

4375

THE STATE OF ALABAMA, ~~MOBILE~~ COUNTY  
BALDWIN

FRANCIS W. LASKA  
Complainant,  
No. 4375 vs.  
MARY LASKA  
Defendant

CIRCUIT COURT  
IN EQUITY  
AT MOBILE, ALABAMA  
BALDWIN

DECREE OF DIVORCE

This cause is submitted for decree on the pleadings, ~~decrees pro confesso~~ and the testimony as shown by the note of submission on file; and on consideration, it is ordered, adjudged and decreed by the Court that the Complainant is entitled to relief, and that the bonds of matrimony heretofore existing between the Complainant and the Defendant be and the same are henceforth dissolved and annulled.

It is further ordered and decreed that Complainant and Defendant be, and hereby are permitted to again contract marriage, subject to such provision of the law as regulate the marriage of divorced persons, and in no event before the expiration of sixty days after the rendition of this decree.

The parties hereto have entered into an agreement, which is in open Court and on record in writing and on file in this cause; the Court approves said agreement and orders and decrees as follows:

The Defendant is hereby granted the custody and control of their minor child, Wayne Laska, subject to the right of the Complainant to see and visit with said minor child at all reasonable times and Complainant is hereby ordered to pay to the Defendant the sum of \$10.00 per week as support and maintenance for said minor child.

The Befendant having waived all her claims as to alimony and support, no order is made as to same.

The Court retains jurisdiction of this cause for the purpose of making such other or further order or decree as may be necessary as to the carrying out of said agreement by said parties as the Court may deem proper, and as changed conditions may require.

FILED IN  
COURT  
JAN 7 1959  
CLERK OF COURT

It is further ordered that COMPLAINANT  
pay the cost of this suit, for which execution may issue.

Dated, January 7 1959 Robert M. Hall  
Judge

BALDWIN  
**CIRCUIT COURT OF MOBILE COUNTY**

**IN EQUITY**  
**AT MOBILE, ALABAMA**  
BAY MINETTE  
No. 4375

FRANCIS W. LASKA  
VS.  
MARY LASKA

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**DECREE**

# CERTIFICATE

I, Peggy Preston, the Commissioner appointed by the Court and named in the attached commission, or named by agreement of the parties, in that certain cause now pending in Baldwin the Honorable Circuit Court of ~~Mobile County~~ Alabama, Sitting in Equity, No. 4375, wherein

FRANCIS W. LASKA is Complainant, and MARY LASKA

is Respondent, under and by virtue of the power conferred upon me by said Commission or agreement as such commissioner, caused FRANCIS W. LASKA and THOMAS S. LAMBETH

are who were made known to me, to come before me at 3:00 o'clock P.M., on January 5th, 1959, at 56 S. Conception St. Mobile, Alabama; that said witnesses were first duly sworn

by me as stated; that they were then examined by WILLIAM GRAYSON, Solicitor for the COMPLAINANT, and cross examined by XXXXXXXXXXXXXXXXXXXX

~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~  
~~XXXXXXXXXXXXXXXXXXXX~~, and they testified in

response thereto as is hereinabove written; and the testimony was by me reduced to writing as given by said witnesses in narrative form, and as near might be the identical language of said witnesses, and that, after said testimony had been so reduced to writing, it was by me read over to said witnesses; who assented to and signed same, who ~~refused to sign same, who was physically unable to sign same, or who~~

~~waved the reading and signing of same~~, in my presence and in the presence of said Solicitor for

Complainant XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX

I further certify that I am not of counsel or kin to any of the parties to the said cause, and am not in anywise interested in the result thereof, and that the depositions are true and correct as given by the witnesses.

Witness my hand this 6th day of January, 19 59.

Peggy A. Preston  
Commissioner

TESTIMONY OF FRANCIS W. LASKA, WITNESS ON HIS OWN BEHALF:

My name is Francis W. Laska and I am the Complainant in this cause. I am the husband of the Respondent and we were married to each other in June of 1957 in East Rutherford, New Jersey. Both myself and the Respondent are each over the age of twenty-one years and I am a bona-fide resident citizen of the State of Alabama. The Complainant is a non-resident of the State of Alabama and she lives and resides in Arlington, New Jersey. There is one minor child as issue of our marriage, Wayne Laska, age oneyear. Said child lives and resides with the Respondent, and she is a fit and proper person to be granted his custody and control. I think that I am a fit and proper person to be granted the right of visitation. The Respondent voluntarily abandoned my bed and board for more than one year next preceding the filing of the bill of complaint herein. The ~~Respondent~~ Respondent and I were living in Mobile, Alabama at the time we separated which was in the latter part of 1957. The Respondent voluntarily abandoned my bed and board and went to Arlington, New Jersey to live. She told me that she did not love me anymore that she never intended to live with me as husband and wife and that she had rather be with her people than with me. I have not seen the Respondent since she left me which has been for more than one year next preceding the filing of the bill of complaint herein. I made several attempts to get the Respondent to reconsider but she still refused to live with me. I have not lived with the Respondent as husband and wife since the latter part of 1957 which has been for more than one year next preceding the filing of the bill of complaint herein.

Francis W. Laska

TESTIMONY OF THOMAS S. LAMBETH, WITNESS ON BEHALF OF THE COMPLAINANT.

My name is Thomas S. Lambeth and I am a friend of the Complainant's. I have known the Complainant in this cause for approximately one year. The Complainant is the husband of the Respondent and they were married to each other on June 14, 1957 in East Rutherford, New Jersey. Both the Complainant and the Respondent are each over the age of twenty-one years and were such at the time of the filing of the Bill of Complaint herein. The Complainant is a bona-fide resident citizen of the State of Alabama. The Respondent is a non-resident of the State of Alabama and she lives and resides in Arlington, New Jersey. There is one minor child as issue of their marriage, Wayne Laska, age one years. Said child lives and resides with the Respondent. The Complainant is a fit and proper person to be granted the right of visitation. The Respondent has voluntarily abandoned the bed and board of the Complainant for more than one year next preceding the filing of the bill of complaint herein. I have known the Complainant in this cause for about a year and during the time that I have known him I have seen him at least once a week. The Complainant is a salesman and that is the only reason that I don't see him daily. I know of my own personal knowledge that the Complainant has not lived with the Respondent in any respect as husband and wife during the period of time that I have known him which has been for one year. To my knowledge the Complainant has not lived with the Respondent since June of 1957 when she voluntarily abandoned his bed and board and she has failed and refused to live with him since that time.

Thomas S. Lambeth

FRANCIS W. LASKA

No. 4375

VS

MARY LASKA

Entered on \_\_\_\_\_

Min. Book No. \_\_\_\_\_ Entry \_\_\_\_\_

~~XXXXXXXXXXXXXXXXXXXX~~ Register

ALICE J. DUCK,

**ORDER OF SUBMISSION**

This cause coming on to be heard, is submitted for decree on the pleadings and on the proof as noted.

Dated,

**NOTE OF EVIDENCE**

At the hearing of this cause the following note of evidence was taken to wit:

**FOR COMPLAINANT**

1. Bill of Complaint
2. Answer and Waiver
3. Testimony of Francis W. Laska and of Thomas S. Lamberth, witness on behalf of the Complainant.

FILED, 1-7-59  
Alice J. Duck Register

William J. Gannon  
Solicitor—for Complainant

**FOR RESPONDENT**

\_\_\_\_\_  
Solicitor—For Respondent

Assigned to file .1  
Review and removal .2  
Primary to inventor .3  
Assigned to file to evidence .4

Assigned to account to Dr. [unclear] .5  
Assigned to file to evidence .6

No. \_\_\_\_\_

Vs.

ORDER OF SUBMISSION  
NOTE OF EVIDENCE

FILED

Filed

JAN 7 1959

ALICE J. DICK, ~~RECORDS~~ Register

Ent. Mia. No. \_\_\_\_\_ Entry \_\_\_\_\_

FRANCIS W. LASKA, : IN THE CIRCUIT COURT OF  
COMPLAINANT, : BALDWIN COUNTY, ALABAMA  
-w - : IN EQUITY:  
MARY LASKA, :  
Respondent. : NO. \_\_\_\_\_

TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA, SITTING IN EQUITY:

Comes the Complainant and shows unto Your Honors and unto  
this Honorable Court as follows:

ONE

Complainant is the husband of the Respondent and they were  
married to each other on June 14, 1957 in <sup>(East)</sup> Rutherford, New Jersey  
Both the Complainant and the Respondent are each over the age  
of twenty-one years. The Complainant is a bona-fide resident  
citizen of the State of Alabama. The Respondent is a non-resident  
of the State of Alabama and she lives and resides at 64 Jordan  
Avenue, Arlington, New Jersey. There is one minor child as issue  
of their marriage, Wayne Laska, age one year. Said child lives  
and resides with the Respondent and she is a fit and proper person  
to be granted its custody and control, subject to the right of the  
Complainant to see and visit with said child at all reasonable  
times. Complainant is willing to provide reasonable support and  
maintenance for said minor child.

