

601

MORRIS S. DREITZLER,  
Complainant,  
  
-vs-  
  
LILLIE NEWBY DREITZLER,  
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE.  
  
STATE OF ALABAMA.  
  
BALDWIN COUNTY.

DECREE OF DIVORCE.

This cause, coming on to be heard at this time, is submitted upon the original Bill of Complaint, Answer of Respondent, Agreement as to taking of testimony and submission of cause, Agreement for settlement of alimony, 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 his said Bill; it is therefore

ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the complainant, Morris S. Dreitzler, and the respondent, Lillie Newby Dreitzler, be and the same hereby are dissolved, and the said Morris S. Dreitzler is forever divorced from the said Lillie Newby Dreitzler for and on account of voluntary desertion and abandonment as alleged in said Bill of Complaint;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said Morris S. Dreitzler be and he hereby is permitted to again contract the marriage relation, provided that he shall not marry, except to the said Lillie Newby Dreitzler, until sixty days after this date, and that if an appeal is taken within said sixty days, he shall not again marry, except to the said Lillie Newby Dreitzler, during the pendency of said appeal;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the respondent, Lillie Newby Dreitzler, have and recover of the complainant, Morris S. Dreitzler, as alimony, both temporary and permanent, Two Thousand Dollars (\$2,000.00), of which One Thousand Dollars (\$1,000.00) shall be paid immediately upon the rendition of this decree and the balance of One Thousand Dollars (\$1,000.00) shall

(page two)

be payable and paid to respondent in two installments of Five Hundred Dollars (\$500.00) each, with interest thereon at the rate of eight per cent. (8%) per annum from this date, the first installment to be paid at the expiration of nine months from this date, and the second installment shall be payable at the expiration of eighteen months from this date, interest on such installments to be paid each nine months, for all of which execution shall issue.

IT IS FURTHER ORDERED AND DECREED that the complainant pay the costs of this cause, for which execution may issue.

Done this 30<sup>th</sup> day of August, 1929.

*F. W. Hare*  
\_\_\_\_\_  
Judge of the Circuit Court of  
the Twenty-first Judicial Circuit.

Morris S. Dreitzler, ) IN THE CIRCUIT COURT, BALDWIN COUNTY, ALABAMA.  
vs ) In Equity.  
Lillie M. Dreitzler )

The Answer of Lillie M. Dreitzler to the Bill of Complaint filed against her in the above entitled cause.

1.

She admits that she and the complainant are both over the age of twenty-one years, and that he is a resident of Baldwin County, Alabama, but she denies that she is a non-resident of the State of Alabama, on the contrary she claims to be a bona-fide resident of the State of Alabama. She is absent temporarily on the advice of her physicians, on account of her low blood pressure, and she is advised that she can return in the course of a few months or a year at the longest, when she expects to return.

2.

Respondent says that she and the said Morris S. Dreitzler, were married on the 26th. of May 1895, and lived together as man and wife, till the 24th. day of December 1923, when he left her.

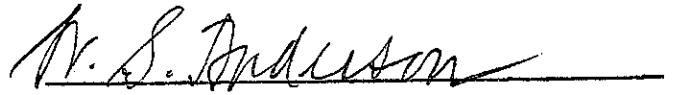
Respondent denies that she left the complainant in December 1923. She states that Complainant asked her to leave him, and she asked him what he would give her if she left, he replied that he would not give her a cent. She refused to leave him. He then said if you will not leave, I will; and he left and went to our daughter's taking all his clothing. He left ~~her~~ in ~~the~~ home where ~~they~~ had been living for years, where <sup>Respondent</sup> continued to live until Nov. 11, 1924 when she came North on the advice of ~~her~~ physician. ~~She~~ left most of ~~her~~ things in the house, and ~~she~~ supposes they are still there. ~~She~~ intended to return as soon as ~~her~~ health would permit.

3.

Respondent denies that during the month of December 1923, she voluntarily abandoned the Complainant. He tried to get her to leave but she refused. He left her and she remained in the home for about a year longer. After he left me he went to the merchants where we traded and told them he would not be responsible for my debts.

Further answering Respondent shows to the Court, that her means are exceedingly small, that she has to earn her own living; that Mr Dreitzler has never contributed anything for her support since he left her in December 1923; that he is a man of considerable means, amply able to support her.

Wherefore she asks this Court, that while this suit is pending, Your Honor will make an allowance for her support out of the estate of Complainant, her husband, suitable to his estate and the condition in life of the parties, including a suitable amount for her to employ counsel to defend this suit.



Solicitor for Respondent.

