

282

The State of Alabama, } N282 CIRCUIT COURT IN EQUITY.
Baldwin County.

ANDREW LEITERMAN. Complainant

vs.

MARIE LEITERMAN. Defendant

In this cause it appears to the REGISTER.
that ~~no appearance has been made by the Defendant~~ *The Defendant* Filed ~~appearance.~~ Appearance.
and Waiver. Dec the 12th 1936

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon _____ was served upon _____ by the Sheriff of _____ County, Alabama, on the _____ day of _____ 19____

And the said Defendant... having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of Lloyd A Magney.

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said Marie Leiterman.

Defendant aforesaid.

This 12th day of January 1937

[Signature] Register.

ANDREW LEITERMAN,
Complainant,

vs.

MARIE LEITERMAN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

VOLUNTARY APPEARANCE
AND WAIVER OF SUMMONS

Comes now the above named Marie Leiterman and enters her voluntary appearance in the above entitled cause and expressly waives the issuance and service of summons.

Dated this 9 day of December, 1936.

Marie Leiterman.

The State of Alabama, {
Baldwin County

CIRCUIT COURT

To EDITH HOWELL.

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Andrew Leiterman and Anthony Leiterman

as witnesses in behalf of Complainant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein ANDREW LEITERMAN.

Complainant.

and ~~MARK~~ MARIE LEITERMAN.

Defendant,

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

Witness 12th day of January. 1937

R. H. Duck

REGISTER

COMMISSIONER'S FEE, \$ 5.00 =

WITNESS' FEES, \$

ANDREW LEITERMAN,
Complainant,

vs.

MARIE LEITERMAN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

DEPOSITION

TESTIMONY OF ANDREW LEITERMAN:

Andrew Leiterman, being first duly sworn, on oath does depose and say:-

My name is Andrew Leiterman and I am the complainant in this action. I am fifty seven (57) years old and have resided continuously in Baldwin County since the year 1912.

The respondent, Marie Leiterman, is fifty-four (54) years old and has resided continuously in Baldwin County since 1933.

We have both been married before and have families by these first marriages but when we met in 1933 she was a widow and I was a widower. We were married on the 15th day of November, 1933, in Bay Minette, Alabama, and she went into my house with one of her children. We lived together until the 28th of March, 1934, just a little over four months. During that time we had no trouble or arguments but evidently the marriage did not work out to her satisfaction although she never did complain until when she left she simply told me that she was through and would not live with me any more.

She left and went to live with a daughter and son-in-law and we have never lived together since.

I always treated her well and provided for her properly and there was no reason for her to leave me and it was without any good cause that she did so.

Andrew Leiterman

TESTIMONY OF ANTHONY LEITERMAN

Anthony Leiterman, being first duly sworn, on his oath deposes and says:-

My name is Anthony Leiterman, I am twenty-six (26) years old and a son of Andrew Leiterman, who is the complainant in this case and live in his home.

He married the respondent, Marie Leiterman, in November, 1933, and she and her daughter came to live in our house and they lived together as husband and wife until March 28th, 1934, about four months.

So far as I know there never was any trouble between them; they seemed to get along alright and I knew of no arguments or controversies of any consequence at all.

However, for reasons of her own, she left my father in March, 1934, and went to live with her daughter, Mrs. Henry Ross.

She has never been back since March, 1934 and they have never lived together since and her leaving was entirely voluntary on her part and without any good cause or reason so far as I know.

Anthony Leiterman

CERTIFICATE

STATE OF ALABAMA)
BALDWIN COUNTY)

I, Edith Howell, by virtue of the attached Commission To Take Depositions, the commissioner to take the deposition of Andrew Leiterman and Anthony Leiterman, witnesses for the complainant, do hereby certify that I called said witnesses before me at my office in Foley, Alabama, on the 15th day of January, 1937, and after each of said witnesses were duly sworn to tell the truth, the whole truth and nothing but the truth, I took down their testimony in shorthand and later reduced the same to typewriting after which the said testimony was read and signed by each of said witnesses.

That I have personal knowledge of the identity of said witnesses and I am not of counsel or of kin to any of the parties to said cause and in no way interested in the result thereof.

IN WITNESS WHEREOF: I have hereunto set my hand this 15th day of January, 1937.

Edith Howell

ANDREW LEITERMAN,
Complainant,
vs.
MARIE LEITERMAN,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA, IN CHANCERY SITTING:

PART ONE

Your complainant, Andrew Leiterman, respectfully shows to the Court that he is over the age of twenty-one (21) years and a bona fide resident of Baldwin County, Alabama; that the respondent, Marie Leiterman, is also over the age of twenty-one years and a resident of Baldwin County, Alabama.

PART TWO

1. Your complainant avers that he was legally married to the respondent on or about the 15th day of November, 1933, in Bay Minette, Alabama, and that ever since said marriage he has conducted himself towards the respondent as a faithful and provident husband.

2. That without any cause or provocation on his part, the respondent willfully abandoned the bed and board of your complainant on or about March 28th, 1934.

3. That such abandonment on the part of the respondent was voluntary, willful and without due cause and has been continuous ever since said 28th day of March, 1934.

4. That both complainant and respondent have been bona fide residents of Baldwin County, Alabama, for more than three years next preceding the filing of this bill.

5. That both parties had been married before and have children by such prior marriages but there is no issue of the marriage

between complainant and respondent.

