

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

VLASTA TUMA

_____, Complainant

Vs.

JOSEPH TUMA

_____, Defendant

To R. S. DUCK _____, 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 _____ S. C. JENKINS

_____ 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.



Solicitor for Complainant.

VLASTA TUMA

vs.

JOSEPH TUMA

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, _____

Testimony of VLASTA TUMA, Testimony of Mrs. Marie Kecera,
Testimony of Joseph Tuma Jr.

and in behalf of Defendant upon Answer and waiver

R. S. Duck

Register.

443

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

VLASTA TUMA Complainant

vs.

JOSEPH TUMA Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso

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 VLASTA TUMA is forever divorced from the said

JOSEPH TUMA

for and on account of CRUELTY

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 VLASTA TUMA be, and she hereby permitted to again contract marriage upon the payment of the cost of this suit.

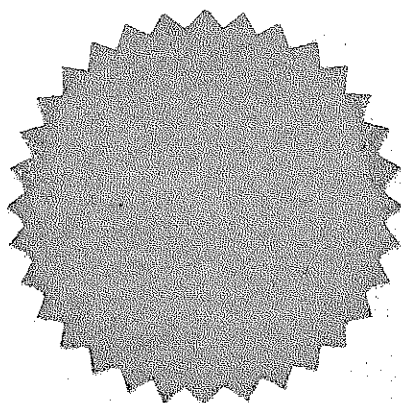
It is further ordered that VLASTA TUMA the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 5th day of AUGUST, 1958

J. W. Hare

Judge Circuit Court, in Equity.

I, Register of the Circuit Court for 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.

Vlasta Tuma, Complainant)
vs)
Joseph Tuma, Respondent.)

In The Circuit Court of Baldwin
County, Alabama.
In Equity.

Now, comes Joseph Tuma, the respondent in the foregoing styled cause and for answer to the complaint and to each paragraph thereof and says he is not guilty of the acts therein alleged against him and demands strict proof of the same; he admits that he and the complainant, the said Vlasta Tuma, were legally married at Richmond Virginia, on the 10th of June 1911 and that they moved to Baldwin County about fifteen year ago and that they have lived in said county since said time; he admits he a resident citizen of said county and state, living at Loxley, Ala

Respondent further answering, waives ^{notice} of a subpoena by sheriff to be served in the cause now pending in said Circuit Court of Baldwin County, Alabama and he waives notice of the time and place of the taking of testimony in said cause and waives his right to cross examine same and he consents that a decree may be taken in vacation by the judge of said court and waives notice of the submission of the cause by the complainant or her attorney upon the evidence that may be taken before the clerk or Register in Chancery of said court .

Witnesses :

Thomas Vingoherk
C E Johnson

Joseph Tuma

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

JOSEPH TUMA,

of Baldwin 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

VLASTA TUMA,

against said JOSEPH TUMA,

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, R. S. Duck, Register of said Circuit Court, this 26th day of July, 1938.

R. S. Duck, Register

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

Vlasta Tuma, Complainant)
vs)
Joseph Tuma, Respondent.)

In The Circuit Court of Baldwin
County, Alabama.
In Equity.

To the Honorable Francis W Hare, Judge of the Twenty First Judicial
Circuit of Alabama, which includes Baldwin County:

Humbly complaining, your Oratrix, Vlasta Tuma, respectfully represents
unto your Honor as follows:

1. That your Oratrix, the said Vlasta Tuma, and the respondent, the
said Joseph Tuma, were legally married in Richmond, Virginia, on
June 10th, 1911 and lived together as husband and wife until Nov. 6th
1936, when they separated, while they were living at Loxley in Baldwin
County, Alabama and they have not lived together since said time; they
moved to Baldwin County about fifteen years ago and lived at Loxley
in said County and state. They both are citizens and residents of said
county and state and have been so for more than three years before the
filing of the Bill of Complaint in this cause. They are both over the
age of twenty one years; your Oratrix resides at Robertsdale, Alabama,
and the respondent resides at Loxley, Alabama in Baldwin County.

