

9266

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CARROLL D. LITZ, Complainant

vs.

MAE S. LITZ, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on REGISTERED MAIL 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

CARROLL D. LITZ is forever divorced from the said MAE S. LITZ for and on account of

Abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Mae S. Litz, the Respondent, shall have custody and control of the three minor children of this marriage, namely, Pamela June Litz, Lloyd Litz and Jack Litz, with rights of visitation to the Complainant.

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

It is futher ordered that Carroll D. Litz the Complainant pay the cost herein to be taxed, for which executed may issue.

This 9th day of October 1958

Hubert M. [Signature]

Judge Circuit Court, In Equity.

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

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

Register of Circuit Court, In Equity.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

October 6, 1958

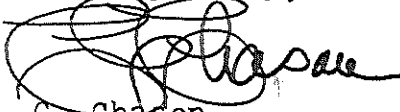
Mrs. Alice J. Duck, Register
Bay Minette, Alabama

Dear Mrs. Duck:

You will note that Mr. Bailey, who had filed certain proceedings for the Respondent, has withdrawn his appearance, together with all pleadings. He has made reference to a letter to the Complainant. This letter is enclosed herewith, and is to be made a part of the file in this proceeding.

I believe we are now entitled to have Decree Pro Confesso entered.

Yours very truly,



C. G. Chason

CGC:fm

encls. 3

4266 ✓

INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

Received from the Postmaster the Registered, Certified, or Insured Article, the number of which appears on the face of this return receipt.

1. SIGNATURE OR NAME OF ADDRESSEE

S. J. [unclear]

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

[Signature]

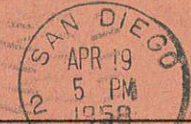
3. DELIVERY DATE

4-19-58

4. *3314 Van Dyke*

POST OFFICE
APR 23 1958
MILWAUKEE WISCONSIN
REGISTERED MAIL
BUCK W. CK

PS Form 3848-3



POSTMARK OF
DELIVERING OFFICE
STRIKE BACK AT CANCER
GIVE
MEDICAL CANCER SOCIETY

INSTRUCTIONS.— Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO
▼

REGISTERED NO.	NAME OF SENDER <i>David L. Duck</i>
CERTIFIED NO. <i>134277</i>	STREET AND NO. OR P. O. BOX <i>Box 239</i>
INSURED NO.	CITY, ZONE, AND STATE <i>Bay Minette, Ala</i>

POST OFFICE DEPARTMENT

016-71548-3

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Dorothy Chason

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

A witness^{es} in behalf of Complainant in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

CARROLL D. LITZ, Complainant

and

MAE S. LITZ Respondent

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

Witness 7th day of October, 1958

Alvin J. ...
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CARROLL D. LITZ

VS.

Complainant

MAE S. LITZ

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

CECIL G. CHASON

ATTORNEY-AT-LAW
FOLEY, ALABAMA

April 14, 1958

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

Dear Mrs. Duck:

Enclosed herewith is Bill of Complaint for Divorce of
Carroll D. Litz -vs- Mae S. Litz. Please serve by Registered
Mail at 3514 Van Dyke Avenue, San Diego, California.

Yours very truly,


C. G. Chason

CGC:fm

encls. 2

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

CARROLL D. LITZ

COMPLAINANT

vs.

MAE S. LITZ

RESPONDENT

I, Dorothy Chason

as Register and Commissioner

have called and caused to come before me Carroll D. Litz and Mrs. John Litz

witnesses named in the requirement for Oral Examination, on the 8th day of October
1958, at the office of C. G. Chason

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

truth, the whole truth, and nothing but the truth, the said Carroll D. Litz and Mrs. John Litz

doth depose and say as follows:

Statement of Carroll D. Litz:

My name is Carroll D. Litz. I am over the age of twenty-one years and a bona fide resident citizen of Summerdale, Baldwin County, Alabama, having been such a resident citizen for more than two years. Mae S. Litz is over the age of twenty-one years and is not a resident of Alabama, her present address being 3514 Van Dike Avenue, San Diego, California. We were married on October 15, 1951 and lived together as husband and wife until early in 1955 at which time and with no cause she voluntarily abandoned my bed and board, taking the children with her. We have not lived together as husband and wife or recognized each other as husband and wife since that time. There were three children of this marriage, Pamela June Litz, five years of age, Lloyd Litz and Jack Litz, who are both four years of age. All of these children are with their mother in California. At the time she abandoned me she was a fit and suitable person to have custody of the children and I have since learned nothing to show that she would not be at this time.

Signed: Carroll D. Litz

Statement of

My name is Mrs. John Litz. I am over the age of twenty-one years and a resident of Baldwin County, Alabama. I am the mother of Carroll D. Litz. He and Mae S. Litz are both over the age of twenty-one years and he has been a resident of Baldwin County for more than two years and she is believed by me to be a resident of California. They were married on October of 1951 and lived together until 1955 at which time she voluntarily and with no cause abandoned his bed and board and they have not lived together as husband and wife since that time, although on several occasions he has attempted to get her to come and live with him. They have three children who are in the care of their mother in California.

