

MARY STRAKA,
Complainant,
-vs-
JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY
APPLICATION

Comes now the Complainant and makes application to the Court for an order requiring the respondent to pay to the Complainant such reasonable sum or sums of money as alimony pendente lite and for the support and maintenance of the Complainant and her minor children and for solicitor's fees, as the Court may deem proper.

Dated this 26th day of November, 1935.

Steuart Hornsby
Solicitor for Complainant.

MARY STRAKA,
Complainant,

-vs-

JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

BILL OF COMPLAINT

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

PART ONE

Your complainant, Mary Straka, respectfully shows to the Court that she is over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Robertsdale therein and that the respondent, Joseph Straka, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Robertsdale therein.

PART TWO

1. Your complainant alleges and shows to the Court that she was legally married to the respondent in the year 1923 and ever since has conducted herself towards the respondent as a faithful and obedient wife.

2. That the issue of the marriage between the parties is two sons, William Straka now aged eleven years and Fred Straka, now aged six years.

3. That the parties hereto have been residents of the State of Alabama and County of Baldwin for the past seven years where they have been engaged in farming near Robertsdale, Alabama.

4. That the respondent has been guilty of extreme cruelty towards the complainant and has committed actual violence upon her person, has choked, struck and beat complainant and has threatened to further beat her and from his conduct your complainant has a reasonable apprehension that he will commit further violence upon her; that by reason of such treatment on the part of the respondent complainant's health has been impaired and because of such conduct on the part of the respondent it is impossible for complainant

8. The respondent has handled all of the money and earnings and at the present time your complainant is without funds and without means of supporting herself while the respondent is in possession of the home of the parties and also the separate estate of your complainant and she is destitute.

PRAYER FOR PROCESS

WHEREFORE your complainant prays that your Honor will issue to her the writ of summons of the State of Alabama commanding the respondent, Joseph Straka, to appear before this Honorable Court within thirty days from the service of such writ, then and there to answer or plead to this bill of complaint and to stand to and abide such order or decree as may be entered herein.


PRAYER FOR RELIEF

The premises considered your complainant prays that your Honor will grant to her an absolute decree of divorce from the respondent, Joseph Straka; that your Honor will decree and award to her the exclusive care, custody and control of William Straka and Fred Straka, the minor children of the parties; that pending this litigation your Honor will order the respondent to pay to her as alimony pendente lite the sum of Five Dollars (\$5.00) per week together with a reasonable sum for your complainant's solicitor; that upon a final hearing of this cause your Honor will decree a fair and equitable division of the property of the parties and a reasonable sum to be paid by the respondent for the support, maintenance and education of the minor children of the parties and that your complainant may have such other and further relief in the premises as may be just and equitable; and your complainant will ever pray & c.

Solicitor for Complainant

FOOTNOTE

The respondent, Joseph Straka, is required to answer the allegations of part two of the Bill of Complaint from paragraph numbered one to paragraph numbered eight, inclusive, but not under oath, oath to answer being hereby expressly waived.



Solicitor for Complainant

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

10/17/03
10/18/03
10/20/03

JOSEPH STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

FILE OF COMPLAINT

LOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

FILED IN
10/17/03
Lloyd A. Magney
Foley, Alabama

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

MARY STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

DEPOSITION

LOYD A. MAGNEY
ATTORNEY AT LAW
FOLEY, ALABAMA

FILED IN
10/17/03
Lloyd A. Magney
Foley, Alabama
Check Register

THE STATE OF ALABAMA, }
Baldwin County.

No. 156 Circuit Court, In Equity

MARY STRAKA Complainant

vs.

JOSEPH STRAKA Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

ON GROUNDS OF CRUELTY

It is further ordered that the said MARY STRAKA and JOSEPH STRAKA be, and they ^{are} ~~is~~ hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said _____ pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may be issued against the said JOSEPH STRAKA

It is further ordered, adjudged and decreed that said MARY STRAKA and JOSEPH STRAKA shall not again marry except to ~~said~~ EACH OTHER until sixty days after this date, and that if an appeal is taken within sixty days THEY ~~be~~ shall not marry again except to said EACH OTHER during the said pendency of appeal

This 23rd day of December 1935

[Signature]

Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }
Baldwin County.

