

(3684)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY STURTZ

Complainant

vs.

ALBERT STURTZ

Respondent

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

MARY STURTZ

is forever divorced from the

said

ALBERT STURTZ

for and on account of

ABANDONMENT

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

It is further ordered that MARY STURTZ

the COMPLAINT pay the cost herein to be taxed, for which executed may issue.

This 24 day of February 1956

Hubert M. Staal

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. 3684 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MARY STURTZ

Complainant

vs.

ALBERT STURTZ

Respondent

DIVORCE DECREE

MARY STURTZ	(
Complainant)	IN THE CIRCUIT COURT OF
)	
VS.)	BALDWIN COUNTY, ALABAMA
)	
ALBERT STURTZ)	IN EQUITY
Respondent)	

To the Honorable Hubert M. Hall, Judge of the
Circuit Court of Baldwin County, Alabama, Sitting in Equity:

Your complainant Mary Sturtz, respectfully shows
and represents to your Honor:

1. That the complainant is over the age of
twenty-one years and is a resident of said State and County
and has been a bona fide resident of said State for more than
One year next preceding the filing of this bill of complaint;
that Albert Sturtz is over the age of twenty-one years whose
address and residence is unknown to your complainant.

2. That your complainant and respondent were
lawfully married on or about to-wit June 12, 1928, at Donphan
Missouri.

3. Complainant further avers that said respondent
voluntarily abandoned the bed and board of complainant for more
than one year preceding the filing of this bill of complaint,
since which time complainant and respondent have not lived to-
gether or in anywise recognized each other as husband and wife.

The premises considered, your complainant makes the
said Albert Sturtz a party respondent to this bill of complaint,
and in order that the complainant may have the relief herein
prayed for, may it please your Honors to cause the State's Writ
of subpoena to be issued, directed to the said Albert Sturtz,
commanding him to answer, plead or demur to this bill of complaint
within the time required by law; and that on a final hearing of h
this cause, that your Honor will enter a decree divorcing your
complainant from the said respondent, granting the complainant the
right to remarry; and that your Honor will grant such other, further
or different relief as unto your honor may seem just and proper,
and your complainant will ever pray.

Arthur C. Epperson

Solicitor for Complainant

3684

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

MARY STURTZ
COMPLAINANT

VS

ALBERT STURTZ
RESPONDENT

BILL OF COMPLAINT

FILED

DEC 20 1955

ALICE J. DOCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

Decree Pro Confesso of Publication.

MPCO

THE STATE OF ALABAMA, }
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

MARY STURTZ _____ Complainant

Vs.

ALBERT STURTZ _____ Defendant

In this cause it appears to the Register _____ that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 22 day of December, 1955, in the ONLOOKER a newspaper published in Foley, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the _____ day of _____ 194____ and _____

And it now further appearing to the Register _____ that the said

ALBERT STURTZ

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant _____, ordered and decreed by the Register _____

_____ that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said ALBERT STURTZ

This 23 day of February 19 56

Alice J. [Signature] Register.

No. _____ Page _____

The State of Alabama,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

MARY STURTZ

Vs.

ALBERT STURTZ

Decree Pro Confesso of Publication

Issued _____ 19 _____

FILED

Register.

23-1956

Recorded in _____ Record

ALICE L. DICK, REGISTER

Vol. _____ Page _____

Register.

RECORDED

8601. Motion For Decree Pro Confesso on Publication.

E.T.-10-46-200

THE STATE OF ALABAMA,
Baldwin County

CIRCUIT COURT, IN EQUITY

No. _____, Term, 19____

MARY STURTZ _____ Complainant

Vs.

ALBERT STURTZ _____ Defendant

Motion is hereby made for a Decree Pro Confesso against ALBERT STURTZ

_____ Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 23 day of February, 19 56.

746 Code

Arthur C. Johnson _____ Solicitor.

RECORDED

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

MARY STURTZ

Complainant _____

Vs.

ALBERT STURTZ

Defendant _____

Motion for Decree Pro Confesso
On Publication

Filed **FILED** _____, 19____
FEB 23 1956

ALICE J. BUCK, Register Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

NOTICE TO NON-RESIDENT

The Baldwin Times, Bay Minette, Alabama

MARY STURTZ

No. 3684

vs.

ALBERT STURTZ

The State of Alabama,

BALDWIN County.

Circuit Court, in Equity

This the 20 day of

December, 1945

In this cause it being made to appear to the Clerk of this Court by the affidavit of

MARY STURTZ

that the Defendant ALBERT STURTZ

is a non-resident of the State of Alabama whose address is unknown and present Post Office address cannot be ascertained.

and further, that, in the belief of said Affiant ~~the~~ Defendant Albert Sturtz over the age of 21 years; it is, therefore, ordered that publication be made in the Foley Onlooker, ~~Baldwin Times~~ a newspaper published in Foley Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring Albert Sturtz the said defendant

to answer or demur to the Bill of Complaint in this cause by the 23 day of January 1945, or after thirty days therefrom a decree Pro Confesso may be taken against him.

ARTHUR C. EPPERSON
SOLICITOR FOR COMPLAINANT

Register.

RECORDED

No. _____

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MARY STURTZ

vs.

ALBERT STURTZ

NOTE OF TESTIMONY

Filed in Open Court this _____
day of _____, 194

FILED
FEB 1 1956

ALICE J. DOCK, Register

Register.

Printed by the Baldwin Times

ARTHUR C. EPPERSON
ATTORNEY AT LAW
POPPE BUILDING
FOLEY, ALABAMA
February 23, 1956

Mrs. Alice J. Duck,
Clerk of Circuit Court,
Bay Minette, Alabama.

