

1791

The State of Alabama, } Circuit Court of Baldwin County, in Equity.  
Baldwin County.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Corlie Frances Phillips,

of Escambia County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Charles Thomas Phillips,

against said

Corlie Frances Phillips,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 18th day of January 1929

T. W. Richerson Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

*Original*

SERVE ON

Circuit Court of Baldwin County  
In Equity.

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

SUMMONS

Charles Thomas Phillips,

vs.

Corlie Frances Phillips.

*Mc Culough*  
*Escambia Co Ala*

Hon. S. C. Jenkins,

Solicitor for Complainant

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_ 192

Sheriff.

Executed this *N* day of

192

by leaving a copy of the within Summons with

*Corlie Frances Phillips*

Defendant.

*A. W. Brewer*

Sheriff.

By \_\_\_\_\_

Deputy Sheriff.

*7/15/29*

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama, }  
Baldwin County.

No. \_\_\_\_\_ CIRCUIT COURT, IN EQUITY

*Scorlie Frances Phillips* Complainant

vs.

*Charles Thomas Phillips* Defendant

In this cause it appears to the *Register*

that a Summons requiring the Defendant *Charles Thomas Phillips*

to appear and demur, plead to or answer the Bill of Complaint in this cause within thirty days after the service of said Summons upon *Charles Thomas Phillips* was served upon *him* by the Sheriff of *Baldwin* County, Alabama, on the *29th* day of *March* 19*29*

And the said Defendant ... having failed to demur, plead to or answer the said Bill of Complaint to this date, it is now, therefore, on motion of *W.B. Blackburn and W.H. Hawkins Attys for Com. employed* ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as confessed against the said *Chas. Thomas Phillips*

This *5th* day of *May* 19*29* Defendant aforesaid.

*T.W. Mc...*  
Register.

No. ....

Page .....

**The State of Alabama,**  
Baldwin County

**Circuit Court In Equity**

*Corlie Frances Phillips*

vs.

*Charles Thomas Phillips*

**Decree Pro Confesso On  
Personal Service.**

Issued

*May 6th 1929*

*J. M. McCreary*

Register.

Charles Thomas Phillips, )  
Complainant, )  
Vs. ) In the Circuit Court,  
Corlie Frances Phillips, ) Baldwin County, Alabama.  
Respondent. ) In Equity.

This cause is submitted on application of the Complainant and Cross-respondent under Section ~~of~~ 6604 of the Code of Alabama to have a Decree Pro Confesso entered against him of Monday, May 6th., 1929, set aside and held for naught, and it appearing to the Court that said Complainant and Cross-respondent has filed herein a full and sufficient answer as required by said Section of the Code, and is entitled to the relief prayed,

It is, therefore, ordered, adjudged and decreed by the Court that the said Decree Pro Confesso heretofore entered in this cause on the said 6th. day of May, 1929, against petitioner, be, and same hereby is set aside and held for naught.

Done at Chambers at Monroeville, Alabama, this  
15th. day of June, 1929.

J. W. Ware  
Judge.

Charles Thomas Phillip

OS

Corlie Francis Phillip

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Decree setting aside  
Decree Pro Confesso.

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Filed June 17<sup>th</sup> 1929.

D. W. McInnis  
Clerk

Charles Thomas Phillips )  
Complainant. )  
vs )  
Corlie Frances Phillips . )

In Circuit Court of Baldwin County,  
Alabama.  
In Equity .

Comes the Complainant Chas. Thomas Phillips in the Bill originally filed in this cause and the respondent or defendant in the Cross-Bill of Complaint filed by ~~by~~ the respondent Corlie Frances Phillips in this cause on March 7th, 1929 and for answer to said cross-Bill and answer of the respondent says:

First. He admits as true paragraphs 1 and 2 as to the age, residence and before the filing of the Bill aforesaid in this cause and that complainant and respondent, respectively in the original Bill and as respondent and complainant respectively in the cross Bill were duly and legally married on or about January 10th, 1926.

Second. He denies the allegations as set up in each and every other paragraph of the Cross-Bill and answer as filed in this cause on March 7th, 1929 and demands strict proof of the same.

Third. Said Chas. Thomas Phillips as respondent and defendant in said cross Bill filed in this cause on March 7th, 1929, specifically denies that he abandoned the said Corlie Frances Phillips on the --- day of August, 1927 alleged in paragraph third of said Cross-Bill.

