

Howard Giles,

Complainant

vs.

Leathel Giles,

Respondent

THE STATE OF ALABAMA,

Baldwin COUNTY.

CIRCUIT COURT OF

Baldwin COUNTY.

IN EQUITY.

In this cause it appearing to the Court, by certificate of the Clerk, that the Order of Publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of September 1933, in the Fairhope Courier a newspaper published in Fairhope, Baldwin County, Alabama; that a copy of said order was posted at the Court House door in said County, on the day of 19 and that another copy was deposited in the Postoffice on the day of 19 directed to the said

at his place of residence, and it now further appearing to the Court that the said

Leathel Giles

has, to the date hereof, failed to plead, answer or demur to the Bill of Complaint in this cause. It is, therefore, on motion of Complainant, ordered and decreed by the Court, that the said Bill of Complaint be, and it hereby is, in all things, taken as confessed against the said Leathel Giles

This 12th day of March 1934

Reuben L. Lusk  
Baldwin

Judge of the Circuit Court of  
County.

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

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
Circuit Court of Baldwin County

*Howard Giles*

VS.

*Leathel Giles*

**NOTE OF TESTIMONY**

Filed in Open Court this 12<sup>th</sup>

day of December 1935

*Robert S. Duck*

REGISTER

Howard GilesComplainantvs.Leathel Giles,Respondent

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, \_\_\_\_\_

Affidavit of Non-Residency, Commission to take Testimony,

Certificate of Publication and testimony of Howard Giles

and Jim Hinote

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

Robert S. Duck,

Register. 7.

The State of Alabama, {  
Baldwin County

In Circuit Court, in Equity

Howard Giles

vs.

Leathel Giles

M. A. Stone

Before me, ~~W. W. Robinson~~, Register of the Circuit Court of Baldwin County, Ala., per-

sonally appeared Howard Giles

Leathel Giles known to me, who being duly sworn deposes and says that Leathel Giles is a Non-Resident of Baldwin County, Alabama, and that her address and place of residence cannot be ascertained upon reasonable inquiry and diligence

~~is a non-resident of the State of Alabama and that her last known address was~~

That said Leathel Giles

is over the age of twenty-one years.

Howard Giles

Sworn to and subscribed before me this

5<sup>th</sup> day of Sept., 1933

M. A. Stone

Register Circuit Court, Baldwin  
County, Ala.

RECORDED

STATE OF ALABAMA

County

Affidavit of Non-Resident

IN CIRCUIT COURT  
IN EQUITY

*Robert L. Dural*

Register Circuit Court, Baldwin  
County, Ala.

No. 9865 Page \_\_\_\_\_

**The State of Alabama**

COUNTY \_\_\_\_\_

**IN CIRCUIT COURT, IN EQUITY**

\_\_\_\_\_  
VS. \_\_\_\_\_  
Complainant,

\_\_\_\_\_  
Respondent.

**DIVORCE DECREE**

The State of Alabama BALDWIN County

CIRCUIT COURT, IN EQUITY

HOWARD GILES

Complainant

VS.

LEATHIEL GILES

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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

Howard Giles

is forever divorced from the said

Leathiel Giles

for and on account of

Abandonment of the Complainant by Respondent

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 Howard Giles

be, and he is hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that Howard Giles

the Complainant pay the cost herein to be taxed, for which execution may issue.

This 13th day of December, 1935

J. W. Hare  
Judge Circuit Court, in Equity

I, Robert S. 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 \_\_\_\_\_, 193\_\_\_\_\_

Register of Circuit Court, in Equity

The State of Alabama, {  
Baldwin County

CIRCUIT COURT

To Hon T W Gilmer

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 Howard Giles. And Jim Hinote.

as witnesses in behalf of Complantant. in a cause pending in our Circuit Court of Baldwin County, of said State, wherein Howard Giles.

Complainant  
and Aleathel.

Defendant,

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

26th

Witness November. day of November. 1935

*Robert L. Deek*

REGISTER

COMMISSIONER'S FEE, \$ \_\_\_\_\_

WITNESS' FEES, \$ \_\_\_\_\_



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

**The State of Alabama**  
**BALDWIN COUNTY**  
**CIRCUIT COURT**

*[Signature]*

vs. Complainant \_\_\_\_\_

*[Signature]*

Defendant \_\_\_\_\_

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

**WITNESSES:**

STATE OF ALABAMA, :  
BALDWIN COUNTY. :

IN THE CIRCUIT COURT,  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

TO THE HONORABLE F. W. HARE, JUDGE OF THE CIRCUIT COURT, BALDWIN  
COUNTY, ALABAMA.....In Equity.

Your petitioner Howard Giles respectfully represents and  
shows unto Your Honor as follows:

FIRST:

That he is a bona fide resident citizen of Baldwin County,  
Alabama, residing in said County for a period of more than three  
years next before the filing of this bill, residing at Elberta  
in said County, and that he is over the age of 21 years.

SECOND:

That Leathel Giles is a non-resident of the State of Ala-  
bama and her place of residence is unknown and cannot be ascertain-  
after reasonable diligence and effort on the part of your petition-  
er, and that she is over the age of 21 years.

THIRD:

That your petitioner and the said Leathel Giles were law-  
fully married on the to-wit: March 12th, 1927 and lived together on-  
ly a short time at which time the said Leathel Giles voluntarily  
abandoned your petitioner and have not lived with him since; that  
it was no fault of your petitioner that the said Leathel Giles  
abandoned him.

