

(3169)

DIVORCE DECREE

THE STATE OF ALABAMA, BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

John Schubert, Complainant

vs.

Sofi Schubert, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and waiver~~ 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

John Schubert is forever divorced from the said Sofi Schubert for and on account of

Voluntary 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that John Schubert the Complainant pay the cost herein to be taxed, for which execution may issue.

This 30 day of March, 1954

Hubert M. [Signature]

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. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

John Schubert

Complainant

vs.

Sofi Schubert

Respondent

DIVORCE DECREE

FILED

MAR 30 1954

ALICE J. DUCK, Register

JOHN SCHUBERT

COMPLAINANT

VS

SOFI SCHUBERT

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

Comes now the Respondent in the above styled cause and amends her answer to read as follows:

Now comes the Respondent, in her own proper person, and admits the allegations contained in the bill of complaint filed in the above styled cause, as to ages, residence, and marriage, but denies all other allegations contained therein and demands strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examine the Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

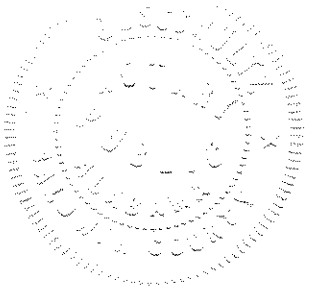
Sofi Schubert

STATE OF ALABAMA
BALDWIN COUNTY

I, Emm Schults, a Notary Public, in and for said County, in said State, hereby certify that Sofi Schubert, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 19th day of March, 1954.

Emm Schults
Notary Public, Baldwin County, Alabama



RECORDED

JOHN SCHUBERT

COMPLAINANT

VS

SOPH SCHUBERT

RESPONDENT

ANSWER AND WAIVER

FILED

MAY

28

1954

ALICE A. BECK, REGISTRAR



JOHN SCHUBERT

COMPLAINANT

VS

SOFI SCHUBERT

RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

Comes now the Respondent in the above styled cause and files this her answer and cross bill to the Complainant's Bill of Complaint.

1.

She admits the allegations contained in Section One.

2.

She admits the allegations contained in Section Two.

3.

She denies the allegations of Section Three and demands strict proof of the same.

Now having fully answered the Complainant's Complaint, the Respondent comes now and files this her cross bill and by it shows unto Your Honor as Follows:

4.

That she separated from the Complainant on to-wit, January 4, 1953, but did not do so voluntarily, that on said date and various occasions prior thereto the Complainant cursed, threatened and abused your Respondent and threatened to do actual violence to her person, which would necessarily endanger her life and health; that the conduct of the Complainant was such as to give your Respondent every reasonable apprehension to believe and she did actually believe that if she continued to live with the Complainant he would do actual violence to her person which would necessarily endanger her life and health.

5.

Your Complainant avers that she is without funds to pay an attorney; that she has retained the Firm of Wilters & Brantley to represent her in this matter.

6.

That the Complainant is the owner of sixty acres of farm land, and a seven room house in Elberta. That he has considerable personal property the exact extent of which is unknown to your Respondent.

PRAYER FOR RELIEF.

Your Respondent and Cross Complainant prays that your Honor will deny the Complainant the relief he seeks and grant the Cross Complainant a divorce from John Schubert for and on account of cruelty. Your Cross Complainant further prays that your Honor will ascertain a reasonable attorneys fees to be paid the Firm of Wilters and Brantley and cause the same to be paid to them by the Complainant. Your CrossComplainant further prays that the Court will award her alimony. The Cross Complainant prays for such other, further, different and general relief to which she may be in equity and good conscience entitled to receive.

WILTHERS & BRANTLEY

BY:

Robert M Brantley
Solicitor for the Respondent
and Cross Complainant

RECEIVED

3169

JOHN SCHUBERT

COMPLAINANT

VS

SOFT SCHUBERT

RESPONDENT

ANSWER AND CROSS BILL

FILED
FEB 23 1954

ALICE L. DICK, Registrar

JOHN SCHUBERT

COMPLAINANT

VS

SOFI SCHUBERT

RESPONDENT

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY

Comes now the Respondent in the above styled cause and demurs to the
Bill of Complaint filed therein and for grounds of demurrers says:

1.

That there is no equity in the Bill.

2.

The Complaint fails to set forth sufficient grounds for divorce.

WILTERS & BRANTLEY

BY:

Albert M Brantley

3169

RECORDED

JOHN SCHUBERT

COMPLAINANT

VS

SOFI SCHUBERT

RESPONDENT

DEMURRERS

FILED

FEB 24 1954

ALICE A. DICK, Register

JOHN SCHUBERT

vs.

SOFI SCHUBERT

THE STATE OF ALABAMA
Baldwin CountyIN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, _____
and Testimony of John Schubert and John Chrenko _____

and in behalf of Defendant upon Answer and Waiver _____

Thomas
Substantive for Complaint

Henry J. Smith
Register.

No. 3169

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

JOHN SCHUBERT

vs.

SOFI SCHUBERT

NOTE OF TESTIMONY

Filed in Open Court this
day of , 194

Register.