Fourth. Said Chas. Thomas Phillips as respondent and defendant in said cross Bill filed by respondent, Corlie Frances Phillips, specifically denies that the said Corlie Frances Phillips is very poor and that he the said Chas. Thomas Phillips is well to do, owning a large body of lands, worth about \$20,000 and much personal property and specifically denies that the said Corlie Frances Phillips is entitled in any alimony in this cause.

~~Complainant having answered fully the cross-Bill hereto filed in this cause respectfully asked to herewith be discharged from further answer to same; said Complainant is perfectly willing to have the court make any order it may see fit in this cause, looking to an ascertainment of the true facts in the case, both as to allegations as set out in the original Bill as filed by this complainant and as to the allegations set up by respondent in her answer and Cross-Bill thereto heretofore filed in this cause on March 7th, 1929.~~

*S. Jenkins and*  
*Frank G. Hoone*  
-----  
Solicitors for Complainant & Cross Respondent

4

Charles Thomas

Phillips

vs

Corlie Thomas

Receiver

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Answer

Filed May 20/29

J. M. Miller

By

RECORDED



4

Charles Thomas  
Phillips  
vs  
Corlie Thomas  
Gleeson

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Answer

Filed May 20/29  
J. M. Munn  
By

RECORDED

Charles Thomas Phillips,  
Complainant and Cross-  
respondent.

vs.

Corlie Frances Phillips,  
Respondent and Cross-Com-  
plainant.

In Circuit Court of Baldwin County,  
In equity.

To the Hon. F. W. Hare, Judge of the Circuit Court:

Comes Corlie Frances Phillips, the respondent and cross-complainant in the above entitled cause, and requests that your Honor will order a reference in this cause to ascertain a reasonable amount for alimony pendente and alimony permanent, and also a reasonable solicitors fee for respondent's and Cross-Complainant's solicitors, and that the proper orders and decrees may be made and issued as may be necessary in the premises.

*J. B. Blackburn*  
-----  
*M. W. Hawkins*  
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Solicitors for Corlie Frances Phillips.

Motion for order of reference

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Charles F. Phillips,  
Complt and Cross-Res.

vs.

Corlie F. Phillips.  
Resp. & Cross-Complt.  
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J. B. Blackburn  
&  
W. H. Hawkins,  
Solicitors for Corlie F.  
Phillips.

The State of Alabama, } No. .... CIRCUIT COURT IN EQUITY.  
Baldwin County.

..... Corlie Frances Phillips, ..... Cross Complainant.....

vs.

..... Charles Thomas Phillips, ..... Cross Defendant.....

Motion is hereby made for a Decree Pro Confesso against .....

..... Charles Thomas Phillips, ..... Cross 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 according to law, and that said Defendant...ha s... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 3rd day of May 19 29.

Gross Def. served  
March 29, 1929.

J. B. Blackburn W. K. Hawkins Solicitors for  
Cross Complainant

No. ....

Page .....

**The State of Alabama,**  
Baldwin County.

**CIRCUIT COURT, IN EQUITY**

Corlie Frances Phillips,

Cross Complainant,

vs.

Charles Thomas Phillips,

Cross Defendant.

**MOTION FOR DECREE PRO  
CONFESSO ON PERSONAL SERVICE**

Filed May 3rd, 1929

*T. W. [Signature]*

Register.

Recorded in Record,

Vol. Page

Register.

The State of Alabama, } Circuit Court of Baldwin County, In Equity,  
Baldwin County.

To any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon Chas. Thomas Phillips,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Corlie Francis Phillips,

against said

Chas. Thomas Phillips,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 7th day of March 1929.

T. W. Richerson, Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

1/2 Original  
SERVE ON

Circuit Court of Baldwin County  
In Equity.

No.

SUMMONS Answer &  
Cross Complaint

~~Corlie Francis Phillips,~~  
Corlie Francis Phillips,

**RECORDED**

vs.

Chas Thomas Phillips.

Received copy on  
Charles Thomas Phillips

Little River Ala

J.B. Blackburn &  
W.H. Hawkins, Cross,  
Solicitor for Complainant

Recorded in Vol. Page.

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this

day of 192

Sheriff.

Executed this 29th day of

March 1929

by leaving a copy of the within Summons with

Charles Thomas  
Phillips

Defendant.

Arvin

Sheriff.

By B. O. Higgins

Deputy Sheriff.

CHARLES THOMAS PHILLIPS,  
COMPLAINANT AND CROSS-  
RESPONDENT

VS:

CORLIE FRANCES PHILLIPS,  
RESPONDENT AND CROSS\*  
COMPLAINANT.

