TATE BA	E OF	F ALAB	AMA, Y	$\left.\right\}$ No. $\frac{4}{}$:88	November		_Term, 193_
		KATIE	GERTRUDE	GATES,			,	Complainant_
				Vs.				
		GUS	T. GATES	3,		· · · · · · · · · · · · · · · · · · ·		, Defendant
							:	
0	R.	s. DUCK	· •		_, Regist	ter :		

In the above stated cause the Decree Pro Contesso having them taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by McCORVEY, McLEOD, TURNER & ROGERS

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

C. M. A. ROGERS

Solicitor for Complainant.

	-
	THE STATE OF ALABAMA
	Baldwin County
KATIE GERTRUDE GATES, vs. Complainant,	
, 2	IN EQUITY
GUS T. GATES,	
Respondent.	Circuit Court of Baldwin County
	tes, and Mrs. Carrie Nelson, and
Request for Decree in Vacatio	n;
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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

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		VS	•			
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It is therefor	e ordered, adjudged	and decreed	by the Cour	t that the bor	ds of matrim	ony here
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re is further	ordered that-		was specifically a deal of the second	M		
e_ <i>11</i>	pay the co	st herein to	be taxed, for	r which exec	ution may iss	sue.
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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

	KATIE GERTRUDE C	HATES	Complainant
_		VS.	
••••••••••••••••••••••••••••••••••••••	GUS T. CATES		Respondent
		The state of the s	Answer and wei Complaint, Demess Pro Confesso
This cause comi	ng on to be heard was sub		
or in said bill.		that the Complaina	noted by the Register, and upon nt is entitled to the relief prayed
			at the bonds of matrimony here- e same are hereby, dissolved, and
at the said———	KATIE GERTRUDE	GATES	
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	GUS T. GATES		
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It is further or	dered that GUS T	GATES	
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	foregoing is Judge of th	s a correct copy of th	abama, do hereby certify that the original decree rendered by the above stated cause, which saimy office.
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Complainant,

Vs.

GUS T. GATES.

Defendant.

No. 488
IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA,
IN EQUITY.

DEPOSITION OF MRS. KATIE GERTRUDE GATES,

A witness examined in her own behalf.

Katie Gertrude Gates being first duly sworn to speak the truth, the whole truth and nothing but the truth, So Help Her God, did testify as follows, on examination by Mr. C.M.A. Rogers.

DIRECT EXAMINATION.

My name is Katie Gertrude Gates, and I am over the age of twenty-one years. I live in Mobile, and am a resident of Mobile County, Alabama. I have lived here in Mobile for more than one year, and have been a bona fide resident of Mobile County for more than one year.

I was married to one Gus T. Gates, who lives in Clarke County, Alabama. He has lived there practically all of his life, and has been a resident of Clarke County, Alabama, for more than three years. He has been a resident of the State of Alabama all of his life. I was married to the said Gus T. Gates on the 30th day of November, 1919, at Thomasville, Clarke County, Alabama, and we lived together as husband and wife for some time. For about eleven years we lived in Baldwin County, Alabama. During the time we were living in Baldwin County the said Gus T. Gates was guilty of adulterous conduct with divers women. I would know the women if I were to see them, but I do not know their names. During the time I was married to Gus T. Gates, and while we were living in Baldwin County, Alabama, he also became addicted to habitual drunkenness, and almost continuously during the last several months of our married life while we were living together his conduct was such as to make living with him almost unbearable. left Gus T. Gates in Baldwin County, Alabama, on or about April 15th, 1935, and I-have not lived with him as his wife

since that time, and in fact have not even seen him. I left him because of his adulterous conduct with various women, and because of his constant drinking and drunken condition.

I want a divorce from him, and I am not asking for any alimony.

Atic Hartaled Hates

DEPOSITION OF MRS. CARRIE NELSON,

A witness examined in behalf of complainant.

Carrie Nelson being first duly sworn to speak the truth, the whole truth and nothing but the truth, So Help Her God, did testify as follows, on examination by Mr. C. M. A. Rogers.

DIRECT EXAMINATION.

My name is Mrs. Carrie Nelson, and I reside at 303 St. Francis Street, in Mobile, Alabama. I would say that I knew both Mr. and Mrs. Gates for a period of about fifteen years. When I first knew them they were living in Fairhope, and we lived side by side, with just a fence dividing our yards. This gave me an opportunity to observe Mr. and Mrs. Gates and to know something about their conduct and their family life. During the time that they were living there Mr. Gates, to my certain knowledge, frequently used alcoholic liquors. I have seen him frequently under the influence of liquor. I know that at one time he left Mrs. Gates and their children, who were small at that time. and went away and stayed away a month. During that time Mrs. Gates had to look out for herself and her children as best she could, because he didn't care whether they were eating or sleeping or starving, apparently. Mrs. Gates, in my opinion, stayed with her husband far longer than I would have stayed with him. showed her no courtesy or consideration, and was neglectful of her and his family. I don't know of my own knowledge that he had anything to do with any women other than his wife, but I do know that the way he treated his wife and his children indicated that he cared nothing about them. He never went anywhere with them, and he just wanted her to stay there and be his slave and take care

of the children. He would never offer to take her out anywhere, and any time that she went away from the house he would abuse her for leaving. She was a mighty good wife to him and stayed with him longer than I ever expected she would be able to.

I saw him, as I have stated, frequently under the influence of alcoholic liquors during the time I lived next door to them. When Mrs. Gates actually left Mr. Gates I had come to Mobile, but the surprising thing to me is that she stayed with him as long as she did.

Carrie Nelson.

CERTIFICATE.