Circuit Court, In Equity.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 1935 in the cause of _____

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 1935

Register

and children and solicitor's fees, pending the hearing of her
Bill of Complaint.

Moore, Strocker,

Subscribed in my presence and sworn to before me this 26th
day of November, 1935.

John Thomasney
Notary Public

MARY STRAKA,
Complainant,
-vs-
JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

MOTION

Comes now the Complainant and moves the Court for an order referring to the register of the Court the application of the Complainant for alimony pendente lite, support and maintenance for herself and children and solicitor's fees.

Dated this 26th day of November, 1935.


Solicitor for Complainant.

MARY STRAKA,
Complainant,
-vs-
JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

AFFIDAVIT

STATE OF ALABAMA)
BALDWIN COUNTY)

Mary Straka, being first duly sworn on her oath deposes and says, that she is the complainant in the above entitled cause in which she sues for a decree of divorce from the respondent, custody of the children and a settlement of the property rights of the parties.

That complainant was obliged to leave her home on the 27th day of August, 1935, by reason of the cruel treatment of the respondent and that since said time the respondent has contributed nothing to the support of affiant and her two children, William Straka, aged eleven years and Fred Straka, aged six years.

That the respondent is living upon a well equipped sixty acre farm, fully stocked with livestock and chickens and with various crops of farm products and enjoys a comfortable income from the sale of such farm crops, chickens, eggs, milk and livestock; that affiant is absolutely destitute and is living in a chicken house loaned to her by friends; that she has no money, her children have not sufficient clothing for the winter and to enable them to attend school and that since her separation from the respondent she has existed by donations from friends and is absolutely dependent upon the charity of others and that the respondent absolutely refuses to contribute anything at all to the support of affiant and her children.

Wherefore, she files her application praying that the Court will order a reference to the register for the purpose of ascertaining a reasonable and proper allowance to be made by the respondent to the complainant for the support and maintenance of herself

**CIRCUIT COURT, BALDWIN COUNTY, ALA.,
IN EQUITY.**

Mary Steaks

VS.

Joseph Steaks

No.

