

582

DELOS D. JAYNE,  
Complainant,

-vs-

ANNIE L. FRASER,  
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA, BALDWIN COUNTY, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant and exhibits this, his Bill of Complaint against Annie L. Fraser, and for grounds thereof shows unto this Court and unto your Honor, as follows:-

1. That both your complainant and the defendant are over the age of twenty one years; that your complainant is a bona fide resident of Baldwin County, Alabama and the defendant resides in Detroit in the State of Michigan; that the subject matter of this suit is real property located in Baldwin County, Alabama.

2. That your complainant purchased and held the legal title to the following described lands in Baldwin County, Alabama, viz:-

East half of the West half, the southeast quarter, southeast quarter of the northeast quarter and a strip fifteen rods wide off of the south end of the southwest quarter of the northeast quarter of section thirty-one in township two south of range three east.

that the defendant from time to time had loaned your complainant various sums of money in connection with his operations connected with farming on the above described property so that in November, 1925, your complainant was indebted to the defendant in the sum of Four Thousand Dollars (\$4,000.00).

3. That in November, 1925, your complainant and the defendant entered into an agreement whereby complainant, in order to secure the payment of said sum then owing to the defendant, agreed to and did execute and deliver to the defendant a deed conveying to her an undivided one-half interest in and to the above described property, which deed defendant was to and did accept and now holds as security for the monies so loaned to complainant; that as a part of the agreement under which said deed was delivered, defendant was to execute and deliver to complainant an option in writing whereby

(page two)

complainant would be given the right to re-purchase said property any time within five years from the date of said deed upon payment to the defendant of the said Four Thousand Dollars (\$4,000.00), with interest from the date of said deed to the date of said payment and upon such payment of said Four Thousand Dollars (\$4,000.00) and interest the defendant would re-convey the said property to complainant.

4. That said deed was given by complainant and accepted by defendant as security for the monies then owing defendant by complainant and although your complainant delivered said deed in accordance with his agreement, the defendant has failed and refused to execute and deliver to complainant the instrument or option setting forth his right to re-purchase as above set out.

5. That your complainant is in possession of all of said property and was in possession at the time such agreement was made and that defendant has received the consideration from him by complainants delivery of said deed to the defendant.

PRAYER FOR PROCESS AND RELIEF.

THE PREMISES CONSIDERED, your complainant prays that the said Annie L. Fraser be made party respondent to this cause by appropriate process issued out of this court; that upon a final hearing of this cause it will be rendered, adjudged and decreed that said deed was intended to be and is a mortgage and that your complainant be permitted to re-purchase said property according to the terms of the agreement above set forth and under which said deed was delivered to defendant. Should your complainant be mistaken in the relief sought, then that such other and further relief be granted as may be equitable in the premises and, as in duty bound, your complainant will ever pray, etc.

STONE & STONE,  
Solicitors for Complainant.

FOOT NOTE:-

Defendant is required to answer each and every paragraph of the foregoing Bill of Complaint from 1 to 5, both inclusive, but answer under oath is hereby expressly waived.

STONE & STONE,  
Solicitors for complainant.

DELOS D. JAYNE,  
Complainant,

-vs-

ANNIE L. FRASER.  
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA, BALDWIN COUNTY.

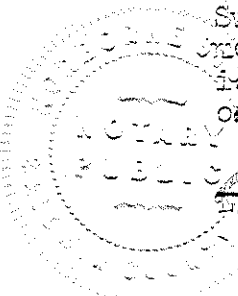
STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority personally appeared Delos D. Jayne, who is known to me and who, after being by me first duly and legally sworn doth depose and say under oath:

That his name is Delos D. Jayne; that he is the complainant in the above styled cause now pending in the Circuit Court, Baldwin County, Alabama, Equity side and wherein Annie L. Fraser is the defendant; that both affiant and defendant are over the age of twenty one years; that the defendant is a non-resident of the State of Alabama and resides in Detroit in the State of Michigan and that service by publication is necessary to make the said Annie L. Fraser party respondent in said cause.

Sworn to and subscribed before  
me, a Notary Public, whose seal  
is hereto affixed, this 3rd. day  
of April, 1926.

 Thomas H. [Signature]  
Notary Public, Baldwin County, Alabama.

Delos D. Jayne  
(AFFIX SEAL)

NOTICE OF LIS PENDENS.

