

The State of Alabama, Baldwin County

Circuit Court, In Equity

Martha Presnall

, Complainant

vs.

Gerald W. Presnall

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on 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 Martha Presnall is forever divorced from the said Gerald W. Presnall 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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Martha Presnall the Complainant pay the cost herein to be taxed, for which execution may issue.

This 16<sup>th</sup> day of January, 1957.

J. J. Mad. Gentry, Jr.  
Judge Circuit Court, In Equity.

I, \_\_\_\_\_ Register of the Circuit

Court of 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.

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

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

Martha Presnall

Complainant

vs.

Gerald W. Presnall

Respondent

**DIVORCE DECREE**

FILED  
JAN 16 1951  
MRS. J. JACK, REGISTER

**THE STATE OF ALABAMA**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

Martha Presnall

Complainant

VS.

Gerald W. Presnall

Respondent

I, Evelyn Watts

as Register and Commissioner

have called and caused to come before me Martha Presnall and Eva Barlow

witnesses named in the Requirement for Oral Examination, on the 20 day of December 1950 at the office of Hubert M. Hall

in Bay Minette, Alabama, and having first sworn said Witness to speak the truth, the whole truth, and nothing but the truth, the said Martha Presnall and Eva Barlow doth depose and say as follows:

My name is Martha Presnall, I am over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent, Gerald W. Presnall, is over twenty-one years of age and a bona fide resident of Baldwin County, Alabama. The Respondent and I married at Grove Hill, Alabama, on November 23, 1930. We lived together as husband and wife until on to-wit, August 25, 1950. We were living at Bay Minette, in Baldwin County, Alabama, at the time I ceased living with the Respondent.

The Respondent on to-wit, August 25, 1950, committed acts of actual violence to my person by striking me several times with his fists. The Respondent and I had not been getting along for quite some time prior to the time I was forced to abandon living with him. He had often threatened and abused me. The conduct of the Respondent was such as to give me every reasonable apprehension to believe and I did actually believe that if I continued to live with him he would carry out his threats and do further violence to my person which would necessarily endanger my life and health.

The Respondent and I had property jointly, however, we have made a perfect and complete settlement of all of our property rights, and any claim that the one may have against the other.

I am positive that it is absolutely impossible for the Respondent and I to live together as husband and wife. He is thirty-nine years old and I am thirty-nine years old also. I have since I was forced to abandon living with him been working for myself and supporting myself and have received nothing from the Respondent. He and I have on several occasions discussed the matter since I left him.

*Martha Presnall*

Eva Barlow, a witness for the complainant, being first duly sworn, deposes and says: My name is Eva Barlow. I live at Bay Minette in Baldwin County, Alabama. I am personally acquainted with the Complainant, Martha Presnall. I am now and have been for some time operating the City Hotel, Bay Minette, Alabama. The Complainant, Martha Presnall, came to my place about August 25, 1950. She remained with me for some several weeks. On the date that the Complainant came to my place there was much evidence of her having been struck about the face and around her eyes were black and blue. She was severely bruised about the face. While I do not know who actually committed violence to the Complainant she told me the first time I saw her that she had been struck by the Respondent, Gerald W. Presnall. Around her eyes were black and blue for several days.

*Eva Barlow*

ORAL EXAMINATION.

I, Evelyn Watts, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness ES and read over to them and they signed the same in the presence of myself and Hubert M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness or had proom 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 20 day of December, 1945

Evelyn Watts (L. S.)

NO. \_\_\_\_\_ PAGE \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Martha Presnall

vs. Complainant

Gerald G. Presnall

Respondent.

Oral Deposition

Filed \_\_\_\_\_, 194

Register.

Recorded in

Record

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

Register.

STATE OF ALABAMA  
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons GERALD W. PRESNALL, to appear and plead, answer or demur within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by MARTHA PRESNALL as Complainant and against GERALD W. PRESNALL, as Respondent.

WITNESS my hand this the 20<sup>th</sup> day of November, 1950.

Wesley L. Smith  
Register

MARTHA PRESNALL

COMPLAINANT

VS

GERALD W. PRESNALL

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

TO HONORABLE TELFAIR J. MASHEURN JR., JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Martha Presnall, respectfully represents unto your  
Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent are both over twenty-one years  
of age and bona fide residents of Baldwin County, Alabama.

