

(2578)

DIVORCE DECREE

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The State of Alabama, Baldwin County

Circuit Court, In Equity

MARY LOUISA GREMLING

, Complainant

vs.

SYLVESTER D. GREMLING

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ on Answer, Waiver and Agreement 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 MARY LOUISA GREMLING is forever divorced from the said SYLVESTER D. GREMLING for and on account of reasonable apprehension of cruelty.

It is further ordered, adjudged and decreed that Sylvester D. Gremling, Respondent shall comply with the agreement filed in this cause and pay to the Complainant the sum of Fifteen Dollars (\$15.00) per week maintainence of the three minor children, Francis Gremling, Ethel Gremling and Mary Helen Gremling until further ordered by the Court, and complainant to have full custody of the minor children, and the defendant to have right to visit them at reasonable times and places. 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 MARY LOUISA GREMLING the Complainant pay the cost herein to be taxed, for which execution may issue.

This 6<sup>th</sup> day of January, 1951

J. J. Masbury, Jr.  
Judge Circuit Court, In Equity.

I, ALICE J. DUCK 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 \_\_\_\_\_, 1951.

Register of Circuit Court, In Equity.

No. 2578 Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

MARY LOUISA GREMLING

Complainant

vs.

SYLVESTER D. GREMLING

Respondent

**DIVORCE DECREE**

**FILED**

JAN 6 1951

ALICE J. DUCK, Register

MARY LOUISA GREMLING,

Complainant

-vs-

SYLVESTER D. GREMLING,

Respondent

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

E Q U I T Y

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

NOTE OF EVIDENCE

This case is submitted on original bill of complaint, answer and waiver, agreement and testimony of complaint taken by deposition.

Done this the 4th day of January, Nineteen Hundred Fifty-one.

*W. G. Rickarby, Jr.*  
Register

RICKARBY & RICKARBY

By

*E. G. Rickarby, Jr.*  
E. G. Rickarby, Jr.  
Solicitors for Complainant

NO.                       
E Q U I T Y

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

MARY LOUISA GREMLING,  
Complainant

-VS-

SYLVESTER D. GREMLING,  
Respondent

NOTE OF EVIDENCE

FILED

JAN 5 1951

ALICE J. DUCK, Register

RICKARBY & RICKARBY  
Solicitors for Complainant

MARY LOUISA GREMLING,

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

Complainant

E Q U I T Y

-vs-

CIRCUIT COURT OF BALDWIN

SYLVESTER D. GREMLING,

COUNTY, ALABAMA

Respondent

DEPOSITION OF MARY LOUISA GREMLING

The above named appeared before me at the time and place hereinafter stated and upon examination by counsel for Complainant, after being sworn, testified as follows:

MARY LOUISA GREMLING

My name is Mary Louisa Gremling and I am filing this bill against Sylvester D. Gremling. Both Mr. Gremling and I are over the age of twenty-one years and have been residents of Baldwin County, living in Fairhope, Alabama, for the last five years. We were married on the 12th day of August, 1930, and have lived together as husband and wife until the first part of November, 1950, when we had our last trouble. Since that time we have not lived together as husband and wife.

We have had four children. Three of them are under the age of twenty-one, namely: Francis Gremling, sixteen; Ethel Gremling, thirteen and Mary Helen Gremling, eleven. These children want to live with me and it is agreeable with my husband for them to do so.

About June, 1950, Mr. Gremling struck me with his fist. My health is not good and I became sick and nervous from it, but we tried to keep on living together. About the tenth of November, 1950, my husband again got angry with me when he was in a bad mood and had hit our little girl, Mary Helen, who is eleven years old. When I said something about that he threatened to strike me; and he is a man of violent temper. I fear that if I continue to live with him, he will strike me again or strike one of the children. My physical condition is such that I cannot stand life in this kind of fear.

Mr. Gremling and I have agreed to the amount he should pay toward the support of the children and have signed an agreement which is filed in Court. We are now both residents of Baldwin County, Alabama.