DELOS D. JAYNE,  
Complainant,

-vs-

ANNIE L. FRASER.  
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA. BALDWIN COUNTY.

NOTICE IS HEREBY GIVEN, that a suit has been commenced by the above named complainant in the above named Court and against the above named defendant and which suit is now pending wherein complainant claims and seeks to have the Court decree in him the right to re-purchase or redeem from the defendant an un-divided one-half interest in and to the following described property in Baldwin County, Alabama, viz:-

East half of the West half, the south-east quarter, southeast quarter of the northeast quarter and a strip fifteen rods wide off of the south end of the southwest quarter of the northeast quarter of section thirty-one in township two south of range three east.

set forth and alleged in the Bill of Complaint filed in said cause that the defendant holds the legal title to an undivided one half interest in said property under a deed executed in November, 1925 by complainant to defendant under an agreement whereby said deed would be held as security for monies then owing from complainant to defendant and that complainant would be entitled to re-purchase or redeem said property from defendant at any time within five years from the date of said deed upon the payment of the amount of indebtedness owing to defendant by complainant in November, 1925, together with interest to the date of payment.

Dated this April 5th., 1926.

STONE & STONE,

By, W. Stone  
As Solicitors for Com-  
plainant.

I hereby certify that the original of the nature was filed with Judge of Probate of Baldwin County Ala this April 5<sup>th</sup> 1926, W. Stone

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Debn Jayma

vs

Amiel Firazon

Filed Apr 5th 1926

~~Filed~~ Filed

April 5th 1926

T. M. Curran

Register

RECORDED

The State of Alabama, }  
Baldwin County.

No. 582.

CIRCUIT COURT, IN EQUITY

John Prochazka

Complainant

vs.

Frances Prochazka,

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 account of abandonment,

It is further ordered, that the said

John Prochazka,

be, and he 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

John Prochazka,

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 issue against the said Frances Prochazka,

It is further ordered, adjudged and decreed that said

John Prochazka

shall not again marry except to said Frances Prochazka,

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to

said Frances Prochazka,

during the pendency of said appeal

This 22<sup>nd</sup> day of December 1927

*John D. Leigh*  
Judge of the Circuit Court of Baldwin County.

THE 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 \_\_\_\_\_ 192\_\_\_\_, 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 \_\_\_\_\_ 192\_\_\_\_

Register.

No. 582.

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.  
BALDWIN COUNTY, ALA.

John Prochazka

vs.

Prochazka

DECREE OF DIVORCE.

Filed in office this

23<sup>rd</sup>

day of

December, 1927

*J. W. Rice*  
Register.

E. O. M.

JOHN PROCHAZKA,  
Complainant, )

-vs-

FRANCES PROCHAZKA,  
Defendant. )

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT OF BALDWIN COUNTY,  
STATE OF ALABAMA, AND THE HON. JOHN D. LEIGH,  
JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant and exhibits this, his Bill of  
Complaint for divorce against Frances Prochazka, and for grounds  
thereof shows:

1. That both your Complainant and the defendant are over  
the age of twenty one years; that complainant is a bond-fide res-  
ident of Baldwin County, Alabama, residing at Robertsdale, where he  
has resided for more than three years next immediately preceding  
the filing of this Bill of Complaint. That the defendant is a non-  
resident of the State of Alabama and when last heard of\*resided in  
Templeton, Texas.

2. That your complainant and the defendant were married  
on heretofore on to-wit: September 8th., 1925 and that they lived  
to-gether as man and wife until to-wit: November 15th., 1925, when  
the defendant without just cause or legal excuse and while residing  
with complainant in Baldwin County, Alabama, voluntarily deserted  
and abandoned your complainant and has continued to so desert and  
abandon him up to this time.

PRAYER FOR PROCESS AND RELIEF.

Complainant prays that necessary process issue to make  
the above named defendant party respondent to this cause; that upon  
a final hearing hereof that your Honor will render, adjudge and  
decree that the bonds of matrimony heretofore existing between your  
complainant and the defendant be forever dissolved and that you  
complainant be again permitted to contract the marriage relation, if  
he so desires, and as in duty bound, he will ever pray, etc.

STONE & STONE  
Solicitors for Complainant.



(page two)

FOOT NOTE:-

Defendant is required to answer each and every paragraph of the foregoing Bill of Complaint, but not under oath, as oath is hereby expressly waived.

STONE & STONE,  
Solicitors for Complainant.