Signed: Mrs. John Litz

ORAL EXAMINATION

I, Dorothy Chason as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and C. G. Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es ; 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 8th day of October, 1958.

Dorothy Chason (L. S.)

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

CARROLL D. LITZ COMPLAINANT

vs.

MAE S. LITZ,

RESPONDENT

ORAL DEPOSITION

FILED

Filed _____, 19

OCT 9 1958

MAE J. QUINN, CLERK,
REGISTER,
RECORDED IN _____, Register.

Record

Vol. _____ Page _____

Register.

CARROLL D. LITZ

vs.

MAE S. LITZ

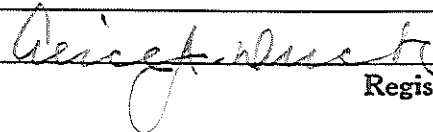
THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
Motion for Decree Pro Confesso on Registered Mail, Decree Pro
Confesso on Registered Mail, and Testimony of Carrol D. Litz and
Mrs. John Litz

and in behalf of Defendant upon Answer and Cross-Bill, Withdrawal of
all pleadings


Attorney for Complainant


Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

CARROLL D. LITZ

VS.

MAE S. LITZ

Note of Testimony

Filed in Open Court this

FILED

day of

OCT 9 1958

ALICE J. DICK
Clerk
Register.

CARROLL D. LITZ

Vs.

MAE S. LITZ

CIRCUIT COURT OF
Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 15th
day of April, 19 58, a copy of the Bill of Complaint filed in this cause was
sent to Mae S. Litz

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
19th day of April, 19 58, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged 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 MAE S. LITZ

Defendant

This the 7th day of October, 19 58

Alice J. [Signature] Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA**

In Equity.

CARROLL D. LITZ

Vs.

MAE S. LITZ

**DECREE PRO CONFESSO AFTER
NOTICE BY REGISTERED MAIL**

Filed in office this _____ day of

_____, 19____

_____, Register

Entered in O. B. _____ Page _____

FILED

**COURT
REGISTER**

[Faint, illegible text, likely bleed-through from the reverse side of the page]

The State of Alabama,
Baldwin County.

No. 4266 CIRCUIT COURT, IN EQUITY.

CARROLL D. LITZ Complainant.....

Vs.

MAE S. LITZ Defendant.....

Motion is hereby made for a Decree Pro Confesso against

MAE S. LITZ Defendant.....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant.....ha...s... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 6th day of October 19 58

....., Solicitor.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT, IN EQUITY

CARROLL D. LITZ

Vs.

MAE S. LITZ

MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL

Filed, 19.....

FILED

OCT 17 1958

Register.

ALICE J. DUCK, CLERK
REGISTER

Recorded in Record,

Vol. Page

Register.

[Faint, illegible text, likely bleed-through from the reverse side of the page]

4266

WITHDRAWAL OF APPEARANCE

CARROLL D. LITZ,
Complainant

vs.

MAE S. LITZ,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
SEP. 12 1958
ALICE J. DUCK, CLERK
REGISTERED

CARROLL D. LITZ,	§	IN THE CIRCUIT COURT OF
COMPLAINANT,	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
MAE S. LITZ,	§	
RESPONDENT		

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Comes now the Respondent in the above styled cause, Mae S. Litz, by and through her attorney and for answer to the Bill of Complaint exhibited against her herein and each paragraph thereof, says as follows:-

1. The Respondent admits the allegations of Paragraph 1 of the Bill of Complaint.
2. The Respondent admits the allegations of Paragraph 2 of the Bill of Complaint.
3. The Respondent denies the allegations of Paragraph 3 of the Bill of Complaint and demands strict proof thereof.
4. The Respondent admits the allegations of Paragraph 4 of the Bill of Complaint.

For further answer to the said Bill of Complaint and by way of Cross-Bill thereto, Respondent and Cross-Complainant respectfully represents and shows unto Your Honor as follows:-

1. That your Respondent and Cross-Complainant avers that she did not voluntarily abandon the bed and board of the Cross-Respondent; that the Cross-Respondent acquired the excessive use of alcoholic liquors and drank to such an extent over a period of time that it became a fixed habit for him to drink intoxicating liquors and to get drunk and he became a habitual drunkard; that he failed and refused to provide the necessities of life for your Cross-Complainant and the minor children. The Cross-Complainant further avers that during all of the said period of time she has been a good, kind, loving, faithful and dutiful wife to the Complainant and Cross-Respondent; that she has been a loving and devoted mother to their children and that she has done everything possible toward making their marriage a success and toward making a home for them.

