

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ERNEST E. GATES

Complainant

vs.

HELEN LOUISE GATES

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Con-  
fesso on \_\_\_\_\_ 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 here-  
tofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and  
that the said ERNEST E. GATES is forever divorced from the  
said HELEN LOUISE GATES for and on account of Abandonment

~~It is further ordered, adjudged and decreed by the Court that  
the Complainant and Defendant abide by the terms of the agreement  
entered into by them on February 17, 1951, providing for the  
welfare of their 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 per-  
mitted to again contract marriage upon the payment of the cost of this suit.

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

This 24<sup>th</sup> day of February, 1957

Jelfair J. Mashburn, 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.

RECORDED  
No. 2610 Page \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

In Circuit Court, In Equity

Complainant.

Vs.

Respondent.

**DIVORCE DECREE**

FILED

FEB 24 1951

ALICE J. DICK, Register

STATE OF ALABAMA  
BALDWIN COUNTY

IN THE CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA - IN EQUITY

ERNEST E. GATES,

Complainant

vs.

HELEN LOUISE GATES,

Respondent

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 filing of interrogatories in said cause, and the right to cross same; 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.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

1. She admits the allegations contained in paragraph One of said bill of complaint.

2. She admits the allegations contained in paragraph Two of said bill of complaint.

3. She admits the allegations contained in paragraph Three of said bill of complaint.

4. She denies each and every allegation contained in paragraph Four of said bill of complaint and demands strict proof thereof.

Helen Louise Gates  
Respondent

Case No. 2610.

RECORDED

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

IN EQUITY

ANSWER AND WAIVER

ERNEST E. GATES,  
Complainant

vs.

HELEN LOUISE GATES,  
Respondent

Filed. 2-24-37

.....  
Clerk

ERNEST E. GATES

vs.

HELEN LOUISE GATES

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, \_\_\_\_\_

Oral Depositions

and in behalf of Defendant upon Waiver and Answer

*A. B. Miller, Atty.*  
*Wm. J. Smith*

Register.

RECORDED

No. ....

THE STATE OF ALABAMA  
Baldwin County

IN EQUITY  
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 24<sup>th</sup> .....

day of February, 1947 .....

W. J. Ruck  
Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY.

Circuit Court

TO: GRADY P. GILBERT, Notary Public, Baldwin County, Alabama

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 Ernest E. Gates and T. V. James, of Silverhill, Alabama

as witnesses in behalf of Ernest E. Gates in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Ernest E. Gates

\_\_\_\_\_, Complainant  
and Helen Louise Gates

\_\_\_\_\_, Respondent

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

Witness 21st day of Feb, 1947

Archie J. Lenoir  
Register.

Commissioner's Fee, \$ 2.00

Witness' Fees, \$ \_\_\_\_\_

THE STATE OF ALABAMA }  
Baldwin County }

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

ERNEST E. GATES

COMPLAINANT

vs.

HELEN LOUISE GATES

RESPONDENT

I, GRADY P. GILBERT, Notary Public for Baldwin County

as Register and Commissioner duly appointed by Register in Chancery

have called and caused to come before me Ernest E. Gates, and T. V. James

witnesses named in the requirement for Oral Examination, on the \_\_\_\_\_ day of \_\_\_\_\_

194\_\_\_\_, at the office of A. B. Miller, Attorney at Law

in Robertsdale, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Ernest E. Gates and T. V.

James

doth depose and say as follows:

I am Ernest E. Gates, Complainant in this case, and I am a bona fide resident of Baldwin County, living at Silverhill, Alabama. I was married to Helen Louise Gates on July 13, 1940.

On or about February 1, 1950, my wife left me to live with her Mother in Florida. On various and frequent times I have attempted to get her back to live with me, but she has refused and still refuses to do so.

After deciding it was hopeless for an agreement to be made so that we could live together, we entered into a separation agreement.

Ernest E. Gates



STATEMENT OF T. V. JAMES

My name is T. V. James. I live at Silverhill, Alabama.

I have known Ernest E. Gates for over a year. During the time I have known him he and his wife have not lived together.

I know Ernest as a man of good character and believe him when he says that his wife abandoned him.

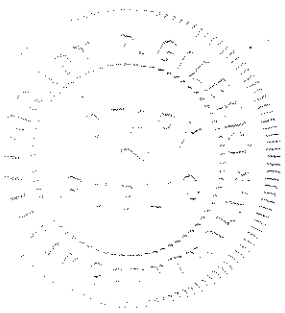
T. V. James

I, GRADY P. GILBERT 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 A. B. Miller 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 21st day of February 1951.

