUTH COUNTY
Domestic Relations and Juvenile Division

STATE OF NEW JERSEY

vs.

FREDERICK CONRAD WOODS

Defendant

COMPLAINT

Docket No. DRC-2013-ALABAMA

DOMESTIC RELATIONS AND JUVENILE DIVISION

STATE OF NEW JERSEY

County Court of Monmouth County

STATE OF NEW JERSEY

EXEMPLIFICATION OF COURT RECORDS UNDER THE NEW JERSEY LAWS PERTAINING TO
SUPPORT PROCEEDINGS AGAINST OR ON BEHALF OF NONRESIDENTS.

STATE OF NEW JERSEY
DOMESTIC RELATIONS COURT OF THE COUNTY OF MONMOUTH

STATE OF NEW JERSEY }
COUNTY OF MONMOUTH } SS:

I, RUTH N. LAMARCHE, Clerk of the Domestic Relations Court of the County of Monmouth, and the State of New Jersey, DO HEREBY ATTEST AND CERTIFY that, as such Clerk, I am keeper and custodian of all court records, papers, proceedings and process in said Domestic Relations Court in the said County, and the said records, papers, proceedings and process are kept by me in my files and 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 LOUISE EILENBERGER,

Petitioner, against FREDERICK CONRAD WOODS, Respondent, Docket No.

RC-2013-ALABAMA, 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.

SEAL

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the SEAL of the said Court at FREEHOLD, N.J. on this 24TH day of

MAY, 1954.
Ruth N. Lamarche
Clerk of Court

STATE OF NEW JERSEY }
COUNTY OF MONMOUTH } SS.

I, ELVIN R. SIMMILL County Judge of the County of Monmouth, DO HEREBY CERTIFY that RUTH N. LAMARCHE, whose name is subscribed to the foregoing attestation and certificate, was at the time of subscribing the same Clerk of the Domestic Relations Court of the County of Monmouth, in the State of New Jersey, and that full faith and credit are due to all his official acts as such and that his foregoing attestation and certificate is in due form.

I further certify that I know the signature of the said RUTH N. LAMARCHE and that the signature affixed to the foregoing attestation and certificate is the genuine signature of the said RUTH N. LAMARCHE.

SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the SEAL of the said Court at Freehold, New Jersey, on this 24TH day of MAY, 1954.

Elvin R. Simmill
Judge of the County Court

STATE OF NEW JERSEY }
COUNTY OF MONMOUTH } SS.

I, RUTH N. LAMARCHE, Clerk of the Domestic Relations Court, of the County of Monmouth, and State of New Jersey, DO HEREBY CERTIFY that

ELVIN R. SIMMILL whose name is subscribed to the foregoing certificate, was, at the time of the subscribing same, Judge of the County Court, in the County of Monmouth, State of New Jersey, duly appointed, commissioned and qualified and that full faith and credit are due to all his official acts as such and that his foregoing certificate is in due form.

I further certify that I know the signature of the said ELVIN R. SIMMILL and that the signature affixed thereto is the genuine signature of the said

ELVIN R. SIMMILL.

SEAL

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the SEAL of the said Court at Freehold, New Jersey, on this 24TH day of MAY, 1954.

Ruth N. Lamarche
Clerk of Court

CHAPTER 197, LAWS OF 1952

AN ACT concerning support proceedings for or against persons residing in other States, territories or possessions of the United States having substantially similar or reciprocal laws, supplementing chapter four of Title 2A of the New Jersey Statutes, and repealing article four thereof.

BE IT ENACTED *by the Senate and General Assembly of the State of New Jersey*:

1. Purposes. The purposes of this act are to improve and extend by reciprocal legislation the enforcement of duties of support and to make uniform the law with respect thereto.

2. Definitions. As used in this act unless the context requires otherwise,

(a) "State" includes any State, territory or possession of the United States and the District of Columbia in which this or a substantially similar reciprocal law has been enacted.

(b) "Initiating State" means any State in which a proceeding pursuant to this or a substantially similar reciprocal law is commenced.

(c) "Responding State" means any State in which any proceeding pursuant to the proceeding in the initiating State is or may be commenced.

(d) "Court" means the Juvenile and Domestic Relations Court of any county of this State and when the context requires, means the court of any other State as defined in a substantially similar reciprocal law.

(e) "Law" includes both common and statute law.

(f) "Duty of support" includes any duty of support imposed or imposable by law, or by any court order, decree or judgment, whether interlocutory or final, whether incidental to a proceeding for divorce, legal separation, separate maintenance or otherwise.

(g) "Obligor" means any person owing a duty of support.

(h) "Obligee" means any person to whom a duty of support is owed.

3. Remedies additional to those now existing. The remedies herein provided are in addition to and not in substitution for any other remedies.