JOHN PROCHAZKA,

-vs-

FRANCES PROCHAZKA,

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

STATE OF ALABAMA.

BALDWIN COUNTY.

Before me, the undersigned authority, personally appeared John Prochazka, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath:

That he is the complainant in the above styled cause and is over the age of twenty-one years; that the defendant, Frances Prochazka, is over twenty-one years of age and is a non-resident of the State of Alabama and when last heard from resided at ~~Greenville~~, Texas; that her more particular address is unknown and cannot be ascertained although he has made diligent inquiry to that end; that service by publication is necessary in order to make the said Frances Prochazka party respondent in said cause.

Sworn to and subscribed before me, a Notary Public, whose seal is hereto affixed this 26th day of March, 1926.

John Prochazka

Notary Public  
Notary Public, Baldwin County, Alabama.

John Prochazka,  
Complainant.

In the Circuit Court of Baldwin County, Ala.  
In Equity.

vs.

Frances Prochazka,  
Defendant.

To the Hon. John D. Leigh, Judge of said Court:-

Comes the defendant, Frances Prochazka, and for answer to the bill of complaint in this cause alleges and states:-

First.

In answer to paragraph number One, she admits that she and complainant are over the age of 21 years, and that she is a resident of Penelope, Texas, and never has resided at Templeton, Texas, in fact there is no such post office in ~~the~~ Texas, she is informed.

Second.

In answer to ~~paragraph~~ paragraph number two, she alleges and states that it is true that she and complainant were married on to-wit:- September 8, 1923, but she denies that she voluntarily deserted or abandoned plaintiff, without just cause or legal excuse, but on the other hand she alleges that soon after their marriage ~~complainant~~ complainant, prevailed on her to let him have \$1400.00 to pay on the place or farm he was buying, and he promised in consideration of this payment, he would give her an equal interest in this farm, but after he had gotten all her money, he began to treat her very cruelly, and on account of his threats and acts of cruelty, she was forced to flee from his home, penniless, with her six children. That after she left him and returned to Texas, a child was born to her by the said complainant, and he has never contributed anything to the support of his child, or his wife, although complainant knew of defendant's destitute condition, and that complainant has never paid back the \$1400 he owes <sup>defendant</sup> plaintiff, neither has he given her an equal interest in the land or farm, as he promised, when she let him have the money.

Defendant alleges that complainant has a fine farm, is an able-bodied man, and is making a good income from his property, and is well able to pay a reasonable amount for alimony for his wife and child.  
Defendant states that she is very poor, and has no income, and is not

able to employ a solicitor to represent her in this proceeding, and she prays your Honor that a proper hearing may be had to ascertain a reasonable attorney's fee for her solicitor, and reasonable alimony pendente lite, and also permanent alimony.

Defendant further prays that complainant be required to repay the \$1400 paid on the farm, a description of which is unknown to defendant, or failing to do so, a lien or resulting trust be placed on this farm for the payment of the above sum of \$1400 as aforesaid.

Defendant prays for further and additional relief as may be meet and proper.

*M. H. Watkins*

Solicitor for Defendant,

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

} CIRCUIT COURT, IN EQUITY.

No. 582. Vacation Term, 1927

John Frochazka, Complainant

vs. Frances Frochazka, Defendant

In this cause it appears to the Register that the order of publication here-  
fore made in this cause, was published for four consecutive weeks, commencing on the 1st  
day of April, 1926, in the Baldwin Times,  
a newspaper published in Bay Minette Alabama, that a copy of said order was posted at the Court  
House door in Baldwin County, on the 1st  
day of April, 1926, and

And it now further appearing to the Register, that the said  
Frances Frochazka,

having to the date hereof failed to demur, plead to or answer the Bill of Complaint in this cause, it is now, there-  
fore, on motion of Complainant, ordered and decreed by the Register that the  
Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said

Frances Frochazka,

This 26th day of Sept, 1927

*[Signature]*  
Register.

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No. 582 Page

THE STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY

John Prochazka

vs.

Francis Prochazka,

DECREE PRO CONFESSO ON  
PUBLICATION.

Issued Sept 26 1927

*W. W. Rice*  
Register.

Recorded in Record

Vol. Page

INDEXED

Register.

John Prochazka

vs.