PLAINTIFF

DEFENDANT

BILL OF COSTS

Fees of Register	Dollars	Cts.	Brought Forward		
Filing each bill and other papers..... <i>12</i>	\$ 10	20	For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.		7 00
Issuing each Subpoena.....	50	50	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cent of amount received.		
Issuing each copy thereof.....	40	40	Each Notice Sent by Mail to creditors.....	15	
Entering each return thereof.....	15		Filing, Receiving for and Docketing each Claim, etc.....	25	
For each Order of Publication.....	1 00		For all entries on Subpoena Docket, etc.....	50	50
Issuing Writ of Injunction.....	1 50		For all entries on Commission Docket, etc.....	50	50
For each copy thereof.....	50		Making Final Record, per hundred words.....	15	5 00
Entering each return thereof.....	15		Certified Copy of Decree..... <i>2</i>	1 00	2 00
Issuing Writ of Attachment.....	1 00		Report of Divorce to State Health Office.....	50	50
Entering each return thereof.....	15		Acts 1915		
Docketing each case.....	1 00	1 00	Total Fees of Register.....		15 50
Entering each Appearance.....	25	25			15 50
Issuing each Decree Pro Confesso on personal service.....	1 00		Fees of Sheriff		
Issuing each Decree Pro Confesso on publication.....	1 00		Serving and Returning Subpoena on Deft.....	\$1 50	1 50
Each order Appointing Guardian.....	1 00		Serving and Returning Subpoena for Witness.....	65	
Any other order by Register.....	50	50	Levying Attachment.....	1 50	
Issuing Commission to Take Testimony.....	50	50	Entering and Returning same.....	25	
Receiving and Filing.....	10	10	Selling Property Attached.....		
Endorsing each package.....	10	10	Impanelling Jury.....	75	
Entering order Submitting Cause.....	50	50	Executing Writ of Possession.....	2 50	
Entering any other Order of Court.....	25	25	Collecting Execution for Costs.....	1 50	
Noting all Testimony.....	50	50	Serving and Returning Sci. fa., each.....	65	
Abstract of Cause, etc.....	1 00		Serving and Returning Notice.....	65	
Entering each Decree.....	75	75	Serving and Returning Writ of Injunction.....	1 50	
For every 100 words over 500.....	15		Serving and Returning Writ of Exeat.....	1 50	
Taking account, etc.....	3 00		Taking and Approving Bonds, Each.....	75	
Taking Testimony, etc.....	15		Collecting Money on Execution.....		
Each Report, 500 words or less.....	2 50		Making Deed.....	2 50	
For every 100 words over 500.....	15		Serving and Returning Application.....	1 00	
Amount claimed less than \$500, etc.....	2 00		Serving Attachment, Contempt of Court.....	1 50	
Issuing each Subpoena.....	25		Total Fees of Sheriff		1 50
Witness Certificate, each.....	25				
Issuing Execution, each.....	75		Recapitulation		
Entering each return.....	15		Register's Fees.....		15 50
Taking and Approving Bond, each.....	1 00		Sheriff's Fees.....		1 50
Making copy of bill, etc.....	15		Commissioner's Fees.....		
Each notice not otherwise provided for.....	50	50	Solicitor's Fees.....		
Each certificate or affidavit, with seal.....	50	50	Witness Fees.....		
Each certificate or affidavit, no seal.....	25		Guardian Ad Litem.....		
Hearing and passing on application, etc.....	3 00		Printer's Fees.....		
Each settlement with receiver, etc.....	3 00		Trial Tax.....	3 00	3 00
Examining each voucher of receiver, etc.....	10		Recording Decree in Probate Court.....		
Examining each answer, etc.....	3 00		Total		20 05
Recording resignation, etc.....	75				
Entering each certificate to Supreme Court.....	50				
Taking questions and answers, etc.....	25				
For all other service relating to such proceedings.....	1 00				
For service in proceeding to relieve minors, etc same fee as in similar cases.....					
Commission on sales, etc.: 1st \$100 2 per cent, all over \$100, and not exceeding \$1,000, 1 1-2 per ct.; all over \$1,000 and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.					
Sub Total Carried Forward					

Received payment this 23 day of Dec 1935

R Spueck

Register.

MARY STRAKA,
Complainant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

-VS-

BILL OF COMPLAINT

JOSEPH STRAKA,
Respondent.

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

PART ONE

Your complainant, Mary Straka, respectfully shows to the Court that she is over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Robertsdale therein and that the respondent, Joseph Straka, is also over the age of twenty-one years and a resident of Baldwin County, Alabama, residing near Robertsdale therein.

PART TWO

1. Your complainant alleges and shows to the Court that she was legally married to the respondent in the year 1925 and ever since has conducted herself towards the respondent as a faithful and obedient wife.

2. That the issue of the marriage between the parties is two sons, William Straka now aged eleven years and Fred Straka, now aged six years.

3. That the parties hereto have been residents of the State of Alabama and County of Baldwin for the past seven years where they have been engaged in farming near Robertsdale, Alabama.

4. That the respondent has been guilty of extreme cruelty towards the complainant and has committed actual violence upon her person, has choked, struck and beat complainant and has threatened to further beat her and from his conduct your complainant has a reasonable apprehension that he will commit further violence upon her; that by reason of such treatment on the part of the respondent complainant's health has been impaired and because of such conduct on the part of the respondent it is impossible for complainant

to longer live with him and on the 27th day of August, 1938, your complainant left the home of the respondent, and separated from him and is now living separate and apart with her children.

5. That at the time the parties were married neither had any money or property but your complainant has always worked and earned money and contributed the same to the family earnings; before coming to Alabama to engage in farming your complainant worked for wages, as did the respondent, and the joint earnings were kept and considered as joint property; that since coming to Alabama and engaging in farming your complainant has worked in the fields and in the home and has contributed fully as much as the respondent to the joint earnings.

