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

)
) IN THE CIRCUIT COURT-EQUITY SIDE
)
) STATE OF ALABAMA
)
) BALDWIN COUNTY.
)

ORIGINAL BILL OF COMPLAINT.

TO THE HONORABLE THE CIRCUIT COURT-EQUITY SIDE, STATE OF ALABAMA
BALDWIN COUNTY, AND THE HONORABLE FRANCIS W. HARE, JUDGE THEREOF
SITTING IN EQUITY:-

Comes your Complainant, Joseph Spacek, and exhibits
this, his Bill of Complaint, against the Respondent, Mary Spacek
and for grounds therefor shows:

FIRST:

That your Complainant and the Respondent are over the
age of twenty-one years and are of sound mind; that your Complainant
is a bona fide resident of Silverhill in Baldwin County, Alabama
having been such a resident for more than three years next immediately
preceding the filing of this Bill; that the Respondent is
a non-resident of the State of Alabama, residing at 2806½ Seventh
Street, Los Angeles, California, when last heard of by your Com-
plainant.

SECOND:

That your Complainant and the Respondent were married
to-wit, sometime in August, 1913, and lived together as husband
and wife until the Respondent, without just cause or legal excuse
voluntarily deserted and abandoned your Complainant on, to-wit,
September 15th, 1929; that such abandonment and desertion took
place at Silverhill, Baldwin County, Alabama, where said parties
were residing, more than two years before the filing of this Bill
of Complaint and has continued without interruption.

PRAYER FOR PROCESS AND RELIEF.

The premises considered, Complainant prays that Respondent
be made a party defendant to this cause by the usual processes of
law; that upon a final hearing your Honor will render, adjudge
and decree that the Bonds of Matrimony heretofore existing between
your Complainant and the Respondent be forever discharged and
that your Complainant be again permitted to contract marriage

(page two)

should he so desire; and that there be granted such other, further or different relief to which your Complainant may be entitled in equity and good conscience. And as in duty bound your Complainant will ever pray.

Joseph Spence
Complainant.

FOOT-NOTE:-

Respondent is required to answer each and every paragraph of the foregoing Bill of Complaint from "First" to "Second", both inclusive, but answer under oath is hereby expressly waived.

Hyatt, Heard & Chason
Solicitors for Complainant.

Hyatt, Heard & Chason
Solicitors for Complainant.

STATE OF ALABAMA,
BALDWIN COUNTY.

Before me, the undersigned authority in and for said County in said State, personally appeared Joseph Spacek, who is known to me and who after being by me first duly and legally sworn doth depose and say under oath as follows:-

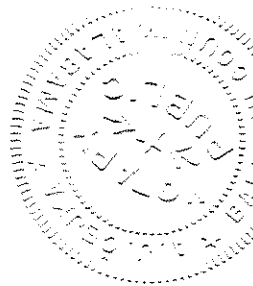
That his name is Joseph Spacek; that he is the Complainant in that certain cause now pending in the Circuit Court of Baldwin County, Alabama, Equity Side, wherein said Mary Spacek is Respondent; that the said Mary Spacek is over the age of twenty-one years and is a non-resident of the State of Alabama, residing at 2806½ Seventh Street, Los Angeles, California, when last heard from.

Sworn to and subscribed before
me, a Notary Public whose seal
is hereto affixed, this first
day of October, 1931.

A. J. Cijka
Notary Public, Baldwin County,
State of Alabama.

My commission expires July 28-1934.

Joseph Spacek



ORIGINAL

BILL OF COMPLAINT.

JOSEPH SPACEK,
Complainant,

--VS--

MARY SPACEK,
Respondent.

IN THE CIRCUIT COURT-EQUITY SIDE
STATE OF ALABAMA
BALDWIN COUNTY.

Filed October 21, 1931,

Wm. H. Heard
Register.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

The State of Alabama, {
Baldwin County. No. 1000.

