

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

Marguerite Tunstall, Complainant vs.

T. P. Tunstall, 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 Marguerite Tunstall is forever divorced from the said T. P. Tunstall for and on account of

Voluntary abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED, BY the Court, that the Complainant be and she is hereby awarded the care, custody and control of the minor children, Tom P. Tunstall Jr., and Edmund C. Tunstall.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Respondent pay to the Complainant the sum of SEVENTY FIVE (\$75.00) DOLLARS PER month for the maintenance and support of the minor children.

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 T. P. Tunstall the Respondent pay the cost herein to be taxed, for which execution may issue.

This 29th day of July, 1952.

Jefferson P. Marbleberry, 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. 2461 Page 1

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Marguerite Tunstall

Complainant

vs.

T. P. Tunstall

Respondent

DIVORCE DECREE

FILED

JUL 29 1952

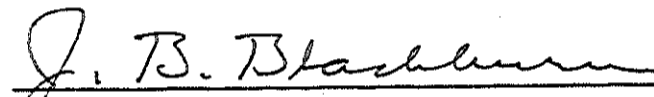
ALICE J. DYCK, Register

MARGUERITE TUNSTALL,)	
Complainant,)	IN THE CIRCUIT COURT OF
VS.)	BALDWIN COUNTY, ALABAMA
T. P. TUNSTALL,)	IN EQUITY
Respondent.)	

APPLICATION FOR REHEARING

Now comes the respondent, by his solicitor, and moves the Court to set aside the final decree heretofore rendered in this cause and grant a rehearing of the said cause, and as grounds therefor, sets down separately and severally the following:

1. The decree is contrary to the law.
2. The decree is contrary to the evidence.
3. The decree is contrary to the law and the evidence.



 Solicitor for Respondent.

The foregoing application having been presented to me on this the 29th day of August, 1952, the said application shall be and it is hereby continued until 10:00 o'clock A. M. on September 17, 1952.

Dated this 29th day of August, 1952.



 Judge.

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 Marguerite Tunstall

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

and T. P. Tunstall, Complainant

Respondent

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

Witness [Signature] day of July, 1947

[Signature]
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 2861

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Marguerite Tunstall

Complainant

VS.

T. P. Tunstall

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Evelyn Watts

WITNESSES:

Marguerite Tunstall

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MARGUERITE TUNSTALL,)
 Complainant,) IN THE CIRCUIT COURT OF
 VS.)
 T. P. TUNSTALL,)
 Respondent.)

WAIVER AND ANSWER

Comes the respondent in the above styled cause and accepts service of a Bill of Complaint heretofore filed in said cause; waives notice of the taking of testimony in said cause and consents that the same may be taken and the cause submitted for final decree without further notice.

And for answer to the Bill of Complaint and to each and every paragraph thereof, separately and severally, denies each and all of the allegations thereof and demands strict proof of same.

J. B. Blackburn
Solicitor for
Respondent.

J. P. Tunstall

Respondent.

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702861
ANSWER

MARGUERITE TUNSTALL **RECORDED**

VS. Complainant,

T. P. TUNSTALL,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

FILED
JUL 29 1952

ALICE J. DUCK, Register

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Marguerite Tunstall

vs.

T. P. Tunstall

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, _____
 answer and waiver of the Respondent, and testimony of Marguerite Tunstall

and in behalf of Defendant upon Answer and waiver

H. M. HALL _____

W. J. ...

 Register.

M

No. 2861.....

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Marguerite Tunstall

vs.

T. P. Tunstall

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED
JUL 29 1942

Register.

ALICE J. DICK, Register

Printed By The Baldwin Times

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THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Marguerite Tunstall Complainant

VS.

T. P. Tunstall Respondent

I, Evelyn Watts

as ~~Register and~~ Commissioner

have called and caused to come before me Marguerite Tunstall

witness named in the Requirement for Oral Examination, on the ____ day of July
19452, 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 Marguerite Tunstall
doth depose and say as follows:

My name is Margurite Tunstall. I am a bona fide resident of the State of Alabama, and have been all of my life. I am over twenty-one years of age. I am presently staying at 1466 Douglas Street, Mobile, Alabama.

The Respondent, T. P. Tunstall, is over twenty-one years of age, a resident of the State of Alabama, and has been all of his life.

The Respondent and I married in Mobile, Alabama, on October 11, 1941. We lived together as husband and wife until April 1950, when the respondent voluntarily abandoned my bed and board and has remained away voluntarily and continuously since that time.

The Respondent and I have two children, Tom P. Tunstall, Jr., age 10, and Edmond C. Tunstall, age 7. These children are now and have been all of their lives with me.

