DIVORCE DECREE

3487

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CARRIE E. GATES, Complainant

vs.

J. C. GATES, 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 CARRIE E. GATES is forever divorced from the said J. C. GATES for and on account of

HABITUAL DRUNKENESS

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 payment of the cost of this suit.

It is further ordered that J. C. GATES the RESPONDENT pay the cost herein to be taxed, for which executed may issue.

This 19 day of March, 1955

Hubert M. Hale

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. 3487 Page

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED
MAR 19 1955
ALICE J. BUCK, Register

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

CARRIE E. GATES

vs.

J. C. 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, ANSWER AND WAIVER AND THE TESTIMONY OF CARRIE E. GATES AND ETHEL JOHNSON AS SET OUT IN THE ORAL DEPOSITION

and in behalf of Defendant upon

James A. Hendrix

Register.

No. 3487

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

CARRIE E. GATES

vs.

J. C. GATES

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ....., 194.....

Register.

Printed By The Baldwin Times

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Grady P. Gilbert, Jr.

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 Carrie E. Gates and Ethel Johnson

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

, Complainant

and J. C. Gates is

Respondent

on oath, to be by you administered, upon them

to take and certify the deposition of the witness~~es~~ and return the same to our Court, with all convenient speed, under your hand.

Witness 16th day of March, 195 5

Register.

Commissioner's Fee, $

Witness' Fees, $

No. 3487

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CARRIE E. GATES

Complainant

VS.

J. C. GATES

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

GRADY P. GILBERT, JR.

WITNESSES:

CARRIE E. GATES

ETHEL JOHNSON

ORAL DEPOSITION

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

CARRIE E. GATES Complainant

VS.

J. C. GATES Respondent

I, Grady P. Gilbert, Jr.
as ~~Register and~~ Commissioner
have called and caused to come before me Carrie E. Gates and Ethel Johnson

witness as named in the Requirement for Oral Examination, on the 16th day of March 1955, at the office of James A. Hendrix in Robertsdale, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Carrie E. Gates and Ethel Johnson doth depose and say as follows:

My name is Carrie E. Gates. I am over twenty-one years old and have lived in Baldwin County for more than the past five years. J. C. Gates is over twenty-one years old and lives in Robertsdale, Alabama. J. C. and I were married on December 20, 1954, at Lucedale, Miss. After J. C. and I were married he started drinking pretty bad; he would sometimes stay drunk for several days. I felt that I could not live with him under these circumstances and do to his habitual drinking I left him and for more than the past two months we have not lived together as husband and wife. We had no children.

Carrie E. Gates
Carrie E. Gates

My name is Ethel Johnson, I am a resident of Baldwin County and have lived here for years. I have known Carrie E. Gates and J. C. Gates for a long time. They are both over twenty-one years old and Carrie has lived here in Baldwin County for many, many years; J. C. now lives in Baldwin County but I do not know how long he has been here. Carrie and J. C. were married on December 20, 1954, at Lucedale, Mississippi. J. C. used to drink a little bit but after he and Carrie were married J. C. began to drink very heavily and stayed drunk a good portion of the time. Carrie told me that she could not live with J. C. under these circumstances, and I know of my own knowledge for more than the past two months that due to these circumstances they have not lived together as husband and wife. They had no children.

Ethel Johnson
Ethel Johnson

ORAL EXAMINATION.

I, Grady P. Gilbert, Jr., as ~~Register and~~ Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself Grady P. Gilbert, Jr. at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proom made before me of the identity of said witnesses; that I am not of counsel or 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 16th day of March, 1955.

Grady P. Gilbert, Jr. (L. S.)
Notary Public, Baldwin Co., Ala.

NO. 3457 PAGE

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

CARRIE E. GATES

vs. Complainant

J. C. GATES

Respondent.

Oral Deposition

Filed FILED, 195

, Register.

MAR 4 Recorded in 1955

Record

Vol. Page

, Register

CARRIE E. GATES,	)	IN THE CIRCUIT COURT OF
COMPLAINANT	)	BALDWIN COUNTY, ALABAMA
vs.	)	IN EQUITY
J. C. GATES	)	
RESPONDENT	)	

ANSWER AND WAIVER

Comes now the Respondent, J. C. Gates, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

And for further answer to said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

J. C. Gates

FILED
Mar. 17, 1955
ALICE I. DOCK, Register

Sworn to and subscribed before me this 16 day of March, 1955, at Robertsdale, Alabama.

James A. Hendrix
Notary Public, Baldwin County, Ala.

3487

FILED
MAR 17 1955
ALICE J. DUCK, Register

STATE OF ALABAMA, BALDWIN COUNTY

CARRIE E. GATES	)	
Complainant,	)	IN THE CIRCUIT COURT OF
vs.	)	BALDWIN COUNTY, ALABAMA,
J. C. GATES	)	IN EQUITY.
Respondent		

To the Honorable Judge of The Circuit Court of Baldwin County, Sitting in Equity:

Comes now the Complainant, Carrie E. Gates, humbly complaining of the Respondent, J. C. Gates, in a matter of divorce, and represents and shows unto Your Honor as follows:

FIRST: That Complainant Carrie E. Gates is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said State for more than one year next preceeding the filing of this Bill of Complaint; and that J. C. Gates, the Respondent, is over the age of twenty-one years and resides in Robertsdale, Alabama.

SECOND: That your Complainant and Respondent were lawfully married on or about, to-wit, December 20, 1954, at Lucedale, Mississippi.

THIRD: Your Complainant avers and charges that the said Respondent has, since her marriage with him, become addicted to habitual drunkeness, and that said habit has continued to the filing of this Bill, and that due to the aforesaid habit the Complainant and Respondent have not lived as husband and wife for more than two months next preceding the filing of this Bill of Complaint.

FOURTH: Complainant would further show unto your Honor that no children were born to the union of the said parties.

PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said J. C. Gates be made a party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of

Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage. The Complainant prays all other further and general relief to which she may be entitled, the premises considered and she will ever pray, etc.

FILED
Mar. 17, 1955
ALICE J. DUCK, Register

James A. Hendrix
Solicitor for Complainant