Circuit Court, in Equity.

Joseph Spacek, Complainant

vs.

Mary Spacek, 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 voluntary abandonment,

It further ordered, that the said Joseph Spacek, 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 Joseph Spacek, 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

Mary Spacek,

It is further ordered, adjudged and decreed that said Joseph Spacek, shall not again marry except to said Mary Spacek, until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Mary Spacek,

during the said pendency of appeal

This 25th day of November, 1931, 192

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 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

Joseph Spacek
RECORDED

NO. 1000.

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Joseph Spacek,

vs.

Mary Spacek,

DECREE OF DIVORCE.

Filed in office this 26

day of *April*, 192*7*
Joseph Spacek

E. O. M. Register

Moore Printing Co. Bay Minette, Ala.

JOSEPH SPACEK,

Complainant,

-vs-

MARY SPACEK,

Respondent.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

NO. 1000.

DECREE OF DIVORCE.

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, Decree Pro Confesso by Registered mail, 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.

It is further ordered, that the said Joseph Spacek 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 Joseph Spacek pay the costs herein taxes, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Mary Spacek.

It is further ordered, adjudged and decreed that said Joseph Spacek shall not again marry except to said Mary Spacek until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to said Mary Spacek during the pendency of said appeal.

This 25th day of November, 1951.

D. W. Hare
Judge of the 21st Judicial Circuit.

Recorded

DECREE OF DIVORCE.

JOSEPH SPACEK,
Complainant,

--VS--

MARY SPACEK,
Respondent.

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

NO. 1000.

Michael D. & Co., 1931.

W. W. Dickerson
Register.

LAW OFFICES
HYBART, HEARD
& CHASON
BAY MINETTE, ALABAMA

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 Mary Spacek

2806½ Seventh Street,

Los Angeles, California.

of _____ 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 Joseph Spacek

against said Mary Spacek

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 2nd day of

October 193 1

T. W. Richerson Register.

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

The State of Alabama }
Baldwin County

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

JOSEPH SPACEK,

COMPLAINANT

VS.

MARY SPACEK.

RESPONDENT

I, T. W. Richerson.

as Register ~~and Commissioner~~ of the Circuit Court of Baldwin County, Alabama,
have called and caused to come before me Joseph Spacek and Anna J. Cejka.

witness ~~es~~ named in the requirement for Oral Examination, on the 25th day of November
1931, at the office of the Register of the Circuit Court of Baldwin County,
in Bay Minette, Alabama, and having first sworn said witness ~~es~~ to speak the
truth, the whole truth, and nothing but the truth, the said Joseph Spacek and Anna J. Cejka

doth depose and say as follows:

Serve on _____
Circuit Court of Baldwin County
In Equity.

No. _____

SUMMONS

Joseph Spacek

vs.

Mary Spacek

2806 $\frac{1}{2}$ Seventh Street

Los Angeles, California.

Hybart, Heard & Chason

Solicitor for Complainant.

Recorded in Vol. _____ Page _____

The State of Alabama,
BALDWIN COUNTY.

Received in office this _____

day of _____ 193 _____

Sheriff.

Executed this _____ day of _____

193 _____

by leaving a copy of the within Summons with _____

Defendant.

Sheriff.

Deputy Sheriff.

By _____

Copy of Summons and
Copy of Bill of Com-
plaint mailed Mary
Spacek, Defendant this
the 2nd day of October,
1931, by Registered
Mail.

JOSEPH SPACEK,

Complainant,

-vs-

MARY SPACEK,

Respondent.

IN THE CIRCUIT COURT-EQUITY S

STATE OF ALABAMA

BALDWIN COUNTY.

NO. 1000.

TESTIMONY OF JOSEPH SPACEK.