4. Extent of duties of support. The duty of support imposed by the laws of this State or by the laws of the State where the obligee was present when the failure to support commenced as provided in section 7 and the remedies provided for enforcement thereof, including any penalty imposed thereby, bind the obligor regardless of the presence or residence of the obligee.

5. Interstate rendition. The Governor of this State (a) may demand from the Governor of any other State the surrender of any person found in such other State who is charged in this State with the crime of failing to provide for the support of any person in this State and (b) may surrender on demand by the Governor of any other State any person found in this State who is charged in such other State with the crime of failing to provide for the support of a person in such other State. The provisions for extradition of criminals not inconsistent herewith shall apply to any such demand although the person whose surrender is demanded was not in the demanding State at the time of the commission of the crime and although he had not fled therefrom. Neither the demand, the oath nor any proceedings for extradition pursuant to this section need state or show that the person whose surrender is demanded has fled from justice, or at the time of the commission of the crime was in the demanding or the other State.

6. Relief from the above provisions. Any obligor contemplated by section 5, who submits to the jurisdiction of the court of such other State and complies with the court's order of support, shall be relieved of extradition for desertion or non-support entered in the courts of this State during the period of such compliance.

7. What duties are enforceable. Duties of support enforceable under this act are those imposed or imposable under the laws of any State where the alleged obligor was present during the period for which support is sought or where the obligee was present when the failure to support commenced, at the election of the obligee.

8. Remedies of a State or political subdivision thereof furnishing support. Whenever the State or a political subdivision thereof has furnished support to an obligee it

shall have the same right to invoke the provisions hereof as the obligee to whom the support was furnished for the purpose of securing reimbursement of expenditures so made.

9. How duties of support are enforced. All duties of support are enforceable by complaint irrespective of relationship between the obligor and obligee. Jurisdiction of all proceedings hereunder shall be vested in the Juvenile and Domestic Relations Court of any county of this State.

10. Contents of complaint for support. The complaint shall be verified and shall state the name and, so far as known to the plaintiff, the address and circumstances of the defendant and his dependents for whom support is sought and all other pertinent information.

11. Duty of court of this State as initiating State. If the court of this State acting as an initiating State finds that the complaint sets forth facts from which it may be determined that the defendant owes a duty of support and that a court of the responding State may obtain jurisdiction of the defendant or his property, he shall so certify and shall cause certified copies of the complaint, the certificate and an authenticated copy of this act to be transmitted to the court of the responding State.

12. Duty of the court of this State as responding State. When the court of this State, acting as a responding State, receives from the court of an initiating State the aforesaid copies, it shall (a) docket the cause, (b) notify the county adjuster, who is hereby charged with the duty of carrying on the proceedings, (c) set a time and place for a hearing, and (d) take such action as is necessary in accordance with the laws of this State to obtain jurisdiction.

13. Order of support. If the court of the responding State finds a duty of support, it may order the defendant to furnish support or reimbursement therefor and subject the property of the defendant to such order.

14. Responding State to transmit copies to initiating State. The court of this State when acting as a responding State shall cause to be transmitted to the court of the initiating State a copy of all orders of support or orders for reimbursement therefor.

15. Additional powers of court. In addition to the foregoing powers, the court of this State when acting as the

responding State has the power to subject the defendant to such terms and conditions as the court may deem proper to assure compliance with its orders and in particular

(a) To require the defendant to furnish recognizance in the form of a cash deposit or bond of such character and in such amount as the court may deem proper to assure payment of any amount required to be paid by the defendant.

(b) To require the defendant to make payments at specified intervals to the probation department of the court or the obligee and to report personally to such probation department at such times as may be deemed necessary.

(c) To punish the defendant who shall violate any order of the court to the same extent as is provided by law for contempt of the court in any other suit or proceeding cognizable by the court.

16. Additional duties of the court of this State when acting as a responding State. The court of this State when acting as a responding State shall have the following duties which may be carried out through the probation department of the court:

(a) Upon the receipt of a payment made by the defendant pursuant to any order of the court or otherwise, to transmit the same forthwith to the court of the initiating State, and

(b) Upon request to furnish to the court of the initiating State a certified statement of all payments made by the defendant.

17. Additional duty of the court of this State when acting as an initiating State. The court of this State when acting as an initiating State shall have the duty which may be carried out through the probation department of the court to receive and disburse forthwith all payments made by the defendant or transmitted by the court of the responding State.

18. Evidence of husband and wife. Laws attaching a privilege against the disclosure of communications between husband and wife are inapplicable to proceedings under this act. Husband and wife are competent witnesses and may be compelled to testify to any relevant matter, including marriage and parentage.

19. Interrogatories and depositions. In any proceeding under this act the court may order interrogatories or depositions to be taken within or without the State, pursuant to the provisions of law applicable to a court of record.