Mary Louisa Gremling  
Complainant

CERTIFICATE

I, Martha W. McReavy, acting as commissioner by appointment by the Register of the Circuit Court of Baldwin County, Alabama, hereby certify that in the case of Mary Louisa Gremling versus Sylvester D. Gremling, pending on the Equity side of the Circuit Court of Baldwin County, I caused Mary Louisa Gremling, the Complainant, to appear before me at my office in the Bank Building, Fairhope, Alabama, and where, after being duly sworn, upon examination by the solicitor for the Complainant, she testified as heretofore written, and her testimony, after being reduced to writing, was read over and signed by her.

I further certify that I am neither of counsel nor of kin to either party to the cause or in anywise interested in the result thereof.

IN WITNESS WHEREOF, I hereto set my hand and seal as commissioner, this the third day of January, 1951.

Martha W. McReavy  
Commissioner

NO. 10  
E Q U I T Y  
CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

MARY LOUISA GREMLING,  
Complainant

-vs-

SYLVESTER D. GREMLING,  
Respondent

DEPOSITION OF  
MARY LOUISA GREMLING

FILED  
JAN 5 1951  
ALICE J. ROCK, CLERK

RICKARBY & RICKARBY  
Solicitors for Complainant

LAW OFFICES

RICKARBY & RICKARBY

ELLIOTT G. RICKARBY

FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

4 January 1951

Mrs. Alice J. Duck  
Register of the Circuit Court  
of Baldwin County, Alabama  
Bay Minette, Alabama

Dear Mrs. Duck:

GREMLING -vs- GREMLING: With this we are handing  
you deposition of complainant, note of evidence and  
two copies of the decree. Request you put them on  
the Judge's desk. Thank you.

Yours very truly,

for   
RICKARBY & RICKARBY

EGR, JR.:M  
Enc. 3  
1044

MARY LOUISA GREMLING,

Complainant

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

E Q U I T Y

-vs-

SYLVESTER D. GREMLING,

Respondent

CIRCUIT COURT OF BALDWIN

COUNTY, ALABAMA

TO THE

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

Comes MARY LOUISA GREMLING and by this her Bill of Complaint presented against SYLVESTER D. GREMLING, respectfully shows:

FIRST: That Complainant and Respondent are both over the age of twenty-one years; that both are now and have been for more than five years next preceding the filing of this Bill bona fide residents of the State of Alabama, and now are residents of Fairhope, Alabama, getting their mail at Fairhope, Alabama.

SECOND: That Complainant and Respondent were married 12 August 1930, and lived together as husband and wife until about the 10th day of November 1950, but have not since lived together.

THIRD: That to this marriage there have been born four girls. One daughter, Betty, now aged eighteen, is married and does not live at home. The three minor children living at home are hereinafter set forth and their ages are hereinafter set forth:

FRANCIS GREMLING, age sixteen,

ETHEL GREMLING, age thirteen,

MARY HELEN GREMLING, age eleven.

It is to the best interest of these minor children that they remain in the care and custody of this Complainant, MARY LOUISA GREMLING, their Mother.

FOURTH: That on or about June, 1950, in Fairhope, Alabama, the Respondent committed actual violence upon the person of his wife, this Complainant, attended with danger to her health by striking her, but that Complainant forgave this assault. But that on or about the tenth day of November, 1950, the Respondent threatened to strike her

again when she reproved him for striking their daughter, Mary Helen Gremling, age eleven, and that from his conduct abovementioned there is reasonable apprehension of future violence, and she does fear that if she continues to live with Respondent in the future he may strike her or do physical violence to her attended with danger to her life or health, as Respondent is a high tempered man.


FIFTH: Complainant further alleges that the parties to this action have agreed to what they think is reasonable and proper as to custody and support of the minor children as shown by the agreement hereto attached and marked Exhibit "A".

THE PREMISES CONSIDERED, Complainant prays that SYLVESTER D. GREMLING be made party defendant to this cause, and by proper process required to answer this Bill within the time prescribed by law.

Complainant further prays that upon the hearing of this Bill the Court will take into consideration the agreement of the parties allowing the Complainant to have full custody of the three minor children, FRANCIS GREMLING, ETHEL GREMLING and MARY HELEN GREMLING, and further allowing the Complainant Fifteen Dollars per week maintenance of said children; and that the Court will upon the hearing of this cause a decree be rendered forever divorcing her from said SYLVESTER D. GREMLING, granting her the right to marry again should she so desire, and to have such other, further or different relief as to equity may seem met.