TWO

Respondent voluntarily abandoned the bed and board of the  
Complainant in June of 1957 and she has refused to live with the  
Complainant since that time which has been for more than one year  
next preceding the filing of the bill of complaint herein.



PRAYER FOR PROCESS

Complainant prays that Your Honors will take jurisdiction of this cause, will make the said Mary Laska, party-respondent ~~hereto~~ and will cause her to appear, plead, answer or demur hereto within the time allowed by law and the rules of this Honorable Court.

PRAYER FOR RELIEF

Complainant further prays that Your Honors will see fit to grant him an absolute divorce from the bonds of matrimony with the Respondent, and Complainant further prays for such other, further and different relief as in equity he may be due, and as in duty bound he will ever pray, etc.

  
SOLICITOR FOR COMPLAINANT.

FRANCIS W. LASKA  
Complainant,  
Vs.  
MARY LASKA  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN  
~~XXXXXX~~ COUNTY, ALABAMA  
IN EQUITY  
NO. \_\_\_\_\_

ANSWER AND WAIVER

Comes the Respondent in the above entitled cause and for answer to the Bill of Complaint herein admits the allegations as to the ages, residences and marriage and denies the other allegations of said Bill of Complaint and demands strict proof thereof.

Respondent agrees that the testimony in this cause may be taken by deposition on oral examination, and waives notice of the time and place of the taking of such testimony and agrees that this cause may be submitted for final decree at any time. Respondent waives all notices to which he or she may be entitled by law in this cause. Respondent agrees that Peggy Preston may take the testimony in this cause as commissioner, without the issuance of a commission.

ATTEST:

1. \_\_\_\_\_  
2. \_\_\_\_\_

*Mary Laska*  
RESPONDENT

Complainant agrees that Peggy Preston may take the testimony in this cause as commissioner, without issuance of a commission.

*William Grayson*  
SOLICITOR FOR COMPLAINANT.

Note: The Space below is intended for "Agreements Between the Parties"

Complainant agrees that the Respondent is a fit and proper person to be granted the custody and control of their minor child, Wayne Laska, subject to his right to see and visit with said child at all reasonable times.

Complainant agrees to pay to the Respondent the sum of \$10.00 per week as support and maintenance for said minor child.

Respondent releases the Complainant from all claims of alimony and support, as to herself alone.

Complainant agrees to pay all Court costs and attorney's fees incident to this proceeding.

*Mary Laska*  
Respondent  
*Francis W. Laska*  
Complainant

STATE OF NEW JERSEY

COUNTY OF Passaic Bergen

Before me, the undersigned authority, in and for said State and County personally appeared the above named Respondent, whose name is signed to the foregoing instrument, and who was made known to me, acknowledged before me this day, that being informed of the contents of the instrument, said Respondent executed the same voluntarily on the day same bears date.

Witness my hand and seal this 27<sup>th</sup> day of August 1958.

Filed in Registers Office  
1958  
W. ELSWORTH HAUGHTON, REGISTER

*Walter L. P. [Signature]*  
NOTARY PUBLIC  
(Please affix official seal)  
My Commission Expires February 10, 1962

FILED

4395

SEP 5 1958

Complaint against the Respondent in this case is filed for support and maintenance for said minor child. The Respondent agrees to pay to the Respondent the sum of \$100.00 per month as support and maintenance for said minor child. The Respondent releases the Complainant from all claims of support and maintenance, as to herself alone. Complainant agrees to pay all court costs and attorney's fees incident to this proceeding.

Complaint against the Respondent in this case is filed for support and maintenance for said minor child. The Respondent agrees to pay to the Respondent the sum of \$100.00 per month as support and maintenance for said minor child. The Respondent releases the Complainant from all claims of support and maintenance, as to herself alone. Complainant agrees to pay all court costs and attorney's fees incident to this proceeding.

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FILED  
CLERK  
MAY 1. 1958  
REGISTER