*Grady P. Gilbert*  
Baldwin Co., Ala. (L. S.)  
My Comm expires 4/9/52



No. 2610 Page \_\_\_\_\_

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed 2-24, 1951

RECORDED IN

Register.

Record

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

Register

STATE OF ALABAMA

IN THE CIRCUIT COURT OF BALDWIN

BALDWIN COUNTY

COUNTY, ALABAMA, IN EQUITY

ERNEST E. GATES,

Complainant

vs.

HELEN LOUISE GATES,

Respondent

TO ANY JUDGE OF SAID COURT, IN EQUITY SITTING:

Comes your Complainant, Ernest E. Gates, in the above styled cause and respectfully shows unto your Honor the following:

1. That your Complainant is over the age of 21 years and is a bona fide resident of Baldwin County, Alabama; that Respondent is over the age of 21 years and is a resident of the State of Florida.
2. That your Complainant and Respondent were lawfully married on, to-wit; the 13th day of July, 1940.
3. That your Complainant and Respondent have entered into an agreement with reference to alimony, a copy of which is hereto attached as Exhibit A and made a part hereof, and by the terms of which agreement your Complainant is to have the care, custody and control of their son, Gary Edward Gates, age 9 years, and Respondent is to have the care, custody and control of their two daughters, Ramona Jeanette Gates, age 7 years, and Sharron Lebera Gates, age 5 years, and that your Complainant is to pay Respondent the sum of Twenty Five Dollars (\$25.00) per week for the support of the said two daughters. Complainant avers that this is a reasonable, just and proper agreement and prays the court that in the event a decree of divorce is given in this cause that the court will decree that the parties keep and abide by the terms of said agreement.
4. Your Complainant further avers that said Respondent voluntarily abandoned the bed and board of your Complainant for more than one year next preceding the filing of this bill of complaint, since which time Complainant and Respondent have not lived together nor in any way recognized each other as husband and wife.

WHEREFORE, THE PREMISES CONSIDERED, your Complainant prays that the said Helen Louise Gates be made a party respondent to this his bill of complaint and that all proper process of service be directed to her requiring her to plead, answer or demur within the time required by law; that failing in this your Honor will grant to your complainant a decree pro confesso. And your Complainant further prays that upon a final hearing in this cause your Honor will enter a decree granting him relief as follows:

(a) Divorcing your Complainant from said Respondent, granting your Complainant the right to remarry.

(b) compelling the Respondent and your Complainant to abide by the terms of the agreement as set out in this bill of complaint.

And your Complainant prays for such other, further and different relief as in the premises may seem to your Honor just and proper, as to which your Complainant will in duty bound ever pray.

*A. B. Miller*

Solicitor for Complainant

Case No. 2-4-11....

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

IN EQUITY

BILL FOR DIVORCE

ERNEST E. GATES,  
Complainant

vs.

HELEN LOUISE GATES,  
Respondant

Filed...2-24-57

.....*Archie J. Newson*.....  
Clerk

A. B. Miller

Solicitor for Complainant

STATE OF ALABAMA  
BALDWIN COUNTY

SEPARATION AGREEMENT

THIS AGREEMENT entered into on this the 17th day of February, 1951, between Ernest E. Gates, of Silverhill, Alabama, party of the first part, and Helen Louise Gates, his wife, of Tampa, Florida, party of the second part, Witnesseth:

Whereas, the parties, because of incompatibility, disagreements and friction are unable to live together, except at the sacrifice of their mutual comfort, health and happiness, and accordingly intend and contemplate that their present separation shall be permanent, in connection with which separation it is the intention and the desire of the parties that there be a complete, final and effective decision and settlement of their respective rights and holdings, provision made for the support of the children of the parties, and the relinquishment of the rights, interest and claims which the one party might otherwise have upon the property of the other.

Now, therefore, in consideration of the premises and to accomplish the end sought, both parties with full knowledge of the extent, value and character of the properties owned by them separately and jointly, and of their respective income, obligations and needs, do fully and voluntarily agree as follows:

FIRST: It is agreed that the parties shall live apart and separate and shall not annoy or molest each other.

SECOND: The first party shall have the care, custody and control of their son, Gary Edward Gates, age 9 years.

THIRD: The second party shall have the care, custody and control of their two daughters, Ramona Jeanette Gates, age 7 years, and Sharron Lebera Gates, age 5 years.

