

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

PATRICIA TOWNSEND

COMPLAINANT

vs.

NELSON D. TOWNSEND

RESPONDENT

I, DELTA H. GWALTNEY

as ~~Register and~~ Commissioner

have called and caused to come before me Patricia Townsend and Mrs. Gladys Schaff

witnesses named in the requirement for Oral Examination, on the

day of

19 , at the office of Wilters, Brantley and Nesbit

in Robertsdale, , 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:

My name is Patricia Townsend, the Complainant and I am seventeen years of age and a bona fide resident of Baldwin County. I and the Respondent were married in Robertsdale, Alabama on August 18, 1958 and we lived together as husband and wife in Baldwin County, Alabama until January 17, 1959. In the evening of Jan. 17, 1959 while I was in the yard by the car, he came out of the house and started arguing. Then he grabbed my hair and started beating me about my face and body. There were witnesses including my mother and he was shouting and telling them that "When I get through with your face, there won't be anyone who will look at it." Then my mother tried to make him stop beating me and hitting my face and he turned on her and starting beating her. I had never seen him like that before and I thought he would kill me and my mother. I begged him to stop hitting my mother.

Mrs. Patricia Townsend

My name is Mrs. Gladys Schaff and I am the mother of the Complainant, Patricia Townsend. I am a bona fide resident of Baldwin County and have been for many years. I was present when my daughter and the Respondent had the argument. When I saw the Respondent hitting my daughter in her face and shouting he would fix her so no one would ever look at her again, I tried to get him to stop. I thought he would kill her because he was acting so strange and threatening her. He turned on me and started beating me and then my daughter started begging him not to kill me. The next day my daughter had a big knot on her head and a big black and blue spot on her shoulder, Her face was bruised badly and you could pull hands full of hair from her head where he had torn it loose from the scalp.

Mrs. Gladys Schaff

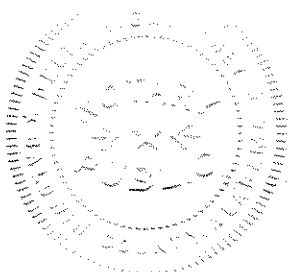
ORAL EXAMINATION

I, DELTA H. GWALTNEY 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 es and read over to them and they signed the same in the presence of myself and Phyllis S. Nesbit, Attorney at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 17th day of March, 1959.

Delta H. Gwaltney (L. S.)



No. Page

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Patricia Townsend

vs.

Nelson D. Townsend

COMPLAINANT

RESPONDENT

ORAL DEPOSITION

Filed , 19

, Register.

RECORDED IN

FILED

Record

APR 2 1959

Vol. Page

ALICE J. DUCK, Register

, Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: DELTA H. GWALTNEY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Patricia Townsend and Mrs. Gladys Schaff

witnesses

~~KNOW YE~~ in behalf of Patricia Townsend

in a cause pending in our

Circuit Court in Baldwin County, of said State, wherein

PATRICIA TOWNSEND is

, Complainant

and

NELSON D. TOWNSEND is

Respondent

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

Witness 20 day of March

, 1954

Alice J. Dunk
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

VS. Complainant

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

FILED

APR 2 1959

ALICE J. DUCK, Register

Patricia Townsend

Complainant

vs.

Nelson D. Townsend

Respondent

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, _____

Decree Pro Confesso on Service by Registered Mail and Testimony of _____

Patricia Townsend, Complainant, and witness. _____

and in behalf of Defendant upon _____

WILTERS AND BRANTLEY

W. J. Clark

Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

PATRICIA TOWNSEND

COMPLAINANT

vs.

NELSON D. TOWNSEND

RESPONDENT

NOTE OF TESTIMONY

Filed in Open Court this

day of

APR 2 1959

, 194

ALICE J. DUCK, Register

Register.

Printed by the Baldwin Times

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

PATRICIA TOWNSEND

, Complainant

vs.

NELSON D. TOWNSEND

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso ~~XXX~~
~~After Service by Registered Mail~~ and Testimony as noted by the Register, and upon con-
 sideration 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
 Patricia Townsend is forever divorced from the
 said Nelson D. Townsend for and on account of

~~Cruelty. IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT~~

THAT THE Complainant be granted the right to resume her name of

Patricia Schaff.

It is futher 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 futher ordered that the Complainant and Respondent be, and they are hereby permitted to
 again contract marriage upon payment of the cost of this suit.

It is futher ordered that Patricia Townsend
 the Complainant pay the cost herein to be taxed, for which executed may issue.

This 2 day of April 1959

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

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

APR 2 1959

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons NELSON D. TOWNSEND, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Patricia Townsend, as Complainant and against Nelson D. Townsend, as Respondent.

WITNESS my hand this the 17 day of Feb, 1959.


Register

PATRICIA TOWNSEND	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS	§	IN EQUITY
NELSON D. TOWNSEND	§	
RESPONDENT	§	

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Patricia Townsend, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama, and is seventeen years of age; that your Respondent is a non-resident citizen of Baldwin County, Alabama, and is twenty years of age.

2.

That Your Complainant and the Respondent married at Robertsdale, Alabama, on August 18, 1958 and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, January 17, 1959.

3.

That on to-wit, January 17, 1959 the Respondent threatened to kill the Complainant, threatened to disfigure her face so that no one would look at her, beat her about her head and body and pulled hands full of hair from her head and from his actions the Complainant verily believed that the Respondent would carry out his threats, that from his conduct the Complainant was given every reasonable apprehension to believe and

and she does believe that if she continued to live with the Respondent that he would do actual violence to her person which would necessarily endanger her life and health.

4.

There were no children born to this marriage between your Complainant and the Respondent and there is no property to be divided between them.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Nelson D. Townsend 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 Your Honor will grant your Complainant the right to resume her name of Patricia Schaff; your Complainant prays for such other, further, different, or general relief as she may in equity and good conscience be entitled to receive.

FILED

FEB 17 1959

AUGIE I. DICK, CLERK
REGISTER

WILTERS AND BRANTLEY

BY:

Charles S. Wessitt
Solicitor for the Complainant

The State of Alabama, }

Baldwin County

No. _____

CIRCUIT COURT, IN EQUITY

PATRICIA TOWNSEND

, Complainant

Vs.

NELSON D. TOWNSEND

, Defendant

Motion is hereby made for a Decree Pro Confesso against NELSON D. TOWNSEND

, Defendant

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant_____, and that said summons was duly served by Registered Mail, according to law, and that said Defendant_____ has failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This _____ day of _____, 19____

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_____, Solicitor.