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ALMA BENZIEU LITZ,)
Complainant)
vs)
FRANK LITZ,)
Respondent.)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY.
NO.

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

Now comes your Complainant ALMA BENZIEU LITZ and presents this her bill of complaint against FRANK LITZ and shows unto your Honor as follows:

FIRST: That your Complainant and the Respondent, Frank Litz, are both over the age of twenty one years and that your Complainant is a bona fide resident of the County of Baldwin, State of Alabama and has been for a period of over two years next prior to the filing of this complaint, that the Respondent is a resident of Pensacola, Florida and has been for the past two years.

SECOND: Your Complainant and the said Frank Litz were lawfully married at Wisner, Nebraska on January 26th, 1914 and lived together as man and wife until about March of 1935 and further that there were born to said Complainant and Respondent four children, namely, Marvin, a boy, age 22; Floyd, a boy, age 20; Wanda, a girl, age 17; Melba, a girl, age 12; and your Complainant further shows unto this Honorable Court that two of these children namely, Wanda, age 17, and Melba, age 12, are now with your Complainant.

THIRD: Your Complainant further shows unto your Honor that during the first part of the months of March and February and prior thereto that while your Complainant and Respondent lived together as man and wife in Baldwin County, Alabama, that the said Respondent Frank Litz committed actual violence upon your Complainant by striking her in the face, about the head and shoulder and which violence was attended with danger to life and/or health.

Your Complainant further shows unto this Honorable Court that the said Respondent has not contributed to her support and maintenance since that date, and on the contrary she has had to support the children from her own earnings, and your Complainant further avers that since the last assault and battery she has not lived with the said Respondent as his wife and has not, cannot and will not condone the said assault.

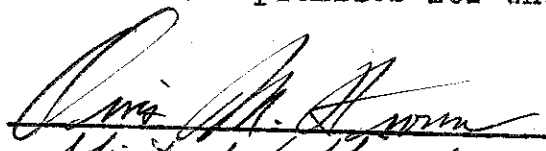
FOURTH: Your Complainant further shows unto your Honor that these two girls, namely, Wanda age 17 and Melva age 12 are now with your Complainant and she further shows unto your Honor that she is the proper person to care for these children due to their age and sex and that she is able to care for and give them the necessities of life and she asks that this Honorable Court give her the right to have the care, custody and control of these two children, Wanda age 17 and Melva age 12 until they become of legal age.

PRAAYER FOR PROCESS

THE PREMISES CONSIDERED, Your Complainant prays that your Honor will take jurisdiction to the cause made by this bill of complaint and will cause notice there of to be posted or served upon the Respondent Frank Litz according to the rules of this Honorable Court and the laws of this State in such matters pertaining and to make him Respondent to the said bill of complaint requiring him to answer, plead or demur within the time allowed by law.

PRAAYER FOR RELIEF

Your Complainant further prays that upon the final hearing of this cause your Honor will grant her a decree dissolving the bonds of matrimony now existing between your Complainant and the Respondent Frank Litz and granting her an absolute decree giving her the right of marriage again and giving her the right to use her maiden name of Alma Benzieu and giving her the care, custody and control of the two children, namely, Wanda age 17 and Melva age 12. Complainant prays for such other and further relief as in equity and good conscience she may be entitled to in the premises for which she will ever pray.


Alma Benzieu
Complainant

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FOOT NOTE:

The Respondent is required to answer but ^{not} ~~under~~ oath
the same being hereby expressly waived as to each and every
paragraph of the foregoing complaint numbering from one to four
both inclusive.


Solicitor for Complainant.

RECORDED *and*
7-289

NO. 368

ALMA BENZIEU LITZ,
Complainant,

vs.

FRANK LITZ,
Respondent.

BILL OF COMPLAINT

Filed this 14 day Sept. 1927
R. S. D. Clerk

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