RICKARBY & RICKARBY

By

  
E. G. RICKARBY, JR.  
Solicitors for Complainant.

RECORDED

NO. 2578  
E Q U I T Y

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

MARY LOUISA GREMLING,  
Complainant

-vs-

SYLVESTER D. GREMLING,  
Respondent

BILL OF COMPLAINT

FILED  
NOV 30 1950

ALICE J. DUCK, Register

RICKARBY & RICKARBY  
Solicitors for Complainant

MARY LOUISA GREMLING,

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

Complainant

E Q U I T Y

-vs-

CIRCUIT COURT OF BALDWIN

SYLVESTER D. GREMLING,

COUNTY, ALABAMA.

Respondent

ANSWER AND WAIVER

Comes SYLVESTER D. GREMLING, Respondent in the above styled cause, and for answer to the Bill of Complain says he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf. He further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

*Sylvester D. Gremling*  
Respondent.

STATE OF ALABAMA

COUNTY OF BALDWIN

Before me, the undersigned Notary Public in and for said State and County, personally appeared SYLVESTER D. GREMLING, who is known to me to be the Respondent above named and who acknowledged that he executed the foregoing answer voluntarily with knowledge of its contents.

Witness my hand and official seal this the 17 day of November, Nineteen Hundred Fifty.

*William R. Gremling*  
Notary Public, Baldwin County,  
Alabama

RECORDED

NO. \_\_\_\_\_  
EQUITY

CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

MARY LOUISA GREMLING,  
Complainant

-V-S-

SYLVESTER D. GREMLING,  
Respondent

ANSWER & WAIVER

*Filed 1-2-51  
R. S. French  
Register*

RICKARBY & RICKARBY  
Attorneys for Complainant

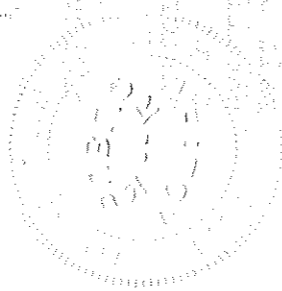


EXHIBIT "A"

WHEREAS there is a divorce bill filed in the Circuit Court of Baldwin County, Alabama, entitled MARY LOUISA GREMLING, Complainant, versus SYLVESTER D. GREMLING, Respondent, and

WHEREAS the parties herein feel that the Complainant is the proper party to have the care and custody of the minor children FRANCIS GREMLING, age sixteen, ETHEL GREMLING, age thirteen, and MARY HELEN GREMLING, age eleven, and that it is to best interest of said children to be with the Mother, MARY LOUISA GREMLING, Complainant, giving the Father, SYLVESTER D. GREMLING, Respondent, the right to visit his children as he should desire; and

WHEREAS the Respondent, SYLVESTER D. GREMLING, wants to contribute to the support of his children the sum of Fifteen Dollars per week for their support, starting 1 December 1950, which together with the earnings of the Complainant is in their opinion a fair amount. Now,

THEREFORE, the parties to this agreement ask the Court to take this agreement into consideration in fixing the custody of the three minor children, FRANCIS GREMLING, age sixteen, ETHEL GREMLING, age thirteen, and MARY HELEN GREMLING, age eleven, and the allowance for their support.

Done this the 22 day of November, Nineteen Hundred Fifty.

Sylvester D. Gremling  
Mary L. Gremling

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that SYLVESTER D. GREMLING, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 22<sup>nd</sup> day of November, 1950.

[Signature]  
Notary Public, Baldwin County, Alabama

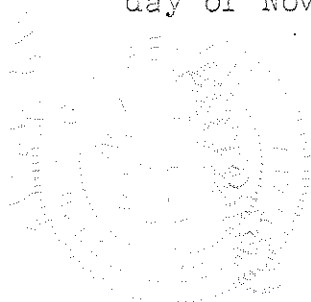
My Comm. Expires May 13, 1952

STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said State and County, hereby certify that MARY LOUISA GREMLING, whose name is signed to the foregoing agreement, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 24  
day of November, 1950.

  
*L. B. Perkins*  
Notary Public, Baldwin County, Alabama

2578

no 2578

RECORDED

FILED

NOV 30 1950

ALICE J. DUCK, Register