

VONCILE PHILLIPS.

vs.

JILES G PHILLIPS.

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, and  
Testimony of Voncile Phillips and H Wolfe.

and in behalf of Defendant upon Answer and Waiver.

*J Robert Lucas*  
Register.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY

Vancie Phillips Complainant

VS.

Giles G. Phillips Defendant

In the above stated cause a <sup>Answer + Waiver</sup> ~~Decree Pro Confesso~~ having been <sup>filed</sup> ~~taken~~ against the Defendant, and

the evidence having been taken and the cause being ready for submission for final decree, and no de-

fense having been interposed, the Complainant by her Solicitors of Record, now files with the Reg-

ister of said Court this written request to deliver the papers in this cause to the Judge for final decree

in vacation.

Frank G. Horn  
Solicitor for Complainant.

**CIRCUIT COURT, BALDWIN COUNTY, ALA.,  
IN EQUITY.**

No. *276*

*Conrad Phillips*  
VS.  
*Jesse S. Phillips*

PLAINTIFF  
DEFENDANT

**BILL OF COSTS**

Fees of Register		Dollars	Cts.	Brought Forward	
Filing each bill and other papers	10	\$	100	For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000 and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000 and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	6 00
Issuing each Subpoena	50			Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per cent of amount received.	
Issuing each copy thereof	40			Each Notice Sent by Mail to creditors	15
Entering each return thereof	15			Filing, Receipting for and Docketing each Claim, etc.	25
For each Order of Publication	1 00			For all entries on Subpoena Docket, etc.	50
Issuing Writ of Injunction	1 50			For all entries on Commission Docket, etc.	50
For each copy thereof	50			Making Final Record, per hundred words	15
Entering each return thereof	15			Certified Copy of Decree	1 00
Issuing Writ of Attachment	1 00			Report of Divorce to State Health Office Acts 1915	50
Entering each return thereof	15			<b>Total Fees of Register</b>	<b>130 00</b>
Docketing each case	1 00				
Entering each Appearance	25			<b>Fees of Sheriff</b>	
Issuing each Decree Pro Confesso on personal service	1 00			Serving and Returning Subpoena on Deft.	\$1 50
Issuing each Decree Pro Confesso on publication	1 00			Serving and Returning Subpoena for Witness	65
Each order Appointing Guardian	1 00			Levying Attachment	1 50
Any other order by Register	50			Entering and Returning same	25
Issuing Commission to Take Testimony	50			Selling Property Attached	
Receiving and Filing	10			Impanelling Jury	75
Endorsing each package	10			Executing Writ of Possession	2 50
Entering order Submitting Cause	50			Collecting Execution for Costs	1 50
Entering any other Order of Court	25			Serving and Returning Sci. fa., each	65
Noting all Testimony	50			Serving and Returning Notice	65
Abstract of Cause, etc.	1 00			Serving and Returning Writ of Injunction	1 50
Entering each Decree	75			Serving and Returning Writ of Execut.	1 50
For every 100 words over 500	15			Taking and Approving Bonds, Each	75
Taking account, etc.	3 00			Collecting Money on Execution	
Taking Testimony, etc.	15			Making Deed	2 50
Each Report, 500 words or less	2 50			Serving and Returning Application	1 00
For every 100 words over 500	15			Serving Attachment, Contempt of Court	1 50
Amount claimed less than \$500, etc.	2 00			<b>Total Fees of Sheriff</b>	
Issuing each Subpoena	25				
Witness Certificate, each	25			<b>Recapitulation</b>	
Issuing Execution, each	75			Register's Fees	120 00
Entering each return	15			Sheriff's Fees	
Taking and Approving Bond, each	1 00			Commissioner's Fees	
Making copy of bill, etc.	15			Solicitor's Fees	
Each notice not otherwise provided for	50			Witness Fees	
Each certificate or affidavit, with seal	50			Guardian Ad Litem	
Each certificate or affidavit, no seal	25			Printer's Fees	
Hearing and passing on application, etc.	3 00			Trial Tax	3 00
Each settlement with receiver, etc.	3 00			Recording Decree in Probate Court	
Examining each voucher of receiver, etc.	10			<b>Total</b>	<b>15 00</b>
Examining each answer, etc.	3 00				
Recording resignation, etc.	75				
Entering each certificate to Supreme Court	50				
Taking questions and answers, etc.	25				
For all other service relating to such proceedings	1 00				
For service in proceeding to relieve minors, etc same fee as in similar cases.					
Commission on sales, etc.: 1st \$100 2 per cent, all over \$100, and not exceeding \$1,000, 1-2 per ct.; all over \$1,000 and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.					
<b>Sub Total Carried Forward</b>			<b>6 00</b>		