6. That out of their joint earnings and savings the parties acquired a twenty acre farm on which is the family home and said twenty acres is described as the west-half ($W\frac{1}{2}$) of the northeast quarter ($NE\frac{1}{4}$) of the southwest quarter ($SW\frac{1}{4}$) of section thirty (30) township five (5) south, range four (4) east in Baldwin County, Alabama, and the title thereto stands in the names of both complainant and respondent. In addition to such real estate the parties have acquired and accumulated all of the necessary equipment and farm machinery to operate said farm and livestock consisting of two mules, five milk cows and chickens.

7. That complainant has a separate estate which consists of twenty acres of land adjoining the home and which is described as the east-half ($E\frac{1}{2}$) of the northwest quarter ($NW\frac{1}{4}$) of the southwest quarter ($SW\frac{1}{4}$) of section thirty (30) township five (5) south of range four (4) east, which lands she acquired with money inherited by her from her family and no part of which was earned or contributed by respondent. This twenty acres has no buildings or improvements, except fences, but has been used by the parties in connection with their home, the whole making a farm of forty acres, which they have operated jointly.

3. The respondent has handled all of the money and earnings and at the present time your complainant is without funds and without means of supporting herself while the respondent is in possession of the home of the parties and also the separate estate of your complainant and she is destitute.

PRAYER FOR PROCESS

WHEREFORE your complainant prays that your Honor will issue to her the writ of summons of the State of Alabama commanding the respondent, Joseph Straka, to appear before this Honorable Court within thirty days from the service of such writ, then and there to answer or plead to this bill of complaint and to stand to and abide such order or decree as may be entered herein.


PRAYER FOR RELIEF

The premises considered your complainant prays that your Honor will grant to her an absolute decree of divorce from the respondent, Joseph Straka; that your Honor will decree and award to her the exclusive care, custody and control of William Straka and Fred Straka, the minor children of the parties; that pending this litigation your Honor will order the respondent to pay to her as alimony pendente lite the sum of Five Dollars (\$5.00) per week together with a reasonable sum for your complainant's solicitor; that upon a final hearing of this cause your Honor will decree a fair and equitable division of the property of the parties and a reasonable sum to be paid by the respondent for the support, maintenance and education of the minor children of the parties and that your complainant may have such other and further relief in the premises as may be just and equitable; and your complainant will ever pray & c.

Stuart Tomagney
Solicitor for Complainant

FOOTNOTE

The respondent, Joseph Straka, is required to answer the allegations of part two of the Bill of Complaint from paragraph numbered one to paragraph numbered eight, inclusive, but not under oath, oath to answer being hereby expressly waived.


Solicitor for Complainant

ROBERT S. DUCK

Register and Clerk of the Circuit
Court, Baldwin County

BAY MINETTE, ALA.

December 20, 1935

Judge F. W. Hare

Monroeville, Alabama

Dear Sir:

Enclosed you will find the file of Mary Straka vs. Joseph Straka, No. 156, in which you will remember that there was an order of reference to be held to determine certain phases of the case. However, when the parties came to the Register's office, there was a property settlement agreed upon and the same has been filed in this office. There was no necessity of holding the reference. The Solicitors have reached an agreement and everything will be satisfactory, if you will sign the decree as written.

Trusting that you will sign the decree as of today, as there is a money consideration and they are very anxious to get the matter cleared up as quickly as possible, I am

Yours very truly,

Robert S. Duck
Robert S. Duck,
Clerk of Circuit Court.

RSD/f
Encl.

156
RECORDED
INDEXED
220

156

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

MARY STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

APPLICATION

57
Gordon Street
Mobile, Alabama

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

RECORDED
DUEK
2-182

156

No. 156

THE STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY
Baldwin County, Ala.

Mary Straka

VS.

Joseph Straka

DECREE OF DIVORCE

Filed in office this 24

day of June 1935

Richard S. Oliver
REGISTER

H. O. M.

MOORE PRINTING CO., BAY MINETTE, ALA.

156 RECORDED
INDEXED
6-20

156

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

MARY STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

AFFIDAVIT

Filed this 27th day of June 1935
Richard B. Foley
Clerk, Baldwin County

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

15-6 RECORDED
Book
Motion-50

156

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

MARY STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

MOTION

Richard D. Davis
BY
Richard D. Davis
Clerk-Circuit

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

156

Circuit Court, Baldwin County, Ala.
In Equity.

