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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDNA CLOPTON KOWALESKI, Complainant

VS.

TED KOWALESKI, Respondent

Acceptance of

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Defendants Answer and Waiver~~ on Service, 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 Edna Clopton Kowaleski is forever divorced from the said

Ted Kowaleski

for and on account of cruelty.

It is further ordered, adjudged and decreed that the complainant, Edna Clopton Kowaleski, be given the right to resume her maiden name, Edna Clopton.

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 Edna Clopton Kowaleski & Ted Kowaleski, be, and they hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Ted Kowaleski the defendant pay the cost herein to be taxed, for which execution may issue.

This 13th day of January, 1939.

D. 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.

EDNA CLOPTON KOWALESKI, )  
Complainant, )  
vs. )  
TED KOWALESKI, )  
Respondent. )

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

Comes the respondent, TED KOWALESKI, and for answer to the complainant's bill of complaint, and to each Count thereof, separately and severally, says:

FIRST:

That the respondent admits the allegations contained in Paragraphs FIRST and SECOND of said bill of complaint.

SECOND:

That the respondent denies the allegations contained in Paragraph THIRD and demands strict proof of the same.

X Ted Kowaleski

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, SITTING IN EQUITY:

Comes your complainant, EDNA CLOPTON KOWALESKI, and  
humbly complaining against the defendant, TED KOWALESKI, respect-  
fully represents and shows unto your Honor as follows:

FIRST:

That your complainant and the defendant are each over  
the age of twenty-one years and are residents of Baldwin County,  
Alabama, and have been for the past eight years next preceding  
the filing of this bill of complaint.

SECOND:

That your complainant and the defendant were married  
in Bay Minette, Baldwin County, Alabama, on Monday, the 9th day  
of January, 1939.

THIRD:

That since said marriage the defendant has refused to  
live with your complainant, and they have never lived together  
as husband and wife; that he has treated the complainant in a  
cruel and inhuman manner and has threatened to do violence to  
her person and has made her life such that she is in fear of  
bodily harm to be done to her by the defendant, and your com-  
plainant believes that the defendant will continue to do violence  
to her person endangering her life and health.

WHEREFORE, your complainant prays that your Honor will  
by proper process make the said TED KOWALESKI a party defendant  
to this bill of complaint, requiring him to plead, answer or de-  
mur to the same within the time required by law and under the  
pains and penalties prescribed by this Honorable Court.

Complainant further prays that your Honor will give and  
grant unto her an absolute decree of divorce, forever barring the  
bonds of matrimony heretofore existing between the said complain-  
ant and the said defendant. And your complainant further prays

that your Honor will grant to your complainant the right to resume her maiden name of Edna Clopton; and your complainant prays for such other, further, different or general relief as she may in equity and good conscience be entitled to receive. And as in duty bound she will ever pray.

Edna Clopton Kowaleski  
Complainant.

Beebe Hall & Beebe  
Solicitors for complainant.

FOOT NOTE:

The defendant, Ted Kowaleski, is required to answer each and every allegation of the foregoing bill of complaint, Paragraphs FIRST to THIRD inclusive, but not under oath, oath being hereby waived.

Edna Clopton Kowaleski  
Complainant.

Beebe Hall & Beebe  
Solicitors for complainant.

EDNA CLOPTON KOWALESKI,  
Complainant,  
vs.  
TED KOWALESKI,  
Defendant.

) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA.  
)  
) IN EQUITY.  
)

ACCEPTANCE OF SERVICE.

The undersigned, TED KOWALESKI, defendant in the above entitled cause, hereby accepts service of summons and complaint heretofore filed in the said Court, and agrees that the same be set down for hearing forthwith without further notice on his part.

Witness:

J.P. Beebe

Ted Kowaleski

Defendant.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To IDA M. TURNBULL

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, at such time and place as you may appoint, to call before you and examine Edna Clopton Kowaleski

as witnesses in behalf of (Complainant) in a cause pending in our Circuit Court of Baldwin County, of said State, wherein

EDNA CLOPTON KOWALESKI

Complainant

and TED KOWALESKI,

Defendant,

on oath to be by you administered, upon her to take and certify the deposition... of the witness... and return the same to our Court, with all convenient speed, under your hand.

Witness 13th day of January 19 39

COMMISSIONER'S FEE, \$ 5.00  
WITNESS' FEES, \$

R. S. BURTON

REGISTER

*Handwritten signature*

NO. 10000

RECORDED

The State of Alabama  
BALDWIN COUNTY  
CIRCUIT COURT

EDNA CLOPTON KOWALESKI,

Complainant

vs.

TED KOWALESKI,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Ida M. Turnbull.

WITNESSES:

3  
RECORDED

RECORDED

Answer

Filed January 13, 1939  
R. S. DUCK  
clerk - register  
By Pauline H. Thompson  
Deputy



REPORT  
3-19-11

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**The State Of Alabama**  
Baldwin County

In Circuit Court, In Equity

Edna Clopton Kowaleski  
vs. Complainant.

Jed Kowaleski,

Respondent.

**DIVORCE DECREE**

*Filed January 13, 1938*  
**R. S. DUCK**  
clerk - registrar

By *Willie Thompson*  
Deputy

*[Faint, mostly illegible text, likely the body of the divorce decree]*

The State of Alabama }  
Baldwin County

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

EDNA CLOPTON KOWALESKI, \_\_\_\_\_ COMPLAINANT

VS.

TED KOWALESKI, \_\_\_\_\_ RESPONDENT

I, IDA M. TURNBULL, \_\_\_\_\_

as ~~Register and~~ Commissioner \_\_\_\_\_

have called and caused to come before me \_\_\_\_\_

Edna Clopton Kowaleski, \_\_\_\_\_

witness \_\_\_\_\_ named in the requirement for Oral Examination, on the 13th day of January, \_\_\_\_\_

1939, at the office of Beebe, Hall & Beebe, Attorneys, \_\_\_\_\_

in Bay Minette, Alabama, and having first sworn said witness \_\_\_\_\_ to speak the

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

Edna Clopton Kowaleski \_\_\_\_\_ doth depose and say as follows:

My name is Edna Clopton Kowaleski. I am the complainant in the above entitled cause and am twenty-three years of age, a resident of Summerdale, Baldwin County, Alabama. I have lived in Summerdale for over eight years next preceding the filing of this bill of complaint. I married Ted Kowaleski in the Probate Office, Bay Minette, Baldwin County, Alabama, on Monday, the 9th day of January, 1939. We were married about one o'clock P. M. on that day and immediately after the ceremony we returned to Summerdale. On the way to Summerdale the defendant informed me that he refused to live with me as husband, and carried me home. We have never lived together as man and wife.

He threatened me and told me that he did not love me and didn't intend to live with me. His actions towards me have been such that I believe my life is in danger of grave bodily harm and that he has been inhuman and unreasonable toward me. His conduct towards me has at all times been unreasonable and he has on several occasions since our marriage threatened my life and threatened to do harm to my person. There has been no cohabitation between us since our marriage.

Edna Clopton Kowaleski

ORAL EXAMINATION

I, Ida M. Turnbull, 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 and read over to her and she 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 ... 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 13th day of January, 1939.

Ida M. Turnbull (L. S.)  
Commissioner.

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THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Edna Clopton Kowaleski,

COMPLAINANT

VS.

Ted Kowaleski,

RESPONDENT

ORAL DEPOSITION

Filed January 13, 1939

A. S. Luck, Register.  
By - Mullie Shaw, per D. Gray  
RECORDED IN \_\_\_\_\_

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register