The Respondent and I have reached a full and complete agreement as to a division of property and the custody of the children, which is satisfactory to both of us. The Respondent and I have reached an agreement that I am to have the custody of the children and that the Respondent will pay toward their maintenance and support the sum of \$75.00 per month. I have consented to this agreement as to the children.

The Respondent has also agreed, and is acceptable to me, to convey the home place owned by the Respondent and me at 1466 Douglas Street in the city of Mobile.

The Respondent and I have on several occasions prior to our final date of separation had difficulties, however, we have each time effected a reconciliation. However, I am now to the conclusion that it is impossible for the Respondent and me to try to live together as husband and wife and I know that it is to the best interest of the Respondent and me and the children that we secure a divorce.

The Respondent in addition to the agreement referred to has consented and agreed to pay all costs of this proceeding.

The older child was in the 5th grade this year and the younger in the third grade in school. I have always cared for the children and I am fully capable and able, with the support of the respondent mentioned herein, to take care of the children. The Respondent and I have agreed, in addition to the above, that the Respondent would transfer to me all his title to a Chevrolet automobile which I have in my possession and I am using.

Marguerite Tunstall

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 _____ and read over to her and she 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 11 day of July, 194 52

Evelyn Watts (L. S.)

NO. 2861 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Marguerite Tunstall

vs. Complainant

F. P. Tunstall

Respondent.

Oral Deposition

Filed _____, 194 _____

FILED

Register.

JJ Recorded 1952

Record

ALICE J. DICK, Register

Vol. _____ Page _____

Register.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons T. P. TUNSTALL 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 MARGUERITE TUNSTALL, as Complainant and against T. P. TUNSTALL, as Respondent.

WITNESS my hand this the _____ day of July, 1952.

Register

MARGUERITE TUNSTALL	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA,
VS	§	IN EQUITY
T. P. TUNSTALL	§	NO. _____
RESPONDENT	§	

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

Your Complainant, Marguerite Tunstall, 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 residents of the State of Alabama.

2.

That your Complainant and the respondent married in Mobile, Alabama, on October 11, 1941, and lived together as husband and wife until April 1950.

3.

That in April 1950 the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

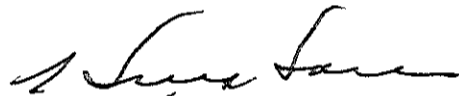
4.

That there was born to the marriage between your Complainant and the Respondent two children, Tom P. Tunstall Jr. age 10, and Edmond C. Tunstall, age 7, who are now and have been all of their lives with the Complainant, who is suitable and capable to have their custody, care and control; that the Complainant and the Respondent have entered into an agreement that your Complainant have the custody of said children and that the Respondent will

pay her monthly the sum of SEVENTY-FIVE (\$75.00) DOLLARS per month toward the maintenance and support of said children.

WHEREFORE, the premises considered, your Complainant prays that your Honor will by proper process make the said T. P. Tunstall party Respondent to this bill of complaint 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 final hearing hereof Your Honor will enter a decree forever barring the bonds of matrimony existing between your Complainant and the Respondent; that the Complainant be awarded the custody, care and control of the minor children, Tom B. Tunstall and Edmond C. Tunstall; Your Complainant prays for such other, further, different or general relief as she may be in equity and good conscience entitled to receive.



Solicitor for the Complainant

707861 RECORDED

MARGUERITE TUNSTALL

COMPLAINANT

VS

T. P. TUNSTALL

RESPONDENT

BILL OF COMPLAINT

FILED

JUL 29 1952

ALICE J. DUCK, Register

MARGUERITE TUNSTALL,) IN THE CIRCUIT COURT OF
Complainant,) BALDWIN COUNTY, ALABAMA
VS.)
T. P. TUNSTALL,) IN EQUITY
Respondent.)

ORDER

The application for rehearing in the above styled cause having been set for hearing on this the 17th day of September 1952, the said application shall be and it is hereby continued until 10:00 o'clock A. M. on October 8th, 1952.

ORDERED, ADJUDGED AND DECREED on this the 17th day of September 1952.

Jelfair J. Madibury Jr.
Judge

Continued to October 28, 1952.

Jelfair J. Madibury Jr.
Judge.

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

Marguerite Tunstall, Complainant
vs.
I. P. Tunstall, 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 Marguerite Tunstall is forever divorced from the said I. P. Tunstall for and on account of Voluntary Abandonment

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 I. P. Tunstall the Respondent pay the cost herein to be taxed, for which execution may issue.

This 29th day of July, 1952

J. J. Madhery
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 29th day of July, 1952

Register of Circuit Court, In Equity.

1986

No. _____ Page _____

The State of Alabama
Baldwin County

In Circuit Court, In Equity

Marguerite Tunstall

Complainant

vs.

T. P. Tunstall

Respondent

DIVORCE DECREE

Filed 7-29-52