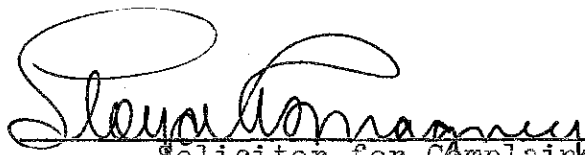
6. That by reason of such abandonment by the respondent, the married life of your complainant has been rendered intolerable to him and he desires a divorce from the respondent.

PRAYER FOR PROCESS

WHEREFORE, your complainant prays that your honor will grant to him the writ of summons of the State of Alabama directed to the respondent, Marie Leiterman, commanding her to appear within thirty (30) days from the service of such writ, to answer, demur or otherwise plead to this bill of complaint and to stand to and abide such order and decree as may be entered therein; and your complainant will ever pray & c.

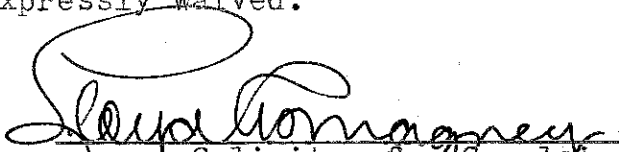
PRAYER FOR RELIEF

Your complainant, further prays that upon a final hearing of this cause, your Honor will grant to him a decree of absolute divorce from the respondent and that he may have such other, further and different relief in the premises as may be just and equitable.


Solicitor for Complainant

FOOTNOTE

The respondent, Marie Leiterman, is required to answer the allegations of part two of this bill of complaint from paragraph numbered one to paragraph numbered six, but not under oath, oath to answer being hereby expressly waived.


Solicitor for Complainant.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ANDREW LEITERMAN. Complainant

vs.

MARIE LEITERMAN. Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on MARIE LEITERMAN. 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 ANDREW LEITERMAN is forever divorced from the said MARIE LEITERMAN.

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 Andrew Leiterman and Marie Leiterman be, and They are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Andrew Leiterman, Complainant.

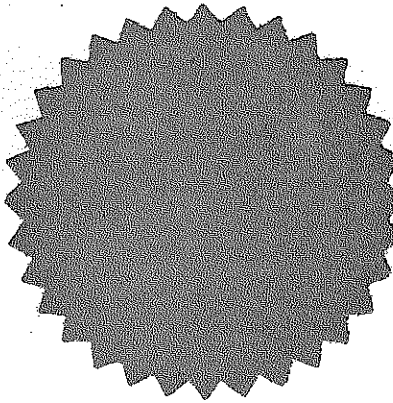
the pay the cost herein to be taxed, for which execution may issue.

This 18th day of January, 1937

[Signature]

Judge Circuit Court, in Equity.

I, R S Duck, Register of the Circuit Court for 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 January, 1937.

Register of Circuit Court, in Equity.

RECORDED
No. *Auele* Page *2-237*

The State of Alabama
Baldwin County

In Circuit Court, In Equity

vs. Complainant.

Respondent.

DIVORCE DECREE

Filed Jan 19 1957
R. J. Blued.
Registrar

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 282.

Term, 1937

Andrew Leiterman.

, Complainant

Vs.

Marie Leiterman.

, Defendant

To R S Duck., Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Lloyd A Magney.

_____ Solicitors of record, now files with the Register of this Court
this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Lloyd A Magney.

Solicitor for Complainant.

Andrew Leiterman.

THE STATE OF ALABAMA
Baldwin County

vs.

Marie Leiterman.

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,
Decree Pro Confesso. and Testimony. of Andrew Leiterman. and Anthony
Leiterman.

and in behalf of Defendant upon

R. Wheeler

Register.

RECORDED

Duck

6-566

No. 282

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Andrew Sitterman

vs.

Marie Sitterman

NOTE OF TESTIMONY

Filed in Open Court this 14,

day of January 1937

[Signature]
REGISTER

RECORDED

Deck

No. 282

Page 6-565

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Andrew Leiterman.

Vs.

Marie Leiterman.

REQUEST FOR DECREE IN
VACATION

Filed Jan 16th, 1937

R. Duck

Register.

CIRCUIT COURT, IN EQUITY

Recorded in _____ Record

Vol. _____ Page _____

Register.

REQUEST FOR DECREE IN VACATION

Moore Ptg. Co.

RECORDED

Duck

6-566

No. 282

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Andrew Sitterman

vs.

Marie Sitterman

NOTE OF TESTIMONY

Filed in Open Court this 14,

day of January 1937

[Signature]
REGISTER

RECORDED

check

No. 282.

Page 6-565

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

Andrew Leiterman.

Vs.

Marie Leiterman.

REQUEST FOR DECREE IN
VACATION

Filed Jan 16th, 1937

R. Duck
Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

REQUEST FOR DECREE IN VACATION

CIRCUIT COURT, IN EQUITY

MOORE Ptg. Co.

RECORDED
6-538

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

ANDREW LETTERMAN,

Complainant,

- vs

MARIE LETTERMAN,

Respondent.

VOLUNTARY APPEARANCE AND
WAIVER OF SUMMONS

Filed June 12 1934
Dr. H. D. Dyer
Registrar

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

RECORDED
INDEXED
6-5-65

No. 285

Page

The State of Alabama,
Baldwin County.

CIRCUIT COURT, IN EQUITY

Arthur Futura

vs
Marie Futura

DECREE PRO CONFESSO ON
PERSONAL SERVICE

Issued

Register

12-1937
Arthur Futura