

1170

The State Of Alabama, Baldwin County
CIRCUIT COURT, IN EQUITY

GISELLA SEDLACK Complainant

VS

JOSEPH SEDLACK Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decrees Pro Conates~~

~~xx~~ 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 GISELLA SEDLACK is forever divorced from the said

JOSEPH SEDLACK
for and on account of abandonment

It is further ordered, adjudged and decreed that in lieu of alimony all of the interest of the Respondent, Joseph Sedlack in the land owned by the parties jointly, namely the South half of the Southeast quarter of the Southeast quarter of Section Nine, Township Six South of Range Three East in Baldwin County be vested solely in Gisella Sedlack, to be hers absolutely and without condition.

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 both parties be, and are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that JOSEPH SEDLACK the Respondent pay the cost herein to be taxed, for which execution may issue.

This 29th day of September

19 44

J. M. Hare
Judge Circuit Court, in Equity.

I, ROBERT S. DUCK, 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 September, 19 44

Register of Circuit Court, in Equity.

SUMMONS AND COMPLAINT

THE STATE OF ALABAMA, } No. 1170.
BALDWIN COUNTY

CIRCUIT COURT BALDWIN COUNTY

July. TERM, 1944

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon JOSEPH SEDLACK.

to appear and plead, answer or demur, within thirty days from the service hereof, to the Complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against

JOSEPH ~~DEXX~~ SEDLACK.

RESPONDANT.

by GISELLA SEDLACK.

COMPLAINANT.

Witness my hand this 31st day of July. 1944

Robert R. [Signature]

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

Comes GISELLA SEDLACK, and by this her Bill of Complainant, presented against JOSEPH SEDLACK, respectfully shows:

FIRST: That Complainant and Defendant are both over the age of twenty-one years; and since 1921 bona fide residents of Baldwin County, Alabama; up to February, 1942 when Defendant abandoned Complainant and the State of Alabama, as hereinafter set out. Since then Complainant, with her children, has lived apart from him in Baldwin County.

SECOND: That Complainant and Defendant were married 31 years ago and lived together as husband and wife until February, 1942.

THIRD: In February, 1942, Defendant abandoned the bed and board of Complainant more than two years next prior to the filing of this bill without just cause and since that time she has had no support from or any relations with him, whatsoever, she living in Silverhill and he outside of the State of Alabama, his last known address being 7617 Osage Avenue, Cleveland, Ohio.

FOURTH: That Complainant and Defendant own jointly twenty acres of land near their former home, namely the South half of the Southeast quarter of the Southeast quarter of Section Nine, Township Six South of Range Three East in Baldwin County which Complainant now rents to assist in the support of herself and family.

THE PREMISES CONSIDERED, Complainant prays that Joseph Sedlack be made Defendant to this cause and by registered mail notified and required to answer this Bill within the time prescribed by law.

Complainant further prays that upon the hearing of this cause a decree be rendered forever divorcing her from said Joseph Sedlack, granting her the right to marry again should she so desire, requiring said Defendant to pay a suitable sum to her as alimony and counsel fees for the prosecution of this cause, decreeing to her the entire title to the twenty acres

above described in settlement of said alimony and counsel fees,
and granting such other, further or different relief as to
equity may seem meet.

Elliot S. Rickerby
Solicitor for Complainant

State of Alabama:
Baldwin County.

Before me, Robert S. Duck, Register of the Circuit Court personally appeared E. G. Rickarby, who, being sworn, says that he is reliably informed and on such information states that Joseph Sedlack, who is over the age of 21 years, now resides at 7617 Osage Avenue, Cleveland, Ohio; so that personal service of notice of this cause cannot be had on him, for which reason service by registered mail is required.

E. G. Rickarby

Subscribed and sworn to before me this
31st. day of July, 1944

R. S. Duck
Register Circuit Court

GISELLA SEDLACK,
Complainant

Vs.

JOSEPH SEDLACK,
Respondent

E Q U I T Y

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

Comes JOSEPH SEDLACK, Respondent in the above styled cause, and for answer to the Bill of Complaint says he denies each and every allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses, of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. She further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Joseph Sedlack
Respondent

Before me the undersigned Notary personally appeared JOSEPH SEDLACK who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the / 8 /
day of ~~August~~, 1944.