No. _____

VS.

Cost Bill

Paid _____, 193

Register

Moore Ptg. Co.

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30.10	

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN CHANCERY

MARY STRAKA,

Complainant,

-VS-

JOSEPH STRAKA,

Respondent.

C O P Y

BILL OF COMPLAINT

*35
Robert Straker 35*

LLOYD A. MAGNEY
Attorney
Foley, Alabama.

No. 156

156

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Mary Strako

vs.

Joseph Strako

NOTE OF TESTIMONY

Filed in Open Court this 20th
day of December 1935

Robert S. Duck
REGISTER

The State of Alabama, }
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon JOSEPH STRAKA.

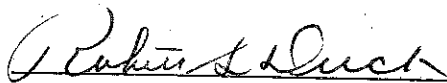
of BALDWIN. County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

MARY STRAKA.

against said JOSEPH STRAKA.

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, Robert S. Duck, Register of said Circuit Court, this 29th August day of AUGUST 1935



Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

MARY STRAKA,

COMPLAINANT.

VS.

JOSEPH STRAKA,

RESPONDENT.

)

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IN THE CIRCUIT COURT,


BALDWIN COUNTY, ALABAMA.

IN EQUITY.

On motion of the Complainant it is ordered that the Register of this Court proceed to hold a reference to ascertain first, a reasonable sum to be paid Complainant as alimony pendente lit, and, second, a reasonable sum to be paid Complainant's Solicitor for prosecuting this Cause.

The Register is directed to give each party due and legal notice of the time and place of the reference and make his report to the Court on the two questions suggested above.

This November 29th, 1935.



Judge.

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 Mary Straka and Sophia Mach

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

Complainant

and Joseph Straka.

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 18th day of December. 1935

Robert D. ...

REGISTER

COMMISSIONER'S FEE, \$ 5.00

WITNESS' FEES, \$ _____

MARY STRAKA,
Complainant,

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

-vs-


DEPOSITION

JOSEPH STRAKA,
Respondent.

STIPULATION

It is hereby stipulated by and between the parties to the above entitled cause, by their respective solicitors, that the testimony of the witnesses for the complainant, to-wit: Mary Straka and Sophia Mach, be taken before Edith Howell, as commissioner, at Foley, Alabama, at 9:00 o'clock A. M. on December 19th, 1935, and that cross examination of said witnesses is hereby waived by the respondent.


Solicitor for Complainant


Solicitor for Respondent.

TESTIMONY OF MARY STRAKA

Mary Straka, being first duly sworn, deposes and says:

That she was married to the respondent, Joseph Straka, in the year 1928, and ever since said time and until August 27th, 1935, the parties lived together as husband and wife.

That two children were born to them, William Straka, who is now aged eleven years and Fred Straka, who is now aged six years.

That both the complainant and respondent have resided in Baldwin County, Alabama, for the past seven years.

That for several years past the respondent has come addicted to the use of intoxicating liquor and whenever under the influence of liquor has been very cruel and abusive to complainant; he has many times committed actual violence upon her person and has choked, struck and beat the complainant and injured her so severely that her health has been affected and she has been made sick. He has

threatened to kill the complainant and has conducted himself in such a violent manner toward her that she is afraid that in his drunken frenzy he might kill her and her children. Such conduct on the part of the respondent towards the complainant has been getting worse until on August 27th, 1935, your complainant was obliged to leave the respondent and since that time they have lived separate and apart.

That since that time and since the filing of her Bill for Divorce the parties have agreed upon a property settlement and the respondent has conveyed his interest in all of the joint property to the complainant, out of which property she is to support herself and children.

That she always conducted herself towards the respondent as a faithful and dutiful wife and the cruel and violent treatment of the respondent toward her has been without cause or provocation. That the addiction of the respondent to the use of intoxicating liquor and his violent temper when under the influence of liquor, make it impossible for the parties to longer together as husband and wife and complainant desires a divorce from the respondent.