2.

That your Complainant and the Respondent, married at Grove Hill, Alabama,  
on November 23, 1930, and lived together as husband and wife until onto-wit,  
August 25, 1950.

3.

That on, to-wit, August 25, 1950, the Respondent committed acts of  
violence to the Complainant by striking her several times with his fists;  
that the conduct of the Respondent was such as to give her every reason-  
able apprehension to believe and she does actually believe that if she  
continues to live with the Respondent he will carry out his threats and  
do further violence to her person which would necessarily endanger her life  
and health.

WHEREFORE, the premises considered, the Complainant prays that your  
Honor will by proper process make the said Gerald W. Presnall, party res-

pondent to this cause of action, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Your Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce forever barring the bonds of matrimony existing between her and the Respondent; that she be granted such other, further and different and general relief as she may be in equity and good conscience entitled to receive.

  
Solicitor for the Complainant

Received in Sheriff's Office  
this 24 day of Nov, 1950  
TAYLOR WILKINS, Sheriff

NO 257 RECORDED

Executed Nov 25 1950  
by serving copy of within Summons and  
Complaint on

Gerald W. Presnall

MARTHA PRESNALL

COMPLAINANT

VS

GERALD W. PRESNALL

RESPONDENT

Taylor Wilkins Sheriff  
by H. F. Hall Deputy Sheriff

BILL OF COMPLAINT

FILED

NOV 29 1950

ALICE J. DUCK, Register

MARTHA PRESNALL

COMPLAINANT

VS

GERALD W. PRESNALL

RESPONDENT

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IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY

~~Now comes the Respondent and accepts service of the summons and~~  
complaint in this cause.

The Respondent admits the allegations as to ages, residences, and marriage, but denies all other allegations contained in the bill of complaint, and demands strict proof of the same.

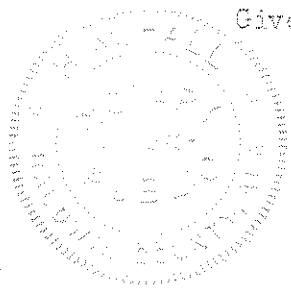
The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross examined Complainant's witnesses; and agrees that this cause be admitted for final decree without further decree.

G. W. Presnall

STATE OF ALABAMA  
BALDWIN COUNTY

I, Shirley Lee, a Notary Public, in and for said County, in said State, hereby certify that Gerald W. Presnall, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he executed the same voluntarily on the day the same bears date.  
Given under my hand and seal on this the 6 day of December, 1950.

Shirley Lee  
Notary Public, Baldwin County, Alabama





RECORDED

MARTHA PRESNALL

COMPLAINANT

VS

GERALD W. PRESNALL

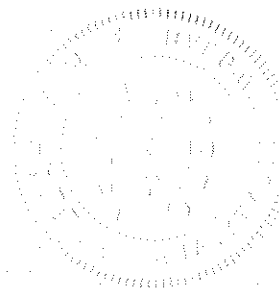
RESPONDENT

ANSWER AND WAIVER

FILED

DEC 20 1950

ALICE J. DUCK, Register



COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Evelyn Watts

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 Martha Presnall and Eva Barlow

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

Gerald W. Presnall, Complainant  
and Gerald W. Presnall

Respondent

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

Witness 20<sup>th</sup> day of Dec, 1940

Beulah J. Smith  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

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

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

Martha Presnall

Complainant

VS.

Gerald W. Presnall

Defendant

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

Evelyn Watts

**WITNESSES:**

Martha Presnall

Eva Barlow

FILED  
REC  
20  
AUG 1938

Martha Presnall

vs.

Gerald W. Presnall

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, \_\_\_\_\_

Answer and waiver, agreement between parties, and testimony of \_\_\_\_\_

Martha Presnall, and Eva Barlow \_\_\_\_\_

and in behalf of Defendant upon \_\_\_\_\_

*Wm. J. Newick*

Register.

No. ....

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Martha Presnall

vs.

Gerald W. Presnall

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ....., 194

FILED  
DEC 20 1950

ALICE J. DICK Register.

Printed By The Baldwin Times

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