Received payment this 18 day of May 1936 R. S. Duck Register.  
*Fee Book 3 Page 360*

206

Mrs. Vencille Phillips, : IN THE CIRCUIT COURT  
Complainant

OF BALDWIN COUNTY,

vs.

ALABAMA. IN EQUITY.

Jiles G. Phillips,  
Defendant.

NO. 206

TO THE HONORABLE FRANCIS W. HARE, JUDGE OF THE TWENTY-  
FIRST JUDICIAL CIRCUIT OF ALABAMA. SITTING IN EQUITY.

Now comes the complainant Mrs. Vencille Phillips humbly complaining of the defendant Jiles G. Phillips in a matter of divorce as will hereinafter appear and represents and shows unto Your Honor as follows:

F I R S T.

That both she and the defendant are over the age of twenty one years and reside in Baldwin County, Alabama. That they have so resided for more than one year preceding the filing of the Bill of Complaint in this cause.

S E C O N D.

That the complainant and the defendant were married to each other at Perdido in the County of Baldwin and State of Alabama on, to-wit, the 3rd day of November, 1934 and lived together immediately thereafter as man and wife.

T H I R D.

That on or about the 1st day of January, 1935 the defendant commenced to treat the complainant in a cruel and inhuman manner and to abuse her and to curse her and on, to-wit, the 1st day of March, 1935 the defendant struck the complainant with his fist making large bruised and inflamed places on her face and body and endangering her life and health. That immediately thereafter the complainant escaped and has not returned to live with the defendant as his wife. That she can no longer with any degree

PAGE TWO.

of comfort or safety live with the defendant. That this cruelty was without fault on her part and that she has not condoned the defendant for his fault.

PRAYER FOR PROCESS.

To the end that equity may be had in the premises Your oratrix prays that Jiles G. Phillips be made party defendant to this Bill of Complaint and that a summons be issued and served on him requiring him 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.

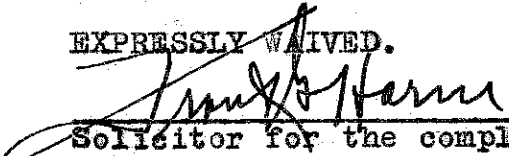
PRAYER FOR RELIEF.

Premises considered, your oratrix prays that on a final hearing of this cause your Honor will make and enter a decree dissolving the bonds of matrimony heretofore existing between your oratrix and the defendant and granting to your oratrix the right to again marry should she so desire, and granting to her a full and complete divorce from the said Jiles G. Phillips. Your oratrix prays such other, further and general relief to which she may be entitled, the premises considered, and your oratrix will ever pray, etc.

  
Solicitor for the complainant

FOOT-NOTE

THE DEFENDANT IS REQUIRED TO ANSWER EACH AND EVERY PARAGRAPH OF THE FOREGOING BILL OF COMPLAINT NUMBERED "FIRST" "SECOND" AND "THIRD", BUT NOT UNDER OATH, ANSWER UNDER OATH THERETO BEING HEREBY EXPRESSLY WAIVED.

  
Solicitor for the complainant

THE STATE OF ALABAMA, }  
Baldwin County.

No. 206

Circuit Court, In Equity

VONCILE PHILLIPS.

Complainant

vs.

JILES G PHILLIPS.

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, <sup>decreed</sup> ~~pro confesso~~ and the testimony as noted by the Register: and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

On Account of Cruelty.

It is further ordered that the said Voncile Phillips. & Jiles G Phillips. be, and ~~They~~ <sup>are</sup> hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Voncile Phillips. pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may be issued against the said Jiles G Phillips.

It is further ordered, adjudged and decreed that said Voncile Phillips. & Jiles G Phillip shall not again marry except to ~~said~~ ~~Each Other,~~ until sixty days after this date, and that if an appeal is taken within sixty days ~~they~~ ~~be~~ shall not marry again except to ~~said~~ ~~Each Other.~~

during the said pendency of appeal

This 16<sup>th</sup> day of May 1936

J. W. Hare  
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA, }  
Baldwin County.

Circuit Court, In Equity.