20. Severability. If any provision hereof or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

21. Article four of chapter four of Title 2A of the New Jersey Statutes (sections 2A:4-22 through 2A:4-30) is hereby repealed, but any action taken or order issued under the provisions thereof shall not abate and shall continue in full force and effect as if originally taken or issued under the provisions of this act.

22. This act shall take effect July first, one thousand nine hundred and fifty-two.

Approved May 16, 1952.

JUVENILE & DOMESTIC RELATIONS COURT
MONMOUTH COUNTY
NEW JERSEY

In the Matter of
FREDERICK WOODS.
DRC-2012-Alabama

:
:
:

Support of Two Minor Children

Friday, April 23, 1954
Freehold, New Jersey

B E F O R E :

HONORABLE ELVIN R. SIMMILL, JCC.

A P P E A R A N C E S :

For the County of Monmouth : Michael J. Barnacle, Esquire

VERNON O. PAULSON - OFFICIAL STENOGRAPHIC REPORTER

LOUISE EILENBERGER, being first duly sworn
testified as follows:

DIRECT EXAMINATION BY MR. BARNACLE:

Q You are the former wife of Frederick Conrad Woods,
is that right? A Yes.

Q Where do you live? A Sea Bright.

Q How old are you? A 36.

Q You were married to Frederick Conrad Woods, when?

A December 31, 1938.

Q Where was that? A It was in Pemberton,
New Jersey.

Q Was there any children born of the marriage?

A Two boys.

Q How old are they? A 14 and 13.

Q Is it true that your husband divorced you, is that it?

A Yes.

Q Where was that divorce obtained? A In Florida.

Q That divorce was obtained in Florida, and when was
that? A It was in--

Q The 28th of February, 1946? A Yes.

Q You say he deserted you, did he? A Yes.

Q He went to Florida and got the divorce, is that it?

A Yes.

Q Now, has he paid any support for the children or for

you? A Well, just for the boys. Sometimes he would miss

three months and sometimes four and he hasn't paid anything this year yet.

Q Well, you are married again, aren't you? A Yes.

Q Well, of course, you wouldn't be entitled to support for yourself? A No, no.

Q You understand that. A No.

Q But he hasn't paid anything this year? A No.

Q What did he pay last year? A Well, it was \$80 a month and then about three months of the year he didn't send anything.

Q He sent it about three months of the year?

A No, about nine months of the year; sometimes eight months.

Q He would send you \$80 a month? A Yes.

Q Oh, I see. The other three or four months he wouldn't?

A Yes.

Q Now, in 1954, he hasn't paid you anything, is that right? A No.

Q Where does he live? A Daphne, Alabama.

Q Do you know how much he makes down there? A No, I don't, but he's an architect.

Q He's an architect? A Yes.

Q How much do you feel that you need for the support of your two children? A \$80 a month.

Q You think \$80 is enough? A Yes.

Eilenberger

4

Q Well, you are the judge.

MR. BARNACLE: I would request an order accordingly and direct it to be forwarded with an order of \$80 a month for these two children.

THE COURT: So ordered.

(Witness excused)

I, VERNON O. PAULSON, an Official Stenographic Reporter of the Superior and County Courts of the State of New Jersey, do hereby certify that the foregoing testimony is a true and correct transcript of my original stenographic notes as taken stenographically by me in the matter and on the date hereinbefore set forth.

Dated: April 28, 1954


Vernon O. Paulson

The State of Alabama, _____ County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Frederick Conrad
Woods

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Com-
plaint filed in said Circuit Court, in equity, for said County of said State by

Louise Eilenberger

against Frederick Conrad Woods

Herein fail not. Due return make of this writ as the law directs.

Witness this 1st day of June, 1924
Miss J. Drake, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6523-6529

No. 3266 Page.....

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

Louise Eilenberger

vs.

Frederick Conrad Woods
(Waples, Ala.)

SUMMONS

Returned by the Sheriff and filed in office, this

the.....day of....., 19.....

....., Register.

4/9/34

Received in office, this the 2 day of

June, 1934

Maple Hill, Sheriff.

I have executed the within by leaving a copy

thereof with.....

defendant named herein, on this the 9

day of June, 1934

Jaylin Martin, Sheriff.

By J.P. Horn, Deputy.

STATE OF NEW JERSEY
(LOUISE EILENBERGER, COMPLAINANT)

vs.

FREDERICK CONRAD WOODS,
Defendant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY
NO. _____

ANSWER OF DEFENDANT

Comes Frederick Conrad Woods, the Defendant, in the above styled cause, and for answer to the complaint filed therein says as follows:

1. Defendant admits the allegations of paragraphs 1, 2, and 5 of the complaint.

2. For answer to paragraph 3 of the complaint, the Defendant neither admits nor denies the allegations therein.

3. For answer to paragraph 4 of the complaint, the Defendant admits that for several consecutive months during this year of 1954 he did not make any payments to the Complainant, due to financial and other reasons, but that in July, 1954, he sent a payment of \$50.00 to Complainant.