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RECORDED

Morris M. Drutzler

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Lilla M. Drutzler -

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Answer -

Filed Dec 9/1924  
T W Richmond  
Register

Morris S. Dreitzler, Complainant...

THE STATE OF ALABAMA,  
BALDWIN COUNTY

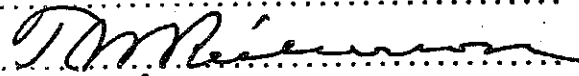
vs.

Lillie Newby Dreitzler

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,.....  
Agreement for settlement of Alimony and other claims,.....  
...and testimony of Morris S. Dreitzler, C.T. Coe and Lalah Dreitzler.  
Mc Pherson,.....

and in behalf of Defendant upon.....



Register.

4

**RECORDED**

No. 610

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Morris S. Dreitzler

VS

Lillie Newby Dreitzler

NOTE OF TESTIMONY

Filed in Open Court this 29th

day of August 1929.

Register

The State of Alabama, } Circuit Court of Baldwin County, Alabama  
 Baldwin County. } (In Equity.)

MORRIS S. DREITZLER, ..... Complainant.

VS.

LILLIE NEWBY DREITZLER, ..... Respondent.

I, T. W. RICHMOND, .....

as Register and Commissioner .....

have called and caused to come before me Morris S. Dreitzler, C. T. Coe, .....

and Lalah Dreitzler McPherson, .....

witnesses named in the Requirement for Oral Examination, on the 12 day of August  
 1929, at the office of *Norman Stone* .....

in Bay Minette, Alabama, and having first sworn said witness(es) to speak the

truth, the whole truth, and nothing but the truth, the said Morris S. Dreitzler, .....

doth depose and say as follows:

.... My name is Morris S. Dreitzler. I am the complainant in that...  
 certain cause now pending in the Circuit Court, Equity Side, Baldwin  
 County, Alabama, No. 610, wherein Lillie Newby Dreitzler is the....  
 respondent. The Bill of complaint in said cause being filed on July  
 28, 1926.....

At the time of the filing of the said bill of complaint and at  
 this time both I and the Defendant were and are over the age of....  
 twenty-one years. I was and am at this time a bona fide resident of  
 Baldwin County, Alabama, where I had resided for more than three....  
 years next immediately preceding the filing of the bill of complaint  
 in said cause, having become a resident of Baldwin County, Alabama,  
 in the spring of 1905, and having resided in said County continuously  
 every since; that at the time of filing of the said bill of complaint  
 the respondent who was then over twenty-one years of age, was a....  
 non-resident of the State of Alabama, and when last heard of up to  
 that time she was in the State of Indiana, but her more particular  
 address was unknown to me and could not be ascertained although I had  
 made definite inquiry to that end: .....

I and the defendant were married more than thirty years prior  
 to the filing of the bill of complaint and we lived together as....  
 man and wife until during the month of December, 1923.

On December 24, 1923, the Defendant, Lillie Newby Dreitzler  
 voluntarily deserted and abandoned me without just cause or legal  
 excuse. Said abandonment took place in Baldwin County, Alabama,  
 where we were then residing and occurred more than two years prior  
 to the filing of the bill of complaint, and has continued without  
 interruption up to this time.....

*M. S. Dreitzler*

The said C. T. Coe, doth depose and say as follows:

My name is C. T. Coe, I am sixty-nine years of age and a resident  
 of Baldwin County, Alabama, having been such a resident for the past



ORAL EXAMINATION.

I, T. W. Recum, 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 them and they signed the same in the presence of myself Hon. N. R. Thomas and Hon. Francis S. Gungor 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 12<sup>th</sup> day of Aug 1929.  
T. W. Recum (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Moran S. Drutzler

vs. Complainant

Lillie Newby Drutzler

Respondent.

Oral Deposition

Filed 8/12/29, 1929

T. W. Recum Register.

Recorded in

Record

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

Register

twenty years or more at different intervals, usually spending about one-half of each year down here. I know Morris S. Dreitzler and his wife, Lillie Newby Dreitzler, although I was not present at the marriage ceremony I know that they have been husband and wife for many years, my home down here being just across the road from Mr. Dreitzler's place. On July 28, 1926, they were both over the age of twenty-one years. Morris S. Dreitzler was a bona fide resident of Baldwin County, Alabama, and had been such for more than three years next immediately preceding July 28, 1926; on said date Lillie Newby Dreitzler was not a resident of Alabama, but resided somewhere in Indiana; according to the information that I had. I did not know her exact address.