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

Comes the Complainant and cross respondent in the above styled cause and after leave asked and obtained moves the court that an order be made setting aside that certain decree pro-confesso heretofore taken in this cause on to-wit- the 6th. day of May, 1929, and in support of his motion assigns the following grounds:

1. That your petitioner has a full and complete answer to said cross bill.
2. That his attorney prepared an answer and was unable to file it on Saturday, May 4, 1929 two days prior to said decree being taken on account of the absence of the register, who, along with all the officers of the court, went to Daphne, Alabama to celebrate May Day; your petitioner's attorney was compelled to go to Wilcox County to attend the Circuit Court of said County beginning on Monday, May 6th. and did not return to Baldwin County until Tuesday, May 7th at which time he filed his answer.

*Frank Horne*

*S. C. Jenkins*

ATTORNEYS FOR THE COMPLAINANT  
AND CROSS-RESPONDENT.



Phillips  
vs  
Phillips

Motion to set aside  
Decree Pro Confesso

Filed May 27/1929  
J. M. McInerney  
Register

Charles Phillips,  
Complainant?  
vs  
Corlie Frances Phillips,  
Respondent .

)  
) In The Circuit Court of Baldwin County,  
) Alabama.  
) In Equity.

Comes the Complainant, Charles Phillips , and demurs to the cross-bill embodied in the answer of the respondent, as set out in paragraphs Three and Fourth and in the prayer thereto of said cross-Bill and Answer, filed in this cause on March 7th, 1929 and to each of said paragraphs thereof, severally and separately and for grounds of demurrer, assigns as follows:-

- (1). There is no equity in said Cross -Bill .
- (2) That the Respondent has a full, complete and adequate remedy at law
- (3) That the cross-Bill as embodied in said answer of the respondent shows no ground for payment of alimony pendente lite or attorneys's fees as no ground for divorce is alleged .

The Respondent having fully answered the said Cross -Bill as embodied in the answer of the respondent to Complainant's Bill of Complaint prays judgment of the court on same and asks that he be discharged - together with his costs in this behalf expended and that said Cross-Bill of respondent be stricken from respondents' answer , filed, in this cause on March 7th, 1929.

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-----  
Solicitors for Complainant .

Green

Remitted to Cross  
Bill

**RECORDED**

Filed May 7th 1909  
T. W. Williams  
Register

Charles Thomas Phillips,  
Complainant.  
vs.

In Circuit Court of Baldwin County, Ala.,  
In Equity.

Corlie Frances Phillips.  
Respondent.

Comes the respondent and for answer to said complaint and each paragraph thereof, separately and severally, alleges and states:-

First.

To the first paragraph she states, that she admits that complainant is over the age of 21 years, and that he has been a bona fide resident of Baldwin County, Alabama, for more than three years next before the filing of the bill of complaint in this cause. She also admits that she is over the age of 21 years.

Second.

Respondent admits that she and complainant were married on or about January 10th., 1926.

Third.

Respondent denies that ~~that~~ she voluntarily and without just cause, or good excuse, abandoned complainant on the 26th. day of March 1926, but on the other hand she states that she lived at the home of complainant until August 1927 when he left <sup>her</sup> ~~there~~, and that she never did leave his place until February 6, 1928, when she went to McCullough, Alabama, where she is now living. That there has been no voluntary abandonment on her part, at any time, and complainant never had any just cause to leave her.

Fourth.

Respondent states that she is very poor, and has no money or means of support, and complainant owns a large body of land about 1500 acres of land in Baldwin County, Alabama, and much personal property and he is worth about \$20,000, and is well able to pay alimony to your respondent.

Prayer for Relief.

Respondent prays that your Honor will order a reference to be held by the Register of this Court to ascertain a reasonable amount to be paid by complainant to respondent as attorneys fees for respondent in this cause for alimony pendente lite for the support of respondent, and that upon the final hearing of the cause your Honor will grant unto your respondent a reasonable amount as permanent alimony for the support and maintenance of

Two.

respondent suitable to her condition and state of life and as is consistent with the value of the property of complainant. And Respondent prays that this answer may be taken as a cross-bill and that complainant by proper process may be made cross-respondent and he is required within the time required by law, to present to the court a full itemized, statement of all real and personal property he owned at the time of the filing of the bill of complaint in this cause, and respondent and cross-complainant prays for such other and further relief as your Honor may deem proper.

*J. B. Blackburn*  
*J. W. Hawkins*

Solicitors for Respondent and Cross-Complainant.