THE PREMISES CONSIDERED, Your petitioner respectfully prays  
that the said Leathel Giles be made party respondent to this bill  
of complaint by the usual process of this Honorable Court; that  
such orders, decrees and publications be made as necessary to perfect  
service on the said Leathel Giles and that she be required to de-  
mur, plead to or answer the same within the time and under the pen-  
alties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

That upon the final hearing of this cause your Honor will  
grant unto your petitioner an absolute divorce from the said

Leathel Giles, and that if your petitioner is mistaken in the relief prayed for, then Your Honor will grant unto him such, other, further, different and general relief as he may in justice and equity be entitled, he will ever pray, etc.

  
Henry D. Moorer,

Attorney for Complainant.

FOOT NOTE:

Defendant is required to answer each and every allegation contained in the foregoing bill, paragraph one to three inclusive, but not under oath, answer under oath being hereby expressly waived.

  
Henry D. Moorer,

Attorney for Respondent.

No. 225

IN EQUITY.  
Hornad Billis  
vs. Rathol Billis

VS.

7/5

895

Robert S. Duck  
Register.

**Register.**

Circuit Court, Baldwin County, Ala.  
In Equity.

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

vs.

**Cost Bill**

Paid \_\_\_\_\_ 193 \_\_\_\_\_

Register.

The State of Alabama }  
Baldwin County

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

Howard Giles

COMPLAINANT

VS.

Leathel Giles

RESPONDENT

I, Thos. W. Gilmer

as Register and Commissioner

have called and caused to come before me Howard Giles and Jim Minote

witness named in the requirement for Oral Examination, on the 30 day of November 1935  
193, at the office of Henry D. Moorer  
in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Howard Giles and Jim Minote

doth depose and say as follows:

Testimony of Howard Giles:

My name is Howard Giles I was over 21 years old when I married Leathel Giles. She was also 21 years when we were married. We were married on March 12th, 1927 and that they separated on the 13th day of March, 1927 and have not lived together since. She has lived with her peoples and Howard Giles lived with his.

We both lived at Elberta, Baldwin County, Alabama, for past ten years and Leatheia Giles, my wife, lives in Hattiesburg, Miss., her exact addresss being unknown and I have made every effort to locate her

Howard Giles

The State of Alabama }  
Baldwin County

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

Howard Giles

COMPLAINANT

VS.

Leathel Giles

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We both lived at Elberta, Baldwin  
County, Alabama. for past ten years and Leatheia Giles, my wife,  
lives in Hattiesburg, Miss., her exact addresss being unknown  
and I have made every effeort to locetx her

Howard Giles

ORAL EXAMINTAIION

I, Howe Gilmer 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 them and they signed the same in the presence of myself and Henry Moore 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 30 day of November 1935.  
Howe Gilmer (L. S.)

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed Dec 30, 1935

RECORDED IN

Richard D. Duff  
Register.

Record

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

, Register



ORAL EXAMINTAION

I, H. W. Wilmer 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 them and they signed the same in the presence of myself and Henry Moore 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 30 day of November 1935.  
H. W. Wilmer (L. S.)

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

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

VS.

COMPLAINANT

RESPONDENT

ORAL DEPOSITION

Filed Dec. 30, 1935

RECORDED IN

Richard D. Wilmer Register.

Record

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

Register

**Notice to Non-Resident**

STATE OF ALABAMA,  
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY

This the 5th day of September,  
1933.

**Howard Giles vs Leathel Giles**

In this cause it being made to appear to the Register of this Court by the affidavit of Howard Giles that the Defendant Leathel Giles is a non-resident of the State of Alabama and that his place of residence and address cannot be ascertained after reasonable inquiry and diligence and further, that, in the belief of said Affiant the Defendant is over the age of 21 years; it is, therefore ordered that publication be made in the Fairhope Courier, a newspaper published in Fairhope, Baldwin County, Alabama, once a week for four consecutive weeks, requiring her, the said Leathel Giles to answer or demur to the Bill of Complaint in this cause by the 5th day of October, 1933, or after thirty days therefrom a degree Pro Confesso may be taken against her.

M. A. STONE, Register  
HENRY D. MOGRER,  
Attorney for Plaintiff.

STATE OF ALABAMA  
COUNTY OF BALDWIN

E. B. Gaston, being by me first duly sworn on oath says:  
that he is the publisher of the Fairhope Courier, a newspaper  
of general circulation, published weekly in the Town of Fair-  
hope, in said county and State; that the attached

was published for 4 consecutive weeks, in each of the  
regular issues of said newspaper to-wit in the issues of

*E. B. Gaston*

Subscribed and sworn to before me this

*8th* day of *December* 19*33*

*E. E. Jackson*  
Notary Public



STATE OF ALABAMA  
COUNTY OF BALDWIN

E. B. Gaston, being by me first duly sworn on oath says:  
that he is the publisher of the Fairhope Courier, a newspaper  
of general circulation, published weekly in the Town of Fair-

hope, in said county and State; that the attached

was published for 4 consecutive weeks, in each of the  
regular issues of said newspaper to wit in the issues of

Subscribed and sworn to before me this

Notary Public

Filed this 12 day Dec. 1935

Robert S. Luck

Clerk-Register 7.