I, Robert S. Duck. Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the \_\_\_\_\_ day of \_\_\_\_\_ 1936 in the cause of Voncile Phillips.

Complainant

vs.

Jiles G Phillips.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the \_\_\_\_\_ day of May 1936

Register

The State of Alabama, BALDWIN County

CIRCUIT COURT, IN EQUITY

at Bay Minette, Alabama

MRS. VONCILLE PHILLIPS

vs.

JILES G. PHILLIPS

Comes JILES G. PHILLIPS

the person named as defendant in this cause, and for answer to the bill herein says ~~she~~ <sup>HE</sup> denies each and every allegation therein, and demands strict proof of the same. ~~She~~ <sup>HE</sup> also waives service by the Sheriff of subpoena on said bill, a copy of the interrogatories filed in the cause, notice of the filing of them, waives the ten days allowed by law to cross them, the right to cross them, and consents that the cause be submitted in vacation to the Judge for decree in vacation on note of testimony to be made by the Register.

Jiles G. Phillips, Defendant.

THE STATE OF ALABAMA, ESCAMBIA COUNTY.

Before me J. B. Harper

a Justice of the Peace (or Notary Public) (or Register) in and for said State and County, hereby certify that JILES G. PHILLIPS

whose name is signed to the foregoing answer to a certain Bill of Complaint filed on the 16th day of March A.D. 1936, wherein MRS. VONCILLE PHILLIPS

is complainant and JILES G. PHILLIPS is defendant, and who is known to me to be the identical person named as defendant in the Bill of Complaint in this cause, acknowledged before me on this day that being informed of the allegations on the Bill of Complaint filed against ~~her~~ <sup>HIM</sup> by MRS. VONCILLE PHILLIPS

~~she~~ <sup>HIS WIFE</sup> ~~she~~ <sup>HE</sup> who is ~~her~~ <sup>his</sup> ~~husband~~ <sup>wife</sup>, signed the answer hereto attached voluntarily on the day the same bears date.

And I further certify that ~~she~~ <sup>HE</sup> signed the said answer in my presence.

Given under my hand and seal this 16th day of March, A.D. 1936

J. B. Harper  
Justice of the Peace.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To Miss Anne Smith, Foley, 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 **Moncille Phillips**

as witnesses in behalf of **the Complainant** in a cause pending in our Circuit Court of Baldwin County, of said State, wherein **Moncille Phillips,**

Complainant  
and **Jiles G Phillips.**

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

Witness 22 day of April 1936

*Ruth S. Deuch*  
REGISTER

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

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



The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

Voncille Phillips Complainant

vs.

Giles G. Phillips Defendant

Commissioner

Oral examination before the ~~Register~~ of the following witnesses:

Voncille Phillips

who reside in Alabama, said examination being conducted in Foley Alabama,

on this the 12th day of May, 1936, and there being present

the commissioner and the said witness

Voncille Phillips

The said being first sworn to speak the truth, the whole truth, and nothing but the truth,

testified as follows: I am the complainant in the above styled cause. I

married the defendant at Perdido, Baldwin County, Alabama

on the 3rd day of November, 1934. We lived together as man

and wife in said County until on, to-wit, the 1st day of

March, 1935. For a long time before the 1st day of March the

defendant had commenced to abuse and threaten me and to curse

me and accuse me of things of which I was not guilty. On

March 1, 1935 he struck me about the face and body with his

fists and made large blue and inflamed spots and endangered

my life and health. I got away from him shortly after this

assault and have never returned to live with him as his wife.

I have not forgiven him for his cruelty and feel that I can

no longer with any degree of comfort or of safety live with

him. That said cruelty was not occasioned by any misconduct

on my part.

x *Voncille Phillips*

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To A. F. McNeill, residing at Atmore, Escambia 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

H. Wolfe

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

Complainant

and Jiles G Phillips.

Defendant,

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

Witness 22 day of April 1936

Ruben S. Luck

REGISTER

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

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

The State of Alabama, BALDWIN County

IN CIRCUIT COURT, IN EQUITY

VONCILLE PHILLIPS Complainant  
vs.