That complainant has always worked on the farm and is capable of conducting the farm and making a living for herself and children and she, therefore, asks the Court for the exclusive custody and control of the minor children.

Murray Strackoe

TESTIMONY OF SOPHIA MACH

Sophia Mach, being first duly sworn, deposes and says:-

That she is the wife of George Mach and resides at Roberts-dale, Alabama, and that she has known the complainant, Mary Straka, and the respondent, Joseph Straka, ever since they came to Baldwin County, about seven years ago.

The complainant is and always has been a good woman and mother and an exceptionally hard worker. She has done a man's work on

CERTIFICATE OF COMMISSIONER

STATE OF ALABAMA }
BALDWIN COUNTY }

I, Edith Howell, commissioner by virtue of the attached commission to take the testimony of Mary Straka and Sophia Mach, do hereby certify that on the 19th day of December, 1935, I called said witnesses before me at my office at Foley, Alabama, at the hour of 9:00 o'clock A. M. and after said witnesses were each duly sworn to speak the truth, I reduced the testimony of said witnesses to writing in shorthand and later to typewriting and said testimony was signed by each of the witnesses.

That I am not of counsel or of kin to any of the parties to said cause nor in any manner interested in the result of same; that I have personal knowledge of the identity of said witnesses.

IN WITNESS WHEREOF: I have hereunto set my hand this 19th day of December, 1935.

Edith Howell
Commissioner

MARY STRAKA,
Complainant,
VS.
JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN CHANCERY,
NO. 156.

And now comes the Respondent and for answer to Plaintiff's Bill of Complaint, and to each count thereof, separately and severally, says:

ONE:

That he denies each and every allegation contained therein, not herein expressly admitted, and demands strict proof of the same.

TWO:

That he admits the allegation contained in part one.

THREE:

That he admits the allegations contained in paragraphs Two and Three, Part Two.

FOUR:

That he expressly denies the allegations contained in paragraphs One, Four, Five, Six, Seven and Eight, ^{and Two.} and demands strict proof of the same.

FIVE:

The Respondent further answering paragraph Seven of Part Two says, that the property therein described belongs to the Respondent and that the same was purchased with his money.

Beube & Hall
Solicitors for Respondent.

MARY STRAKA,

Complainant,
VS.

JOSEPH STRAKA,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IN EQUITY. NO. 156.

The Hon. F. W. Hare, Judge of said Court, ordered
the Register in Chancery to hold a Reference in the above
styled cause. Same has been set for Wednesday, December 18th,
1935, at 2:00 o'clock P. M.

Robert L. Hines

Register.

6-228

156

1/3
Rec'd of 12/17/35

M. H. Alden

MARY STRAKA,

Complainant,

(VS-)

JOSEPH STRAKA,

Respondent.

Executed 12-13 1935
by serving copy of within ~~Summons~~ and
~~Complaint~~ ~~on~~ ~~with~~ ~~an~~

H. M. Hall

M. H. Alden

S. K. Anderson Sheriff
Deputy Sheriff

Filed this 7 day of

December, 1935.

Robert Duck

Register

RECORDED
156 Duck
6-20-34

156

MARY STRAKA,
Complainant,
VS.
JOSEPH STRAKA,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN CHANCERY,
NO. 156.

ANSWER:

Filed this 30 day of
September, 1935.
Robert S. Duck
Registrar.

RECORDED
20/10/35
11/10/35

Serve on ~~JOSEPH STRAKA~~

Circuit Court of Baldwin County
IN EQUITY

No. 156.

SUMMONS

MARY STRAKA.

vs.
JOSEPH STRAKA.

LLOYD A MAGNIEY
Solicitor for Complainant

Recorded in Vol. _____ Page _____

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THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this _____

day of _____, 1935

SHERIFF

Executed this Sept 6 day of _____
1935

by leaving a copy of the within Summons with

Joseph Straka
Defendant

M. H. McIlhenny
Sheriff

By E. N. Anderson
Deputy Sheriff

Handwritten text on a document, possibly a letter or envelope, including a circular stamp on the right side. The text is written in cursive and is partially obscured by a diagonal line. The stamp contains the word "POST" and some illegible markings.