My name is Joseph Spacek. I was married to Mary Spacek some time in August, 1915, and we lived together as husband and wife until Mary Spacek, without just cause or legal excuse, voluntarily deserted and abandoned me on September 15th, 1929; this abandonment taking place at Silverhill, in Baldwin County, Alabama more than two years before I filed my original Bill of Complaint, and since that time we have not lived together as man and wife; that such abandonment was entirely without any cause on my part and was without any legal excuse on the part of Mary Spacek. I have been a resident of Baldwin County, Alabama, residing at Silverhill, for more than three years before the filing of this Bill of Complaint, which was filed on October 2nd, 1931.

Joseph Spacek

JOSEPH SPACEK,

Complainant,

-vs-

MARY SPACEK,

Respondent.

IN THE CIRCUIT COURT-IN EQUITY

STATE OF ALABAMA

BALDWIN COUNTY.

NO. 1000.

TESTIMONY OF ANNA J. CEJKA.

My name is Anna J. Cejka. I am over the age of twenty-one years and am a resident of Baldwin County, Alabama, residing at Silverhill, Alabama, where I have resided for more than forty years. I knew both Mary Spacek and Joseph Spacek and I know of my own knowledge that Mary Spacek, without legal cause or justification, voluntarily deserted and abandoned her husband, Joseph Spacek, on September 15th, 1929, and that they were residing at Silverhill, Alabama, when such desertion and abandonment took place. I also know of my own knowledge that they have not lived together as man and wife since this abandonment.

I know that Joseph Spacek has been a resident of Baldwin County, Alabama, for the past six years.

Anna J. Cejka

ORAL EXAMINTAION

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 _____ 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 25th day of November 1951.

T. W. Richerson (L. S.)

No. 1000

Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Joseph A. Phares

COMPLAINANT

VS.

Mary Phares

RESPONDENT

ORAL DEPOSITION

Filed Nov 25 -, 1931

T. W. Richerson, Register.

RECORDED IN

Record

Vol. _____ Page _____

Register

8581 NOTE OF TESTIMONY

JOSEPH SPACEK,

Complainant

vs.

MARY SPACEK,

Respondent.

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 Pro Confesso by Registered service.. and Testimony of Joseph.
Spacek and Anna J. Cejka.

and in behalf of Defendant upon

J. W. Register

Register.

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RECORDED

No. 1660.

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

VS

NOTE OF TESTIMONY

Filed in Open Court this

day of Nov. 25th 1931.

T. R. R. R.

Register

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 1000. Vacation Term, 1931

Joseph Spacek, , Complainant.

vs.

Mary Spacek, , Defendant.

To T.W. Richerson, , Register :

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by Hybart, Heard and Chason,

..... Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

Hybart, Heard & Chason
.....
Solicitor for Complainant.

RECORDED
No. 1000.

Page.....

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Joseph Spacek

vs.

Mary Spacek,

REQUEST FOR DECREE IN
VACATION

FILED Nov 24th, 1931. 192....

W. R. ...
Register

RECORDED IN RECORD

VOL. PAGE.....

Register

Joseph Spacek,

vs.

Mary Spacek,

CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

2nd

In this cause it being made to appear to the Register that on the _____ day of _____ 192__31 a copy of the Bill of Complaint filed in this cause was sent to _____ Mary Spacek, 2806½ Seventh Street, Los Angeles California,

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom addressed," and return receipt demanded addressed to the Register of this Court; and that on the _____ 14th _____ day of _____ October, _____ 1931 _____ 192____, such receipt was duly received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered, adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all things taken as confessed against the said _____

Mary Spacek,

Defendant.

This the _____ 16th _____ day of _____ November, _____ 1931 _____

D.M. Reel Register.

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No. 1000

CIRCUIT COURT OF BALDWIN
COUNTY, ALA.

In Equity.

Joseph Spacek,

vs.

Mary Spacek,

Decree Pro Confesso After
Notice By Registered Mail.

Filed in office this 16th day of

November, 1931, 8888.

M. J. Moore, Register

Entered in O. B. Page