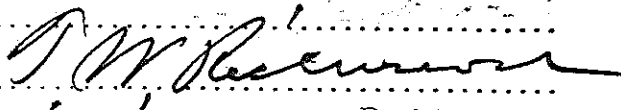
Frances Prochazka,

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,.....  
decree proconfesso and testimony of John Prochazka, A.F. Wesley and  
Frank Fukys.....

and in behalf of Defendant upon.....



Register.

No. 582

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

John Prochazka.

vs

Frances Prochazka.

NOTE OF TESTIMONY

Filed in Open Court this 9th  
day of Nov 1927.

*J. W. Rice*  
Register



Largest Weekly Circulation in South Alabama

Bay Minette, Ala.,

M J. W. Richardson.

Register

**THE BALDWIN TIMES**

FINE JOB PRINTING. BEST ADVERTISING MEDIUM

PROMPT SERVICE. LOWEST PRICES.

LOCAL AND LONG DISTANCE TELEPHONE

All Bills Must Be Paid Within 30 Days

May 25 - Notice to Non Resident.

Francis Prochazka. 4 times (173 words)

7.78.

# THE BALDWIN TIMES

PUBLISHED IN THE LAND OF THE GOLDEN SATSUMA

SUBSCRIPTION \$2.00 PER YEAR IN ADVANCE  
ADVERTISING RATES GIVEN ON APPLICATION

R. B. VAIL  
EDITOR AND PROPRIETOR

## BAY MINETTE, ALA.

### AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,  
BALDWIN COUNTY.

John Hilburn, being duly sworn, deposes and says that he is the ~~PUBLISHER~~ <sup>Foreman</sup> of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of \_\_\_\_\_

Notice to Non-resident.

Frances Prochazka

**NOTICE TO NON-RESIDENT**  
State of Alabama, Baldwin County Circuit Court in Equity, This the 1st day of April, 1926.  
John Prochazka, No. 581 vs. Frances Prochazka.  
In this cause it being made to appear to the Register of this Court by affidavit of John Prochazka, that the Defendant Frances Prochazka is a non-resident of the State of Alabama and when last heard from resided in Templeton, Texas, and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore, ordered that publication be made in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four consecutive weeks, requiring her the said Franice Prochazka, to answer or demur to the Bill of Complaint in this cause by the 1st day of May, 1926, or after thirty days therefrom a decree Pro Confesso may be taken against her.  
T. W. RICHEYSON, Register  
Stone & Stone, Attorneys for Plaintiff. 9-4t

Was published in said Newspaper for 4 consecutive weeks in the following

issues:			
Date of first publication	<u>April 1 - 1926</u>	Vol. _____	No. <u>9</u>
Date of second publication	<u>8 -</u>	Vol. _____	No. <u>10</u>
Date of third publication	<u>15 -</u>	Vol. _____	No. <u>11</u>
Date of fourth publication	<u>22</u>	Vol. _____	No. <u>12</u>

Subscribed and sworn to before the undersigned this 26 day of

May 1926  
T. W. Richeyson  
Circuit Court

John Hilburn  
Foreman

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 ~~John Prochazka~~ .....

Frances Prochazka, .....

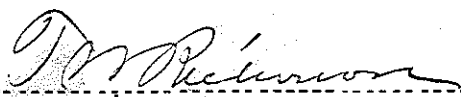
of Templeton, Texas, ~~County~~ to be and appear before the Judge of the Circuit Court  
of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
John Prochazka, .....

against said .....

Frances Prochazka, .....

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, T. W. Richerson, Register of said Circuit Court, this 29th day of  
March, 1926.

 Register.

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

SERVE ON.....

Circuit Court of Baldwin County  
In Equity.

No. ....

SUMMONS

John Prochazka,

vs.

Frances Prochazka,

Stone & Stone,

Solicitor for Complainant

Recorded in Vol. .... Page .....

THE STATE OF ALABAMA,  
BALDWIN COUNTY.

Received in office this .....

day of ..... 192.....

Sheriff.

Executed this ..... day of

..... 192.....

by leaving a copy of the within Summons with

Defendant.

Sheriff.

By .....  
Deputy Sheriff.

*Copy of Summons  
& Copy of Bill  
sent by Reg mail  
to Dept of Transportation  
Tax*

John Prochazka.

No. 581.

vs.