2. That after your Oratrix and respondent moved to Loxley, Alabama,
the respondent about two years ago became subject to violent fits
of temper; he would throw ax handles and other dangerous things at
her; one time he threw a money wrench at her and treated her most
cruelly and threatened her with great bodily harm, such as would endanger
her health and life; his conduct became such that she had a reasonable
apprehension of great personal harm and violence to her as would
endanger her health and life and as a consequence your Oratrix was
forced to cease to live with the respondent, which she did on to wit,
November 6th, 1936 and went to live with her mother, Mrs. Marie Kucera, at
Robertsdale, Alabama, where she has resided ever since.

Wherefore, the premises considered, your Oratrix, the said Vlasta Tuma,
prays that a subpoena be issued and directed to the said Joseph Tuma,
the respondent aforesaid in this cause; that he be brought into this
Honorable Court; that he may be made a party defendant to this Bill
of Complaint filed in this cause and that upon a final hearing of the
evidence in this cause and at a final hearing therein, your Honor will

order, adjudge and decree that the bonds of matrimony heretofore -
 existing between your Oratrix and the respondent, the said Joseph
 Tuma, be forever dissolved and that your Honor, will, also, order -
 adjudge and decree that your Oratrix be permitted to marry again and
 that she be granted such other and further relief as may in equity and
 good conscience seem meet and proper to your Honor.

And your Oratrix will ever pray etc .

J. Gentling

Solicitor for the Complainant

Foot Note:

The respondent is required to answer each and every paragraph of the
 foregoing Bill of Complaint from item 1 to item 2 inclusive, but his
 answer under oath is hereby expressly waived.

J. Gentling

Solicitor for the Complainant.

RECORDED *Duch*
2-376

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

Vlasta Tuma

vs.

Joseph Tuma

NOTE OF TESTIMONY

Filed in Open Court this 4th

day of August 1938

R.S. Duch

REGISTER

RECORDED *Duch*
7-2-08

No. _____ Page _____

The State of Alabama,
Baldwin County.
CIRCUIT COURT, IN EQUITY

VLASTA TUMA

Vs.

JOSEPH TUMA

**REQUEST FOR DECREE IN
VACATION**

Filed **AUGUST 4**, _____, 193**8**

R. S. Duch

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

Spelling -
Amel
RECORDED
9-500

VIASPA TUMA,
Complainant,

vs.

JOSEPH TUMA,
Respondent.

BILL OF COMPLAINT

Filed this *26* day *July* 19*35*

R. S. Duck
Clerk-Register

(original)

*Copy
made
by
S. C. Jenkins
on 7-10-1938*

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 443

Summons

VIASPA TUMA,
Complainant,

VS.

JOSEPH TUMA,
Respondent.

S. C. JENKINS,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

194
RECORDED
Book
7-499

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 1938

Sheriff.

Executed this 5 day of
August, 1938
by leaving a copy of the Summons with

Joseph Tuma

Defendant

M. H. Williams

Sheriff

By *John R. Davis*
Deputy Sheriff

Actual
RECORDED 7-5-22

Answer

Filed this 3rd day of July 1922
B. S. Ditch
Clerk-Register



ORIGINAL RECORDED 5-376

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

VIASFA TUMA

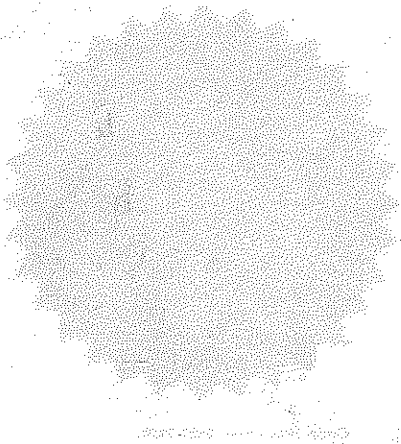
vs. Complainant.

JOSEPH TUMA

Respondent.

DIVORCE DECREE

*Filed August 7, 1935
R. S. Buck, Register*



The State of Alabama }
Baldwin County

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

VLASTA TUMA,

COMPLAINANT

VS.