Re: Sturtz vs. Sturtz

Dear Mrs. Duck,

Please make an appointment of commissioner in this case and the divorce decrees, as I forgot to pick up some of the forms.

I hate to keep asking you for these favors, but will you please put these papers on the Judge's desk as soon possible and try to mail them to me Friday afternoon so that I will get them Saturday morning.

I am enclosing a check for your court costs and \$10.79 for the advertising costs. *Thanks-*

Sincerely yours,

Arthur C. Epperson
Arthur C. Epperson

ACE/vah

MARY STURTZ)
Complainant)
VS.)
ALBERT STURTZ)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

In this cause, it appearing to the Register from the affidavit of Mary Sturtz, the complainant, that the residence and post office address of the respondent Albert Sturtz are unknown and further that in the belief of said affiant, the respondent Albert Sturtz is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week for four consecutive weeks, in the Onlooker, a newspaper published in Foley, Baldwin County, Alabama, requiring the said Albert Sturtz to plead, answer or demur to the bill of complaint in this cause by the 23rd day of January, 1956.

Done at office, this the 20th day of December, 1955.

REGISTER

3684

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

MARY STURTZ
COMPLAINANT

VS.

ALBERT STURTZ
RESPONDENT

ORDER OF PUBLICATION

FILED
DEC 20 1955
MEX A. DICK, Register

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MARY STURTZ

Complainant

VS.

ALBERT STURTZ

Respondent

I, Virginia Hillhouse

as Register and Commissioner

have called and caused to come before me Mary Sturtz

witness named in the Requirement for Oral Examination, on the 25 day of February

1956, at the office of Virginia Hillhouse

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

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

doth depose and say as follows:

My name is Mary Sturtz. I am over the age of 21 years, and I am now and have been a bona fide resident of Baldwin County, Alabama, for more than one year preceeding the time I filed for divorce in the Courts of Baldwin County, Alabama. Albert Sturtz is over the age of 21 years. I do not know his address nor his residence, and I have not been able to find his whereabouts after making every reasonable effort. I was married to Albert Sturtz at Donphan, Missouri, June 12, 1928. Albert Sturtz voluntarily abandoned me in Gary, Indiana, over four years ago, and I do not know where he went, nor has anyone I know ever heard from him, directly or indirectly, since that time. We have not lived together or in anywise recognized each other as husband and wife since he abandoned me.

Mary Sturtz

My name is Edmond Newton. I am a resident of Baldwin County, Alabama. I have known Mary Sturtz for over two years and she is a resident of Baldwin County, Alabama for over two years, and she has not lived with or recognized Albert Sturtz as her husband during that time.

Edmond Newton

ORAL EXAMINATION

I, Virginia Hillhouse, 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 es and read over to them and they signed the same in the presence of myself

Virginia Hillhouse

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom 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 24 day of February, 1956

Virginia Hillhouse (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

MARY STURRIZ

vs. Complainant

ALBERT STURRIZ

Respondent

Oral Deposition

Filed _____, 19____

Register

Recorded in

Record

Vol. _____ Page _____

Register

MARY STURTZ)
Complainant)

-vs-)

ALBERT STURTZ)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Before me ARTHUR C. EPPERSON, a Notary Public, in and for the said State of Alabama, at large, personally appeared Mary Sturtz, who being first duly sworn, desposed and says that Albert Sturtz, Respondent in the above stated cause is a non-resident of the State of Alabama, and that his place of residence is unknown, and that it can not be ascertained after reasonable effort. And further, in the belief of said affiant the said Respondent is over the age of twenty-one years.

Mary Sturtz (SEAL)

Sworn to and subscribed before me on the 20th day of december, 1955.

Arthur C. Epperson
NOTARY PUBLIC, STATE OF
ALABAMA, AT LARGE.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

MARY STURTZ
COMPLAINANT

VS.

ALBERT STURTZ
RESPONDENT

AFFIDAVIT OF NON-
RESIDENCE OF RES-
PONDENT

FILED

DEC 20 1955
ALMA A. BUCK, Register

ALMA A. BUCK, Register

RECORDED

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: Virginia Hillhouse

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 Mary Sturtz and Edmond Newton

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Mary Sturtz

and Albert Sturtz, Complainant

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

Witness 24th day of February, 1956

W. J. ...
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

MARY STURTZ
Complainant
vs.
ALBERT STURTZ
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No.

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows :

1. That the following named witnesses reside within one hundred miles from Bay Minette, in the County of Baldwin Alabama, the place of trial of said cause, to-wit: Mary Sturtz and Edmond Newton

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

Arthur C. Jefferson
Solicitor for Complainant

NOTE:

Complainant suggests the name of Virginia Hillhouse as a suitable and competent person to act as commissioner upon the examination of said witnesses.

Arthur C. Jefferson
Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

MARY STIRTZ

Complainant

vs.

ALBERT STIRTZ

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Filed this _____ day of _____

194_____

FILED
FEB 1 1956
ALICE J. BOVA, Register

Register

Moore Printing Co.

11-12-57

Mr Herbert M. Hall

Judge Circuit Court

Foley, Alabama.

3684

Dear Sir,

I just received a copy of the divorce decree that my wife received. My wife never lived in Alabama and I do not see how she got a divorce there as she tried to get a divorce here at Doniphan just 5 months before she was down there. She failed to get a divorce here at Doniphan Mo. as this is our home and she knows at all times that I am here at home but I was not notified. We have six children and the baby girl is with me now she is now 9 years but was only 5 years when the wife ran away from home. My wife also knows at all times where our children are but she did not write to them about the divorce till now and she is married again and is now living in Gary Ind. So kindly let me hear from you as I am not going to let this divorce stand. You can write to Doniphan about our case.

Yours Truly
Albert Stutz