Frances Prochazka.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

This the 1st day of  
April 1926,

In this cause it being made to appear to the Register of this Court by the affidavit of  
John Prochazka,

that the Defendant Frances Prochazka

is a non-resident of the State of Alabama and when last heard from ~~resided~~  
resided in Templeton Texas,

and further, that, in the belief of said Affiant the Defendant is over the age of 21  
years; it is, therefore ordered that publication be made in the Baldwin Times  
a newspaper published in Bay Minette

Baldwin County, Alabama, once a week for four consecutive weeks, requiring her  
the said Frances Prochazka,

to answer or demur to the Bill of Complaint in this cause by the 1st day of  
May 1926, or after thirty days therefrom a decree Pro Confesso may  
be taken against her.

*J. W. Rice* Register.

Stone & Stone.  
Attorneys for Plaintiff.

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity.)

John Prochazka

Complainant.

VS.

Francis Prochazka,

Respondent.

I, T. W. Richerson,

as Register and Commissioner

have called and caused to come before me John Prochazka, A. F. Wesley, and Frank Pukys

witness named in the Requirement for Oral Examination, on the 9 day of Oct  
1927, at the office of Bay Minette Ala.

in Alabama, and having first sworn said witness to speak the  
truth, the whole truth, and nothing but the truth, the said Witnesses

doth depose and say as follows:

[Large area of dotted lines for deposition content]

The State of Alabama,  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity.)

John Prochazka

Complainant.

VS.

Francis Prochazka,

Respondent.

I, T.W. Richerson,

as Register and Commissioner

have called and caused to come before me John Prochazka, A.F. Wesley, and Frank Puky

witness named in the Requirement for Oral Examination, on the 9 day of Oct 1927, at the office of Bay Minette Ala.

in Alabama, and having first sworn said witness to speak the truth, the whole truth, and nothing but the truth, the said Witnesses doth depose and say as follows:

JOHN PROCHAZKA, the complainant and a witness for complainant, upon being duly sworn, testifies as follows:-

My name is John Prochazka and I am the complainant in that certain cause now pending in the Circuit Court, Equity Side State of Alabama, Baldwin County, wherein Frances Prochazka is the defendant. Both I and the defendant are over the age of 21 years and were on March 27th., 1926; that on March 27th., 1926 and at this time I was and am a bona fide resident of Baldwin County, residing at Robertsdale where I resided for more than three years next immediately preceding the 27th. day of March, 1926, the date of the filing of the Bill of Complaint.

That the defendant was on said date and is at this time a non-resident of the State of Alabama and when last heard of up to March 27th., 1926, resided in Texas. That I and the defendant were married on September 8th., 1923 and we lived together as man and wife until November 13th., 1923 when the defendant without just cause or legal excuse voluntarily deserted and abandoned me. This abandonment took place in Baldwin County, Alabama more than two years prior to the filing of the Bill of Complaint and has continued without interruption up to this time.

John Prochazka

A. F. WESLEY, a witness for complainant being duly sworn, testifies as follows:-

My name is A. F. Wesley and I reside at Robertsdale in Baldwin County, Alabama, where I have resided continuously for the past 13 years. I know both John Prochazka the complainant in this case and his wife, Frances Prochazka, the defendant. I have known John Prochazka continuously for the past 5 or 6 years and have known his wife continuously for the past 4 years. I know that on March 27th., 1926 both John and Frances Prochazka were over 21 years old; that John Prochazka is a bona fide resident of Baldwin County, Alabama, residing at Robertsdale where he had resided for more than three years next immediately preceding said date. On said date the defendant did not live at Robertsdale and although I did not know her place of residence I understood that it was somewhere in Texas.

Although I was not present at the ceremony I know that John Prochazka went to Texas to get married and he returned sometime in September, 1923 with Frances Prochazka as his wife and that they lived together as man and wife for about two months when, during the latter part of 1923, Frances Prochazka voluntarily deserted and abandoned John Prochazka. This abandonment took place in Baldwin County, Alabama and they have not lived together as man and wife since said date. I was more or less intimately acquainted with their troubles for both would come to me seeking advice and from the facts attending the separation as related to me by both of them Frances Prochazka deserted and abandoned John Prochazka without just cause or legal excuse. This abandonment took place more than two years before March 27th., 1926 and has continued without interruption. I am not related to either party by blood or marriage and have no interest in the outcome of this suit.