JOSEPH TUMA,

RESPONDENT

I, R. S. DUCK,

as Register and Commissioner of Circuit Court of Baldwin County, Alabama, in
Equity

have called and caused to come before me

Vlasta Tuma, Mrs. Marie Kucera, Joseph Tuma, Jr.

witnesses named in the Requirement for Oral Examination, on the 4 day of August

19 38, at the office of R. S. DUCK, Clerk-Register of the Circuit Court

in Bay Minette, Alabama, and having first sworn said witnesses to speak the

truth, the whole truth, and nothing but the truth, the said

doth depose and say as follows:

TESTIMONY OF VLASTA TUMA:-

My name is Vlasta Tuma, and I am the complainant in the cause of Vlasta Tuma, Complainant versus Joseph Tuma, Respondent in the Circuit Court of Baldwin County, in Equity. Respondent, Joseph Tuma and I, Vlasta Tuma, were legally married in Richmond, Va. on June 11th, 1911, and we lived together as husband and wife until November 6th, 1936, when we separated while we were living at Loxley, in Baldwin County, Ala., and we have not lived together as husband and wife since that time. We moved to Baldwin County about fifteen years ago and lived at Loxley. We are both citizens and residents of Baldwin County and have been so for more than two years before the filing of the Bill of Complainant in this cause. We are both over the age of twenty-one years. I, reside at Robertsdale, Ala., and the respondent resides at Loxley, Ala.

We lived together very well after we moved to Loxley until about two years ago, when the respondent became subject to fits of violent temper and at such time he would throw ax handles at me, and other dangerous things that he could lay his hands on. One time he threw a monkey-wrench at me. As a result he treated me most cruelly and I was in danger of my life and health as the result of this treatment. Finally his conduct became such that I had reasonable apprehension to believe that I was in danger of my life. As a consequence I was forced to leave the respondent, which I did on November 6th, 1936, and I went to live with my mother, Mrs. Marie Kucera at Robertsdale where I have resided ever since.

Vlasta Tuma

ORAL EXAMINATION

I, R. S. DUCK,, as Register and Commissioner hereby certify that the foregoing deposition S. on Oral Examination was taken down in writing by me in the words of the witness... and read over to them and they signed the same in the presence of myself _____ at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness .. or had proof made before me of the identity of said witness .. ; 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 4th day of August 19 38.

R. S. Duck (L. S.)

No. 443 Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

VIASFA TUTMA,

COMPLAINANT

vs.

JOSEPH TUTMA,

RESPONDENT

ORAL DEPOSITION

Filed August 4, 19 38

R. S. Duck, Register
RECORDED IN _____

Record _____

Vol. _____ Page _____

Register _____

TESTIMONY OF MRS. MARIA KUCERA:-

My name is Mrs. Marie Kucera. I have lived in Baldwin County three years, and have lived one year at Loxley with my daughter, Vlasta Tuma, the wife of Joseph Tuma, then I bought a place at Robertsdale where I now reside. My daughter, Vlasta Tuma now resides with me. She and her husband have been separated since November 6th, 1936 and they have not lived together since. I know when he left her and that he treated her most cruelly and threatened her she became uneasy and apprehensive that he would ~~eng~~ endanger her life and health, and she left him and came to live with me. I knew Vlasta Tuma and Joseph Tuma when they resided in Va. We all lived in Hanover county but they were married in Richmond and they lived together as husband and wife until November 6, 1936, when they separated. They are both over the age of twenty-one years, and residents of Baldwin County, Ala., and have been so for more than three years before the filing of the Bill of Complaint in this cause.

Marie Kucera

TESTIMONY OF JOSEPH TUMA, JR.,:*

My name is Joseph Tuma, Jr., and I am eighteen years old. I live at Robertsdale, in Baldwin County, with my grandmother and my mother, the complainant in this cause. I have been living there since November 6th, 1936, when my mother and father separated. I know something of the ~~###~~ facts that caused the separation. Some two years ago my father had fits of temper and would get mad at my mother and throw things at her. One time he threw a monkey-wrench at her. I know that he treated her cruelly and as a consequence she was forced to leave him, and we went to live with my grandmother at Robertsdale. Both the complainant and the respondent are over the age of twenty-one years and both residents of Baldwin County, Alabama, and have been so for more than three years.

Joseph Jr Tuma