Foot Note--The Cross-respondent is required to answer each and every paragraph of the cross-bill, especially the third and fourth paragraphs, but not under oath, his oath to same is hereby expressly waived.

*J. B. Blackburn*  
*J. W. Hawkins*

Solicitors for respondent and cross-complainant.

CHARLES THOMAS PHILLIPS  
COMPLAINANT

VS:

CORLIE FRANCES PHILLIPS  
RESPONDENT.

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IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

To the Honorable John D. Leigh, Judge of said Court, sitting  
in equity.

Charles Thomas Phillips brings this his bill  
of complaint against Corlie Frances Phillips, and thereupon  
your orator pleads and says:

1. That your orator is over the age of twenty-one  
years and resides in Little River, Baldwin County, Alabama and  
has been a bona fide resident of said State and County for  
more than three years last past; that the respondent Corlie  
Frances Phillips, is over the age of twenty-one years and re-  
sides in McCullough, Escambia County, State of Alabama, and  
that her post office address is McCullough, Alabama.
2. That your orator and the respondent intermarried  
in Baldwin County, Alabama, January 10th, 1926.
3. That on or about the 26th day of March, 1926  
while your orator and respondent were living as man and wife  
in Baldwin County, Alabama, the respondent voluntarily, and  
without just cause, or good excuse, abandoned the bed and  
board of your orator and has never returned to live with  
him as his wife since said abandonment, which said abandonment  
by respondent was without any fault on the part of your orator.  
Wherefore, the premises considered, your  
orator prays the Court as follows:

~~PRAYER FOR PROCESS AND RELIEF.~~

That the said Corlie Frances Phillips be made  
a party respondent to this bill of complaint; that the usual  
process of the Honorable Court be forthwith issued to her  
commanding her to demur, plead to or answer this bill of com-  
plaint within the time and under the pains and penalties pro-

vided by law and under the rules of this Honorable Court;  
that upon a final hearing of this cause, a decree be rendered  
dissolving the bonds of matrimony now existing between your  
orator and the respondent; that your orator be granted the  
right and privilege to again marry should he so desire; and  
such other further and different relief to which he may be  
entitled, the premises considered.

*S. Jenkins and*  
*Frank G. Horne*  
SOLICITORS FOR THE COMPLAINANT

FOOT-NOTE:

The respondent is required to answer each  
paragraph of the foregoing bill of complaint, numbered,  
one (1), two (2), and three (3), but not under oath,  
answer under oath being hereby expressly waived.

*S. Jenkins and*  
*Frank G. Horne*  
SOLICITORS FOR THE COMPLAINANT.

Charles Thomas Phillips

vs

Corlie Francis Phillips

Original Bill

Filed Jan 18/1929

T. W. Williamson

Register

**RECORDED**

at McCullough

Escambia Co.

Ala.



Charles Thomas Phillips, )  
Complainant, )  
VS. )  
Corlie Frances Phillips, )  
Respondent. )

In the Circuit Court of Baldwin  
County, Alabama. In Equity.

This cause is submitted on motion of Respondent and Cross-Complainant, and on her answer and cross bill, praying for an order of reference to ascertain and report suitable amounts to be allowed Respondent and Cross-Complainant for alimony pendente lite, attorney's fees, and permanent alimony, and the same being considered and understood by the Court,

It is therefore, ordered, adjudged and decreed by the Court that the Register be, and hereby is, ordered and directed to hold a reference in this cause and that upon said reference he ascertain and report to the court as follows:

1. What amount of property, both real and personal, is owned by the Complainant, describing the same in a general way, and stating its value?
2. What is the nature and character of the Complainants income?
3. Is said income received at stated periods, and if so, when and in what amounts?
4. What is a reasonable solicitors fee for respondent and cross-complainant for the conduct of these proceedings?
5. What is a suitable and proper amount to be allowed respondent and cross-complainant for alimony pendente lite?
6. What is a suitable and proper amount to be allowed respondent and cross-complainant as permanent alimony?

The Register will notify the parties of the time and place for holding of said reference, and serve the Complainant with a copy of this decree; and on said reference he shall receive and reduce to writing any legal evidence offered by the parties.

This \_\_\_\_\_ day of \_\_\_\_\_, 1929.

\_\_\_\_\_  
Judge

Original

Order of Reference.

Charles Thomas Phillips,  
Complainant,

VS.

Corlie Frances Phillips,  
Respondent.

Filed this \_\_\_\_\_ day of  
\_\_\_\_\_, 1929.

\_\_\_\_\_  
Register.