Printed By The Baldwin Times

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

JOHN SCHUBERT Complainant

VS.

SOFI SCHUBERT Respondent

I, Frances G. Mallory

as Register and Commissioner in Chancery

have called and caused to come before me John Schubert and John Chrenko

witness ES named in the Requirement for Oral Examination, on the day of March
1954, at the office of C. G. Chason
in Foley, Alabama, and having first sworn said Witness ES to speak the
truth, the whole truth, and nothing but the truth, the said John Schubert and John
Chrenko doth depose and say as follows:

Testimony of John Schubert:

My name is John Schubert; I am over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, having been such a resident citizen for several years; Sofi Schubert is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama; we were married on November 4, 1952, and lived together as husband and wife until January 2, 1953, at which time and on which date she voluntarily abandoned my bed and board and we have not lived together nor in any way recognized each other as husband and wife since that date. There are no children of this marriage.

Signed: John Schubert

Testimony of John Chrenko:

My name is John Chrenko; I am a resident of Baldwin County, Alabama, and over the age of twenty-one years and am personally acquainted with John Schubert and Sofi Schubert; both of them are over the age of twenty-one years and residents of Baldwin County, Alabama; John Schubert has been a resident since 1950. They were married on November 4, 1952, and lived together as husband and wife in Baldwin County, Alabama, until January 2, 1953, at which time Sofi Schubert voluntarily and with no cause abandoned the bed and board of John Schubert and they have not lived together as husband and wife since that date.

Signed: John Chrenko

ORAL EXAMINATION.

I, Frances G. Mallory, as Register and Commissioner hereby certify that the foregoing deposition S on Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and C. G. Chason

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witnesses es; 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 _____ day of March, 1945.

Frances G. Mallory (L. S.)

NO 3169 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

JOHN SCHUBERT

vs. Complainant

SOFI SCHUBERT

Respondent.

Oral Deposition

Filed _____, 194

FILED

Register.

With 28
Recorded in 54

Alleg. 1. Dec. Register Record

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: FRANCES G. MALLORY

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 John Schubert and John Chrenko

as witnesses in behalf of John Schubert in a cause pending in our Circuit Court in Baldwin County, of said State, wherein John Schubert

and Sofi Schubert, Complainant

Respondent

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

Witness 24th day of March, 1954

W. J. Rensch
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. 3169

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

JOHN SCHUBERT

Complainant—

vs.

SOFI SCHUBERT

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

JOHN SCHUBERT,

Complainant,

-vs-

SOFI SCHUBERT,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA, Sitting in Equity:

Your Complainant, John Schubert, respectfully represents and
shows unto your Honor:

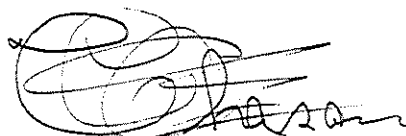
1. That Complainant is over the age of twenty-one years and
is a resident of said State and County, and has been a bona fide
resident of said State and County for more than one year next pre-
ceding the filing of this Bill of Complaint; that Sofi Schubert is
a resident of Baldwin County, Alabama, and is over the age of
twenty-one years.

2. That your Complainant and Respondent were lawfully married
on, to-wit, November, 4, 1952.

3. Complainant avers that said Respondent voluntarily aband-
oned the bed and board of Complainant for more than one year next
preceding the filing of this Bill of Complaint, since which time
Complainant and Respondent have not lived together nor in any way
recognized each other as husband and wife. There were no children
born of this marriage.

PRAYER FOR PROCESS AND RELIEF

THE PREMISES CONSIDERED, your Complainant prays that Sofi
Schubert be made a party defendant to this cause by the usual pro-
cess of this Honorable Court, requiring her to plead, answer or
demur within the time and under the penalties prescribed by the
rules of this Court and the Statutes in such cases made and provi-
ded; that upon final hearing of said cause he be granted a divorce
from said respondent. Should your Complainant be mistaken in the
relief prayed for, that there be granted to him such other, differ-
ent and general relief to which he may be entitled and as in duty
bound he will ever pray.



Solicitor for Complainant

The State of Alabama, Baldwin County

IN CIRCUIT COURT, IN EQUITY

To any Sheriff of the State of Alabama—Greeting:

You are hereby commanded to summon Sofi Schubert

to appear and answer, plead, or demur, within thirty days from the service hereof, to a Bill of Complaint filed in said Circuit Court, in equity, for said County of said State.

John Schubert

against

Sofi Schubert

Herein fail not. Due return make of this writ as the law directs.

Witness this 6th day of Jan, 19 58

Alfred J. Hirsch, Register.

(Defendant is entitled to a copy of the bill on application to the Register.)

Code 1923-6528-6529

RECORDED

The State of Alabama

Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

John Schubert

vs.

Sofi Schubert

SUMMONS

Returned by the Sheriff and filed in office, this
the day of, 19.....

Register.

3169

Received in office, this the day of

....., 19.....

....., Sheriff.

I have executed the within by leaving a copy
thereof with.....

defendant named herein, on this the.....

day of, 19.....

....., Sheriff.

By....., Deputy.