4. For further answer to the complaint, the Defendant says that the Complainant and Defendant have since the commencement of this cause in the Circuit Court of Baldwin County, Alabama, amicably reached an agreement for the amount of support to be paid by the Defendant to the Complainant for the support of their two children. Defendant respectfully shows and states that he has agreed to pay the sum of \$50.00 each month for such support and that the Complainant has agreed to accept such payment of \$50.00 each month for support, and in substantiation thereof the Defendant attaches hereto and makes a part of his answer, and marked Exhibit "A", a letter dated July 22, 1954, written to him by the Complainant, together with the envelope in which it was mailed.


Defendant

Mrs. C. Eidenberger
16 South St.
Sea Bright, N.J.



Mr. Fred C. Woods

P.O. Box 278

Daphne
Ala.

Air
Mail

Defendant's
EXHIBIT "A"

July 24, 1954.

Dear Fred,

I have spoken to a representative of the domestic relations court & she advised me to write and tell you that I would accept \$50 a month, but it would have to be sent from the probation department down

there to Monmouth County office in Freehold.

The boys are fine. Erik is working on the beach this summer. He graduated from grammar school with highest scholastic honors. Eddie is staying with Helen for a couple of weeks. He helps a boy with farm work down there.

Sincerely, Louise

Defendant's Exhibit "A"

Put in file

MCCORVEY, TURNER, ROGERS, JOHNSTONE & ADAMS
ATTORNEYS AT LAW

NINTH FLOOR, MERCHANTS NATIONAL BANK BUILDING

TELEPHONE 3-6556 P. O. BOX 1070

MOBILE 6, ALABAMA

GESSNER T. MCCORVEY
BEN D. TURNER
C. M. A. ROGERS
C. A. L. JOHNSTONE, JR.
R. F. ADAMS
JAMES L. MAY, JR.
CHAUNCEY MOORE
ALEX T. HOWARD, JR.

August 2, 1954

Mr. Kenneth Cooper, Solicitor
of Baldwin County, Alabama
Court House
Bay Minette, Alabama

Re: State of New Jersey
(Louise Eilenberger, Complainant)
vs. Frederick Conrad Woods

Dear Kenneth:

You will recall that about last Thursday I told you that the former wife of the defendant, and the defendant, had agreed on the payments of support to be made by Mr. Woods each month, and that Mr. Woods had a letter from her dated July 24, 1954, saying that she, with the advice of a representative of the domestic relations court, would agree to accept \$50.00 a month, but that such payments would have to be sent from the "probation department down there", to the domestic relations court in Freehold, Monmouth County, New Jersey.

You requested that such letter be sent to you for the file of the Circuit Court of Baldwin County, Alabama. I felt that before Judge Hall could enter the decree which you asked that I prepare, he would want an answer of the defendant, for the purpose of the file, and to show that the agreement was acceptable to the defendant. Therefore, I prepared the enclosed answer of the defendant, attaching thereto and making a part thereof defendant's "Exhibit A", which is composed of that letter from Mrs. Eilenberger and the envelope which shows it was mailed from her residence address. Also enclosed are four copies of the proposed decree. You said you would need three copies and I would like to have one signed copy for my file.

Also enclosed is the check of Mr. Woods payable to Louise Eilenberger in the amount of \$50.00, which covers the payment due on August 5, 1954, under the terms of the proposed decree. I felt that the decree should have some provision showing how long it would remain in effect, since it should not go on ad infinitum, but not having access to the statutes of New Jersey, I put the provision in it whereby it would be effective as long as the two children are under the age of eighteen years. The parties at that time undoubtedly will be able to settle the question of support in accordance with the

Mr. Kenneth Cooper

-2-

August 2, 1954

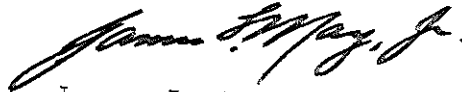
laws of New Jersey and in accordance with an agreement which they should be able to reach between themselves at that time. It is my idea that if they cannot reach such an agreement, Mrs. Eilenberger would be able to have the matter determined by the Court at that time.

I hope that the enclosures will meet with your approval and that of Judge Hall. If not, please telephone me collect at my home on the afternoon of August 3 or the morning of August 4, 1954. I'm leaving for a few days in Chicago for the reunion of my old army outfit, but want to be available in the event a change is necessitated; however, I do feel that the enclosures should be satisfactory.

I am glad that the parties amicably adjusted the matter, which is always better in such cases.

With best personal regards, I am

Sincerely,



James L. May, Jr.

JLM, Jr./lgn
enclosures

*P.S. - Please file enclosed answer if
all is acceptable.*