A. F. Wesley



(page two)

FRANK PUKYS, a witness for complainant being duly sworn, testifies as follows:-

My name is Frank Pukys. I am 38 years of age and reside near Robertsdale, in Baldwin County, Alabama. I know both John Prochazka and Frances Prochazka, the complainant and the defendant respectively in this case. On March 27th., 1926 they were both over 21 years old and the complainant was a bona fide resident of Baldwin County, Alabama living at Robertsdale where he had resided for more than three years next immediately preceding said date. The defendant did not live with him and although I do not know where she lived I heard she lived in Texas.

Although I was not present at the ceremony I know that sometime in September, 1923 John Prochazka went to Texas to marry and returned with Frances Prochazka as his wife and they lived together as such until during November 1923, when the defendant, without just cause or legal excuse, voluntarily deserted and abandoned the complainant while they were living in Baldwin County, Alabama; that this abandonment took place more than two years before March 27th., 1926 and has continued without interruption.

During all of this time and now I live about a mile from the complainant. I am not related by blood or marriage to either party and have no interest in the outcome of this suit.

Frank Pukys

ORAL EXAMINATION.

I, T.W. Richerson,, as Register and Commissioner hereby certify that the foregoing deposition... on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and H.C. Stone Atty for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness 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 9th day of Oct 1927

T.W. Richerson (L. S.)

NO. 582 PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

John Prochazka

vs. Complainant

Frances Prochazka.

Respondent.

Oral Deposition

Filed Oct 9, 1927

T.W. Richerson, Register.  
Recorded in

Record

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Register

CIRCUIT COURT  
BALDWIN COUNTY

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ORAL EXAMINATION.

I, T.W. Richerson, as Register and Commissioner hereby certify

that the foregoing deposition... on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and N.C. Stone Atty for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness 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 9th day of Oct 1927

T.W. Richerson (L. S.)



NO. 582 PAGE

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

John Prochazka

vs. Complainant

Frances Prochazka.

Respondent.

Oral Deposition

Filed Oct 9, 1927

T.W. Richerson, Register.

Recorded in

Record

Vol. Page

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 ~~John Prochazka~~  
Frances Prochazka,

of ~~Alabama~~ Templeton, Texas, ~~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 Sum-  
mons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by  
John Prochazka,

against said  
Frances Prochazka,

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, T. W. Richerson, Register of said Circuit Court, this 29th day of  
March, 6, 192

*T. W. Richerson* Register.

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

*Copy for left*

JOHN PROCHAZKA,  
Complainant,

-vs-

FRANCIS PROCHAZKA,  
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.

STATE OF ALABAMA.

BALDWIN COUNTY.

TO THE HON. THE CIRCUIT COURT OF BALDWIN COUNTY,  
STATE OF ALABAMA, AND THE HON. JOHN D. LEIGH,  
JUDGE THEREOF, SITTING IN EQUITY:-

Comes your Complainant and exhibits this, his Bill of Complaint for divorce against Francis Prochazka, and for grounds thereof shows:

1. That both your Complainant and the defendant are over the age of twenty one years; that complainant is a bona-fide resident of Baldwin County, Alabama, residing at Robertsdale, where he has resided for more than three years next immediately preceding the filing of this Bill of Complaint. That the defendant is a non-resident of the State of Alabama and when last heard of resided in Templeton, Texas.

2. That your complainant and the defendant were married on heretofore on to-wit: September 8th., 1925 and that they lived together as man and wife until to-wit: November 13th., 1925, when the defendant without just cause or legal excuse and while residing with complainant in Baldwin County, Alabama, voluntarily deserted and abandoned your complainant and has continued to so desert and abandon him up to this time.

PRAYER FOR PROCESS AND RELIEF.

Complainant prays that necessary process issue to make the above named defendant party respondent to this cause; that upon a final hearing hereof that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between your complainant and the defendant be forever dissolved and that you complainant be again permitted to contract the marriage relation, if he so desires, and as in duty bound, he will ever pray, etc.

STONE & STONE  
Solicitors for Complainant.

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FOOT NOTE:-

Defendant is required to answer each and every paragraph of the foregoing Bill of Complaint, but not under oath, as oath is hereby expressly waived.

STONE & STONE,  
Solicitors for Complainant.

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

*[Handwritten signature]*

Copy for left.

John Prochaska  
vs

Grace Prochaska.

Filed 4/27/26

D. W. Patterson  
Register

NOTICE FOR CONDEMNATION  
BY THE STATE

copy is hereby returned at this

copy of the recording bill of condemnation, but not under copy as  
Defendant is required to answer each and every bill.

BOOK NUMBER:-

(page two)