I was present at the Dreitzler home on the day before Christmas in the year 1923 when Mrs. Dreitzler stated, in my presence, that she would stay at the place until the following Wednesday, but then she was going to leave. I know that she did leave in a few days, voluntarily abandoning and deserting Morris S. Dreitzler; that this abandonment and desertion took place more than two years before July 28, 1926, and has continued without interruption up to this time, for upon his wife leaving him Mr. Dreitzler then made his home with his children where he has resided continuously.

Although I have been their neighbor during all of the years that I have been living in Baldwin County, Alabama, and have often visited in their home I know of no just cause or legal excuse that she had for leaving him.

I am not related by blood or marriage to either of the parties to this suit and have no interest in it whatsoever.

B. J. Love

The said Lalah Dreitzler McPherson, doth depose and say as follows:

My name is Lalah Dreitzler McPherson. I am thirty-four years of age and a resident of Baldwin County, Alabama, where I have lived for more than twenty years continuously. I am the daughter of Lillie Newby Dreitzler and Morris S. Dreitzler who are the respondent and complainant respectively in this cause.

On July 28, 1926 both of them were over the age of twenty-one years and Morris S. Dreitzler, my father, was a bona fide resident of Baldwin County, Alabama, residing near Foley, and had been such a resident for more than three years next preceding said date. On July 28, 1926 my mother, Lillie Newby Dreitzler was not a resident of Baldwin County or the State of Alabama, but was residing in the State of Indiana, and was a non-resident of the State of Alabama.

My mother and father lived together as husband and wife until during the month of December, 1923, when my mother left my father, voluntarily leaving him, this occurred at my father's place near Foley in this County. This took place as above stated in December, 1923, and was without just cause or legal excuse. It was more than two years before July 28, 1926, the date that this cause was started, and has continued without interruption up to this time, my mother never returning to live with my father.

Upon my mother leaving him, my father then made his home with me and has continued to reside with me and my family every since.

Lalah Dreitzler McPherson

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL  
EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

### NOTICE TO NON-RESIDENT

State of Alabama, Baldwin County, Circuit Court, in Equity. This the 19th day of August, 1926.

Morris S. Dretzler, Complainant, vs. Lillie Newby Dretzler, Defendant.

In this cause it being made to appear to the Register of this Court, by the affidavit of Morris S. Dretzler, that the Defendant Lillie Newby Dretzler, is a non-resident of the State of Alabama when last heard from was in the State of Indiana, and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY,

John Hilburn, being duly sworn, deposes and says that he is the ~~PUBLISHER~~ <sup>Foreman</sup> of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of \_\_\_\_\_

Notice to Non-Resident

Morris S. Dretzler

Was published in said Newspaper for 4 consecutive weeks in the following

issues:

Date of first publication	<u>Aug 19</u>	Vol.	No.
Date of second publication	<u>8 26</u>	Vol.	No. <u>30</u>
Date of third publication	<u>Sept 2</u>	Vol.	No. <u>31</u>
Date of fourth publication	<u>9</u>	Vol.	No. <u>32</u>

Subscribed and sworn to before the undersigned this 18th day of

Sept 1926  
J. W. Richardson  
Clerk Circuit Court.

John Hilburn  
Foreman

Largest Weekly Circulation in South Alabama

Bay Minette, Ala., Sept 1-26

M J. W. Richardson  
Clerk.

## THE BALDWIN TIMES

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

Notice to Non-Resident. Morris S. Dretzler -  
178 words 4 times 8.01

*Dreyler*

THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN BAYS

FOR SALE AT A LOW PRICE TO THE PUBLIC

EDITOR AND PROPRIETOR

BAY MINETTE, ALA.

AMAGALA TO STATE  
TIVUOC MIVCLAE

*Sept 1-26*  
*178 words*

*Dreyler*

*Dreyler*

~~*Dreyler*~~

Largest Weekly Circulation in South Alabama

*M* J. W. Richardson  
Bay Minette, Ala., Sept 1-26  
clerk.

**THE BALDWIN TIMES**

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

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All Bills Must Be Paid Within 30 Days

*Notice to Non Resident. Morris S. Dreyler -*  
*178 words 4 lines*

8.01

MORRIS S. DREITZLER  
Complainant

-vs-

LILLIE NEWBY DREITZLER  
Respondent

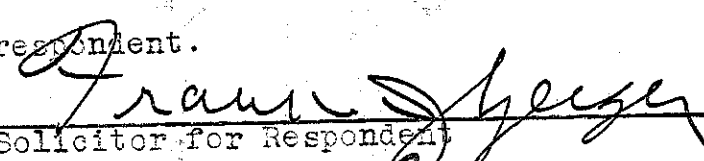
IN THE CIRCUIT COURT  
EQUITY SIDE

BALDWIN COUNTY, ALABAMA.