GILES G. PHILLIPS Defendant  
Commissioner

Oral examination before the ~~Register~~ of the following witnesses:

H. Wolfe

who reside in Alabama, said examination being conducted in Atmore Alabama,  
on this the 14th day of May, 1936, and there being present

the commissioner and the said witness

H. Wolfe

The said H. Wolfe being first sworn to speak the truth, the whole truth, and nothing but the truth, testified as follows: I know the complainant and the defendant in this case. They are both over the age of twenty one years and are both bona fide residents of Baldwin County, Alabama. They have resided in Baldwin County, Alabama for more than three years next preceding the filing of the Bill of Complaint in this cause. They were married to each other at Perdido, Baldwin County, Alabama on the 3rd day of November, 1934. They lived together as man and wife immediately after they married in Baldwin County, Alabama and up until the 1st day of March, 1935. I know that the defendant for a long time before the 1st day of March had commenced to be suspicious of the complainant, to accuse her of things she did not do and to curse and abuse her in the presence of other people. This conduct on his part seemed to grow worse and worse as time passed and on the 1st day of March, 1935 the defendant struck the complainant in my presence. He hit her on the face with his fist and made some inflamed and blue spots on her face. I think that there were also

RECORDED

THE STATE OF ALABAMA.

..... COUNTY

CIRCUIT COURT, IN EQUITY

*Warrille Phillips*

vs. Complainant.

*Jiles G Phillips*

Defendant.

REQUEST FOR DECREE IN VACATION

Filed 15 day of May, 1934.

*Robert H. Ledford* Register.

Recorded in

..... Record

Vol. .... Page .....

....., Register.

RECORDED

*Arch*  
6-372

No. 206

**The State of Alabama**  
BALDWIN COUNTY

**IN EQUITY**  
**Circuit Court of Baldwin County**

Voncile Phillips.

vs.

Jiles G Phillips.

**NOTE OF TESTIMONY**

Filed in Open Court this 15th

day of May 1936

*J. R. S. D.*

REGISTER

Circuit Court, Baldwin County, Ala.  
In Equity.

No. 506

*Oliver Phillips*

vs.

*Jess Phillips*

**Cost Bill**

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

Register

Moore Ptg. Co.

# 206

RECORDED  
6-3-22

*Bill of Complaint*

Filed this 17 day of ~~April~~ 1936  
*Richard A. [Signature]*  
Clerk-Register

RECORDED  
A. Ruck  
2-205

No. 206

THE STATE OF ALABAMA,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY  
Baldwin County, Ala.

Yoncie Phillips.

vs.

Jiles G Phillips.

DECREE OF DIVORCE

Filed in office this

18

day of

May

1936

*Robert A. Dural*

REGISTER

E. O. M.

MOORE PRINTING CO., BAY MINETTE, ALA.



RECORDED  
*Amesley*  
6-523

The State of Alabama

COUNTY.

CIRCUIT COURT, IN EQUITY

VS.

Answer and Waiver of Defendant

VERIFIED BY AFFIDAVIT

Filed this 17<sup>th</sup> day of

March, 1936

*Richard Duck*  
Register.

# The State of Alabama

COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant,

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of \_\_\_\_\_

for \_\_\_\_\_

Filed 15 day of May, 1936

Published by order of the Court, \_\_\_\_\_

day of \_\_\_\_\_, 19 \_\_\_\_\_

R. B. Duck  
Register.

I, Anne Smith, as 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 the Commissioner....., at the time and place herein mentioned; that I have personal knowledge of the personal identity of the 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 in any manner interested in the result thereof.

I enclose the said Oral Examination in an envelope to the Register of said Court, and placed the same on file in my office.

Given under my hand and seal this the 12th.....day of May....., 1936..

*"O" Anne Smith*..... (L. S.)

WITNESS FEES.

I hereby certify that the following named witnesses are entitled to the amounts stated below:

.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....
.....	days' attendance at \$1.50 per day.....	\$.....

REGISTER'S FEES.

.....	days at \$1.50 per day.....	\$.....
.....	words at 20 cents per hundred.....	\$.....

The State of Alabama

COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant,

Defendant.

Deposition Taken Before Register on Oral Examination

Deposition of

for

Filed 15 day of May, 1936

Published by order of the Court,

day of \_\_\_\_\_, 19

Robert S. Sweet  
Register