FOURTH: The first party shall pay to the second party the sum of Twenty Five Dollars (\$25.00) each week, by money order, for the support of the said two daughters.

FIFTH: It is agreed that this agreement shall be made a part of any divorce decree granted either party.

WHEREFORE, The parties hereto attach their names and seals on the day and year first above written.

Ernest E. Gates (L.S.)  
Helen Louise Gates (L.S.)

Witness:

Mrs. Emmett M. Gates

ERNEST E. GATES,  
Plaintiff,  
VS.  
HELEN LOUISE GATES,  
Defendant.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

NO. 2610

PETITION FOR RULE TO SHOW CAUSE

Comes your petitioner, Helen Louise Gates (Clark), who is over the age of twenty-one years, and respectfully shows unto the court as follows:

1. That on the 24th day of February, 1951, in the above entitled cause a final decree was rendered divorcing your petitioner, from Ernest E. Gates, her husband; and in said decree the said Ernest E. Gates was directed to comply with a written agreement entered into on the 17th day of February, 1951, between Ernest E. Gates and your petitioner, Helen Louise Gates (Clark), whereby the said Ernest E. Gates was to pay to your petitioner the sum of TWENTY-FIVE (\$25.00) DOLLARS per week for the support and maintenance of their two minor children, Ramona Jeanette Gates, and Sharron Lebera Gates.

2. That the said Ernest E. Gates has failed since the said decree was made and entered to make the said payment of Twenty-Five (\$25.00) Dollars per week as required by said decree, although having the sufficient means to comply with said decree, and has willfully and contemptuously refused to obey said decree.

3. That said minor children are in need of medical and dental attention, which your petitioner is unable to provide for them.

The premises considered your petitioner prays that a rule be issued to the said Ernest E. Gates requiring him at a time and place to be therein stated, to appear before the court and show cause, if

any he have, why he shoul not be punished as for a contempt.

And petitioner prays for such other and further relief as  
may be mete and proper.

Telfair J. Mashburn, Jr.  
Solicitor For Petitioner.

STATE OF ALABAMA, 0  
COUNTY OF BALDWIN. 0

Before me, James R. Owen, a Notary Public, personally appeared  
Telfair J. Mashburn, Jr., who is known to me and who by me being  
first duly sworn, deposes and says that he has been informed of the  
facts alleged in the above petition and verily believes that the  
facts therein stated are true.

Telfair J. Mashburn, Jr.

Sworn to and subscribed before me this 4<sup>th</sup> day of May, 1955.

James R. Owen  
Notary Public, Baldwin County, Alabama.

*filed*  
*May 4, 1955*  
*Alice J. Luck, Reg.*

ceived 4 day of Apr 1955  
on 9 day of May 1955  
aved a copy of the within

service on Ernest E. Gates

TAYLOR WILKINS, Sheriff  
By Dolley B. Stenhouse D. S.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

IN EQUITY.

NO. 2610  $\frac{1}{2}$

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ERNEST E. GATES,  
Plaintiff,

VS.

HELEN LOUISE GATES,  
Defendant.

\*\*\*\*\*

PETITION FOR RULE TO  
SHOW CAUSE.

\*\*\*\*\*

FILED  
MAY 4 1955  
ALICE J. DUCK, Register



IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.  
NO. 2610

This cause being presented to the Court on the verified petition of Helen Louise Gates (Clark) for rule nisi against Ernest E. Gates on failure to pay alimony as directed by the Court, it is ordered that the complainant, Ernest E. Gates, be and he is hereby commanded to be and appear before this Court on the 18 day of May, 1955, at 10 o'clock ~~X~~ A.M., and show cause, if any he has, why the petition should not be granted and why he should not be adjudged in contempt of Court.

Done and ordered, this the 4 day of May, 1955.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

This, the 4 day of May, 1955.

Robert M. Lee  
CIRCUIT JUDGE.

✓

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

NO. 2610 *m*

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ERNEST E. GATES,  
Plaintiff,  
VS.  
HELEN LOUISE GATES,  
Defendant.

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RULE TO SHOW CAUSE.

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*8 of lines at Silverhill*  
**FILED**  
MAY 4 1955

ALICE J. DUCK, Register

received *4* day of *May* *55*  
at on *9* day of *May* *1955*  
served a copy of the within

service on *Ernest E. Gates*

TAYLOR WILKINS, Sheriff

By *Lilliegh Steadham* D. S.

*2610*