AGREEMENT AS TO TAKING TESTIMONY AND SUBMISSION OF CAUSE.

It is agreed between the parties by their respective Solicitors of record that testimony may be taken orally before the Register of this court without issuance of commission and without further notice to respondent.

Further that the cause may be submitted for final decree in vacation without notice to respondent.

  
Solicitor for Respondent

  
Solicitor for Complainant.

100-100000-100000  
100-100000-100000  
100-100000-100000

100-100000-100000  
100-100000-100000  
100-100000-100000

**RECORDED**

Filed 8/12/29  
D. W. Rice

Register  
**RECORDED**

*m*

STATE OF ALABAMA,  
COUNTY OF MOBILE.

Before me, Irma S. Childress, a Notary Public in and for said State and County, this day personally appeared Mell A. Frazer, who is known to me, and who being first duly sworn by me, deposes and says under oath that he has read the said bill of complaint and knows the contents thereof, that all the facts therein alleged and stated are true and correct as therein written, and affiant avers that he is the agent, and one of the attorneys for orators and is duly authorized to make for them this affidavit.

Mell A. Frazer

Subscribed and sworn to before  
me this 4 day of Sept, 1925.

Irma S. Childress

Notary Public, Mobile County, Alabama.

1/2 2/1

Filed Sept 4th 1925  
T W Peirce  
Register

RECORDED



MORRIS S. DREITZLER,  
Complainant,

-vs-

LILLIE NEWBY DREITZLER,  
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA, EQUITY SIDE, AND THE HON. JOHN D. LEIGH,  
JUDGE THEREOF, SITTING IN EQUITY:-

Comes your complainant, Morris S. Dreitzler, and files  
this, his Bill of Complaint against Lillie Newby Dreitzler and  
thereof  
for grounds/shows unto your Honor and unto this court as follows:

1. That both your complainant and the defendant are over  
the age of twenty one years; that your complainant is a bona fide  
resident of Baldwin County, Alabama, where he has resided for  
more than three years next immediately preceding the filing of  
this Bill of Complaint; that the defendant is a non-resident of  
the State of Alabama, her present address or whereabouts being un-  
known to the complainant although he has made diligent inquiries  
to that end; when last heard of the defendant was somewhere in  
the State of Indiana.
2. That your complainant and the defendant were married  
more than 30 years ago and lived together as man and wife until  
the month of December, 1923.
3. That on to-wit: during the month of December, 1923,  
the defendant voluntarily deserted and abandoned your complainant  
without just cause or legal excuse; that said abandonment took  
place in Baldwin County, Alabama where they were then residing  
more than two years ago and has continued without interruption  
<sup>time of</sup>  
to the filing of this complaint.

PRAYER FOR PROCESS AND RELIEF:

THE PREMISES CONSIDERED, complainant prays that necess-  
ary orders, summons and notices be issued to make the above named  
defendant party respondent to this cause requiring her to appear  
and plead, answer and demur within the time and under the pains

(page two)

and penalties prescribed by law and the practice of this court; that upon a final hearing of this cause that your Honor will render, adjudge and decree that the bonds of matrimony now existing between your complainant and the defendant be forever dissolved and that your complainant be again permitted to contract the marriage relation should he so desire and, as in duty bound he will ever pray, etc.

  
Solicitor for Complainant.

FOOT NOTE;

The defendant Lillie Newby Dreitzler is required to answer each and every paragraph of the foregoing bill of complaint from 1 to 3 both inclusive but answer under oath is hereby expressly waived.

  
Solicitor for complainant.

MORRIS S. DREITZLER,  
Complainant.

IN THE CIRCUIT COURT-BALDWIN COUNTY SIDE

-vs-

STATE OF ALABAMA.

LILLIE NEWBY DREITZLER,  
Defendant.

BALDWIN COUNTY.

STATE OF ALABAMA.

BALDWIN COUNTY:

Before me, the undersigned authority, personally appeared Morris S. Dreitzler, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath:-

My name is Morris S. Dreitzler and I am the complainant in the above styled cause now pending in the above styled court. The defendant, Lillie Newby Dreitzler, is over the age of twenty one years and is a non-resident of the State of Alabama; when last heard of she was in the State of Indiana; that her more particular address is unknown to affiant and cannot be ascertained altho he has made diligent inquiry to that end; that service by publication is necessary to make her party respondent in this cause.

Sworn to and subscribed before  
me, a Notary Public whose seal  
is hereto affixed, this July 28<sup>th</sup>  
1926

*Morris S. Dreitzler*  
*Notarius Stone*  
Notary Public, Baldwin County, Alabama.