2. Your Cross-Complainant further avers that she is without means to adequately support or maintain the children of this marriage and that she is without means to pay a reasonable attorney fee to her Solicitor of record in this cause.

PRAYER FOR PROCESS AND RELIEF:

Wherefore, the premises considered, the Respondent and Cross-Complainant prays that Complainant and Cross-Respondent's Bill of Complaint be dismissed at his own expense and she prays further that Your Honor will grant her an absolute divorce from the Complainant and Cross-Respondent; award to her the custody of the minor children named in the Bill of Complaint and grant her permission to re-marry and she further prays that upon the filing of this Cross-Bill of Complaint that Your Honor will direct the Register of this Honorable Court to hold a reference to ascertain what amount of money Complainant and Cross-Respondent should pay to her for the support of herself and minor children and what amount he should pay to her for the services of her Solicitor herein and she prays for all such other, further and different relief to which she may be entitled.


SOLICITOR FOR RESPONDENT
AND CROSS-COMPLAINANT

CERTIFICATE

I certify that I have served a copy of the foregoing on Mr. Cecil Chason, Attorney at Law, Foley, Alabama, Solicitor for Complainant, by posting in the United States mail, postage prepaid, on this the 18th day of May, 1958.


ERNEST M. BAILEY

42-66

ANSWER AND CROSS-BILL
OF COMPLAINT

CARROLL D. LITZ,
Complainant

vs.

MAE S. LITZ,
Respondent

() () () () () () () () ()

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

() () () () () () () () ()

FILED

MAY 29 1958

ALICE J. DECK, Register

CARROLLD. LITZ,)	
Complainant,)	IN THE CIRCUIT COURT OF
-vs-)	BALDWIN COUNTY, ALABAMA
MAE S. LITZ,)	IN EQUITY
Respondent.)	

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, Sitting in Equity:

Comes your Complainant, CarrollD. Litz, and files this his Bill of Complaint for Divorce against Mae S. Litz, and respectfully represents and shows unto your Honor:

1. That the Complainant is over the age of twenty-one years and is a bona fide resident citizen of Baldwin County, Alabama, having been such a bona fide resident citizen for more than two years next preceeding the filing of this Bill of Complaint; that Mae S. Litz is over the age of twenty-one years and that she is a non-resident of the State of Alabama, her present address being 3514 Van Dyke Avenue, San Diego, California.

2. That the Complainant and Respondent were lawfully married on, to-wit, October 15, 1951.

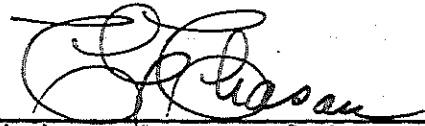
3. Complainant further avers that said Respondent voluntarily abandoned the bed and board of Complainant more than three years next preceeding the filing of this Bill of Complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

4. Complainant further shows unto the Court that there was born of this marriage three (3) children, namely, Pamela June Litz, age 5 years, Lloyd Litz and Jack Litz, both 4 years of age, who are in the care, custody and control of the Respondent.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Mae S. Litz be made a party defendant to this cause by the usual process of this Honorable Court, requiring her to plead, answer or demur within the time and under the penalties prescribed by the rules of this Court and the Statutes in such cases made and provided; that upon a final hearing of this cause, that your Complainant be granted a divorce from the Respondent, and that the Respondent

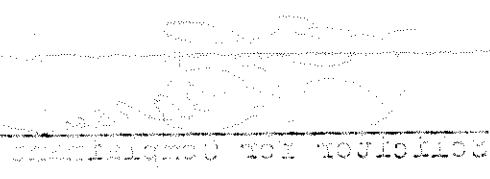
be granted custody and control of the minor children hereinabove named, with reasonable rights of visitation being granted to the Complainant. Should your Complainant be mistaken in the relief prayed for, that there be granted to him such other, different and general relief to which he may be entitled and as in duty bound, he will ever pray.



Solicitor for Complainant

4266

... ..
... ..
... ..
... ..
... ..
... ..



... ..



Air Mail
Mrs C. D. Litz
Gen. Del.
Roberts Dale Ala

JUL 28 1958

Dear C. D.

I will write you a few lines to let you know how everything is.

We are all well and doing O. K.

I didn't ask for any money from you. It was then asked I have nothing to do with it.

As what you like about it. Because I told them that I didn't think you could pay because you weren't well and you didn't make much money.

and you couldn't
work steady.

Why don't you get
a Dr statement to
that effect and send
it to my lawyer.

I know you still
have my money and
you would send
same if you could.

Please excuse this
hand writing because
I am in a hurry so
I can get it mailed.

I am trying to
go to work so I can
get off of welfare, but
I have to get a good

paying job so I can
make ends meet.
I would like for
you to try and pay
the all bills!

will close for
now.

Love from all of us
Mum & family.

P.S. you know I
wouldn't do anything
& hurt you in any
way. You know me
better than that.