18th September

Robertson
Notary Public, *Lancaster* County, *Arkansas*

My Com. Expires Aug 3, 1946

GESELLA SEDLACK
Complainant

No. 1170
E Q U I T Y

vs

CIRCUIT COURT OF

JOSEPH SEDLACK
Respondent

BALDWIN COUNTY, ALABAMA

DEPOSITIONS OF GISELLA SEDLACK and EVELYN J. SPROUSE,
WITNESSES FOR COMPLAINANT

Said witnesses, being sworn upon examination by the
Solicitor for Complainant, testified in substance as follows:

GISELLA SEDLACK

I am the Complainant in this cause and am over the age of twenty-one years. Joseph Sedlack and I have lived in Baldwin County, Alabama near Silverhill and Robertsdale about twenty-five years as husband and wife, and until September, 1941, when he moved away from home and to a filling station at Magnolia Springs. He would come home occasionally, but in February, 1942 he abandoned me entirely and as I understand went to Cleveland, Ohio. He has, since that date, resided out of Alabama and is now at Ozark, Arkansas. Since February, 1942 he has done nothing for my support nor have I had any relations with him whatsoever.

In our married life we had six children, all now grown up and only one of them now lives with me though we have a son in the Army.

We were married in 1910 in Massachusetts. My husband and I own jointly a tract of twenty acres of land in this county; the South half of the S E $\frac{1}{4}$ of the S E $\frac{1}{4}$ of Section Nine T. P. Six S of R 3 E. I am now supporting myself by farming this and I am dependent on the farm for a livelihood, as my husband has done nothing for me since September, 1941. When he was at the filling station in Magnolia Springs, he put a mortgage on our home and this mortgage has been foreclosed and bought by the Bank of Elberta, so the twenty acres above described is the only land that stands in our name.

Gisella Sedlack

EVELYN J. SPROUSE

I am the youngest child of the parties to this cause, and with my husband and child, live with my mother. My husband is now in the Service in England. I know that the facts just stated by my mother are true, and that my father has abandoned and neglected her since February, 1942, leaving her without support except what she can make on the farm and what help we children are able to give her. This abandonment has continued for more than two years.

Evelyn J. Sprouse

I, Patricia F. Lord, acting as Commissioner by agreement of parties hereby certify that in the case of GISELLA SEDLACK versus JOSEPH SEDLACK, pending in the Equity side of the Circuit Court of Baldwin County, I caused GISELLA SEDLACK and EVELYN J. SPROUSE to appear before me at my office in the Bank Building, Fairhope, Alabama, where, after being duly sworn upon examination by the Solicitor for the Complainant, they testified as is above written and their testimony, after being reduced to writing, was read over and signed by them.

I further certify that I am neither of counsel nor of kin to either party of the cause or in anywise interested in the result thereof.

In witness whereof, I hereto set my hand and seal as Commissioner this the 27th day of September, 1944.

Patricia F. Lord
Commissioner.

Commissioner fee paid by Compt.

No. 1170
EQUITABLE

RECORDED

CISELLA SEDLACK,
Complainant.

versus

JOSEPH SEDLACK,
Respondent.

ANSWER AND WAIVER.

FILED
SEP 22 1944
C. J. [Signature]

Divorce Decree 9-29-24
Gisella Sedlack
Joseph Sedlack 11

RECORDED

No. 1170 Page

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

11

GISSELLA SEDLACK
vs. Complainant.

JOSEPH SEDLACK
Respondent.

DIVORCE DECREE

STATE OF ALABAMA, BALDWIN COUNTY

Filed Oct 28 1924 8:00 a.m.

Recorded Dec 8 1924 5:19 p.m.
and I certify that the following Privilege Tax has been paid.

Deed Tax 1.00

Mortgage Tax 1.00

Judge of Probate

[Signature]

[Handwritten notes and signatures]
paid by 9920/944
AS WIFE
to 65

Subhas

91

Subhas

Departments of
Complaints

~~Department 28/944~~
~~R. Subhas~~

Post Office Department
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300



POSTMARK BY DELIVERING

OFFICE

Return to

R. S. Duck

(NAME OF SENDER)

Serial and Number
of Post Office Box

REGISTERED ARTICLE

No.

418

Post Office

Box Minnetonka, Minn.

100-1000

INSURED PARCEL

State

1901

Giselle Sedla ck.

VS.

Joseph Sedlack.

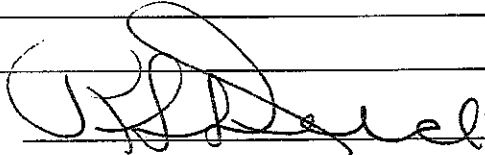
THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY
CIRCUIT COURT OF BALDWIN COUNTY

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,

and ¹/₁ testimony of Gisella Sedlack and Evelyn J Sprouse.

and in behalf of Defendant upon Answer and Waiver.

 Register.

RECORDED

No. 1170

The State of Alabama,
BALDWIN COUNTY

IN EQUITY

CIRCUIT COURT OF BALDWIN COUNTY

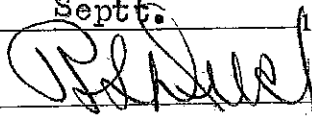
~~Gisella Sedlack.~~

VS.

Joseph Sedlack

NOTE OF TESTIMONY

Filed in Open Court this 28th
day of Sept. 1944


Register.