

(3970)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

BETTY ANN BURTSCHI, Complainant

vs.

DONALD EUGENE BURTSCHI, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on answer and waiver 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 Betty Ann Burtschi is forever divorced from the said Donald Eugene Burtschi 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 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 Betty Ann Burtschi the Complainant pay the cost herein to be taxed, for which executed may issue.

This 13th day of February 1957

Robert M. Hall

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. 3970 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

FILED

FEB 13 1957

ALICE J. BUCK, Clerk

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama  
(In Equity)

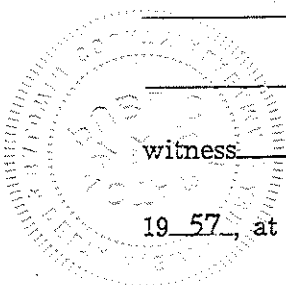
BETTY ANN BURTSCHI COMPLAINANT

vs.

DONALD EUGENE BURTSCHI RESPONDENT

I, DELTA H. GWALTNEY  
as ~~Register and~~ Commissioner

have called and caused to come before me Betty Ann Burtschi



witness named in the requirement for Oral Examination, on the 7th day of February  
19 57, at the office of James A. Hendrix

in Robertsdale, Alabama, and having first sworn said witness to speak the  
truth, the whole truth, and nothing but the truth, the said Betty Ann Burtschi

doth depose and say as follows:

My name is Betty Ann Burtschi. I am over 18 years old and have lived in Baldwin County, for more than the past five years; Donald Eugene Burtschi is over twenty-one years old and at present is stationed with the Armed Forces in Edenton, North Carolina. Donald and I were married on March 18, 1954, at Laurel, Mississippi. Donald has made several threats of doing me physical harm and from his manner and conduct toward me, I am of the opinion that should I continue to live with him, he would commit an actual violence on my person which would endanger my life and health; the last of such threats did occur on the 3rd day of September, 1956, and since that time and as a result of said threats, we have not lived together as husband and wife. We had no children and there is no property to be settled between us.

Mrs. Betty Ann Burtschi

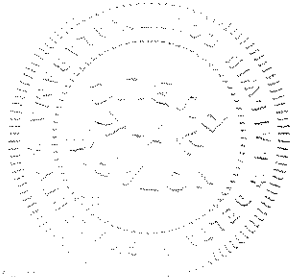
I, DELTA H. GWALTNEY as ~~Register and~~ Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness \_\_\_\_\_ and read over to her and she signed the same in the presence of myself and James A. Hendrix

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 7th day of February, 1957

Delta H. Gwaltney (L. S.)



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THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

BETTY ANN BURTSCHI

COMPLAINANT

vs.

DONALD EUGENE BURTSCHI

RESPONDENT

ORAL DEPOSITION

Filed \_\_\_\_\_, 19\_\_\_\_

FILED  
RECORDED IN  
1957

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register.

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: DELTA H. GWALTNEY

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 Betty Ann Burtschi

a witnesses in behalf of Betty Ann Burtschi in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Betty Ann Burtschi is

Complainant

and Donald Eugene Burtschi is

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 7 day of July, 1957

Register

Commissioner's Fee, \$

Witness' Fees, \$

No. \_\_\_\_\_

**THE STATE OF ALABAMA  
Baldwin County**

**CIRCUIT COURT**

BETTY ANN BURTSCHI

Complainant

VS.

DONALD EUGENE BURTSCHI

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

Delta H. Gwaltney

WITNESSES:

Betty Ann Burttschi

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

BETTY ANN BURTSCHI

vs.

DONALD EUGENE BURTSCHI

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, \_\_\_\_\_  
answer and waiver and the testimony of Betty Ann Burtschi as set out in \_\_\_\_\_  
the oral depotion. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*James G. Hendrix*

*Bessie Johnson*  
Register.

No. 3970

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

BETTY ANN BURTSCHI

vs.

DONALD EUGENE BURTSCHI

NOTE OF TESTIMONY

Filed in Open Court this  
day of FEB 10 1941

FILED  
FEB 10 1941  
ALEX L. BUCK, Register

Register.



BETTY ANN BURTSCHI,	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA
DONALD EUGENE BURTSCHI,	)	IN EQUITY.
Respondent.	)	

ANSWER AND WAIVER

Comes now the Respondent, DONALD EUGENE BURTSCHI, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him,

*Donald Eugene Burtsci*  
 DONALD EUGENE BURTSCHI

Sworn to and subscribed before me this the 14 day of September, 1956, at Edenton, N. C.

*H. L. McCauley Jr.* LT-MC  
 Commissioned Officer, U. S. Navy. USNR

STATE OF ALABAMA )

BALDWIN COUNTY )

BETTY ANN FURTSCHI )

Complainant, )

vs. )

DONALD EUGENE FURTSCHI )

Respondent, )

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

To the Honorable Judge of the Circuit Court of Baldwin County,

Sitting in Equity:

Comes now the Complainant, Betty Ann Furtschi, humbly complaining of the Respondent, Donald Eugene Furtschi, in a matter of divorce, and represents and shows unto your Honor as follows:

FIRST: That Complainant, Betty Ann Furtschi, is over the age of eighteen years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than five years next preceding the filing of this Bill of Complaint; that Respondent is over the age of twenty-one years and at present is residing at Edenton, North Carolina.

SECOND: That your Complainant and Respondant were married on March 18, 1954, at Laurel, Mississippi.

THIRD: Complainant avers and charges that respondent has made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life and health;

FOURTH: Your Complainant would further aver and show unto Your Honor that no children were born to the Union of the Complainant and Respondent; and further that there is no property to be settled between the Complainant and Respondent herein.

PRAYER FOR PROCESS

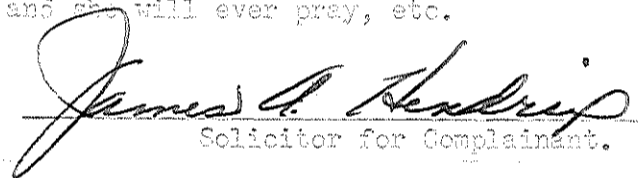
Wherefore the premises considered the Complainant prays that the said Donald Eugene Furtschi be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the

rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage, that she be granted the right to resume her maiden name.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.

  
Solicitor for Complainant.