I, O. H. Swinson, the Commissioner appointed by the attached Commission issued out of the Circuit Court of Baldwin County, in Equity, in that certain cause entitled: Katie Gertrude Gates. Complainant, vs. Gus T. Gates, Defendant, and being No. 488 pending in said Court, do hereby certify that I caused Mrs. Katie Gertrude Gates and Mrs. Carrie Nelson, as witnesses on the part of Complainant, to come before me at my office on the Ninth Floor of the Merchants National Bank Building, in the City of Mobile, Alabama, at 11 o'clock A. M. on Friday, November 3rd, 1938, that the said witnesses are known to me, and before testifying each of the said witnesses were by me first duly sworn to speak the truth, the whole truth and nothing but the truth, so help them God, and did then testify, on examination by Mr. C.M.A. Rogers, as is hereinabove set down, that their testimony was by me reduced to writing, and that it was subscribed by the witnesses in my presence after having been first read over to them.

And further, I certify that I am not of kin nor of counsel to either party to the suit, and that I am not in any manner interested in the result thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and seal on this the 3rd day of November, 1938.

Commissioner.

The State of Alabama, Baldwin County

CIRCUIT COURT

ro O. H. SWINSON:-		
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TAXAM ME IN A SAME OF SAME		
KNOW YE: That we, having full faith in your prudence		
nissioner, and by these presents do authorize you, at such time and	d place as you may appoint	, to call before ye
nd examine Mrs. Katie Gertrude Gates and Mrs.	. Carrie Nelson, o	f Mobile, A
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s witnesses in behalf ofComplainant,	in a cause pend	ding in our Circ
ourt of Baldwin County, of said State, wherein		<u></u>
KATIE GERTRUDE GATES,		
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		Complainant
GUS T. GATES,		- Complainance
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take and certify the deposition S of the witness S and return	the same to our Court, w	ith all convenie
peed, under your hand.		
Witness 6th day of October	19_38	
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Commissioner, P.O.Bx.1070, Mobile, Ala.

Katio Certrude Gates,

Compleinent,

TH.

Gus T. Gates,

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

Respondent.

TO THE HOMORABLE FRANCIS HARE, JUICE OF SAID COURT:

Your complainant Katie Gertrude Cates exhibits this her bill of complaint against the respondent Gus T. Gates, and thereupon humbly complaining she represents and shows to the Court as follows:

- twenty-one years; the complainant resides in the County of Mobile, State of Alabama, and has been a bona fide resident of Mobile County for more than one year, and a bona fide resident of the State of Alabama all her life; that the respondent Gus T. Gates is a bona fide resident of Clarke County, State of Alabama, and is presently residing in Thomasville, Clarke County, Alabama, having been a resident of Clarke County, Alabama, having been a resident of Clarke County, Alabama all of his life; that the separation of your complainant and the respondent hereinafter referred to occurred in Paldwin County, State of Alabama, on, to-wit, the 15th day of April, which at that time was the county of their residence.

 1935/ Your complainant further shows that heretofore on, to-wit, the 30th day of November, 1919, your complainant intermarried with the respondent, the said marriage having been celebrated in the Town of Thomasville, County of Clarke, State of Alabama.
- plainant and the respondent were living together as man and wife, the respondent Gus T. Gates has been guilty of adulterous conduct with divers women, the names of such women being unknown to your complainant. Your petitioner further shows that after her marriage to the said Gus T. Gates, he became addicted to habitual drunkanness, being drunk almost continuously for the last several months of their married life, his conduct having become so unbearable as to make it impossible longer for your complainant to live with him as his wife, so that she left him, as aforesaid, on, to-wit, the 15th day of April, 1935.

PRAYTR FUR PROCESS

Your complainant prays that the said Gus T. Gates be

made a party respondent to this your complainant's bill of complaint and that the usual process be issued and served upon him commanding him within the time required by law to come in and plead, answer or demur to this bill of complaint.

PRAYER FOR RELIEF.

Your complainant prays that upon a final hearing hereof your Honors will be pleased to decree to her an absolute divorce from the bonds of matrimony now and heretofore existing between your complainant and the respondent; and your complainant prays for such other, further and different relief as she may be entitled to receive the premises considered, and in duty bound she will ever pray.

Meconvey Meleco, Tunnya & Rogers,
by Solicitors for Completent.

State of Alabama, Mobile County.

This day before me ________, a Notary

Public in and for said County in said State, personally appeared

Katie Gertrude Gates, who is known to me and who being by me

first duly sworn deposes and says that she has read the foregoing

bill of complaint and that as to all facts therein stated as true

they are true, and that as to all statements made upon information

and belief, she believes them to be true.

Antiception Rates

Subscribed and sworn to before

me this __day of Deptember, 1938.

Notary Public, Mobile County, Alabama.

POOT NOTE:

The respondent, Gus T. Gates, is required to answer the foregoing bill of complaint and each and every paragraph thereof numbered from one to two, both inclusive, but not under cath, cath thereto being hereby expressly walved.

. MCCORVEY, Metrop, Tyringy & ROGERS,

Solicitors for Complainant.

The respondent, Gus T. Gates, may be located in Thomasville, Clarke County, Alabama, where he presently resides.

Katie Gertrude Gates,

Complainant, :

٧s.

Gus T. Gates,

Respondent.

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

Comes the respondent Gus T. Gates and for answer to the bill of complaint of Katie Gertrude Gates praying a divorce, says as follows:

- 1. The respondent admits the allegations of paragraph 1 of the bill of complaint.
- 2. The respondent neither admits nor denies the allegations in paragraph 2 of the bill of complaint, but demands strict proof thereof.

And now having fully answered the bill of complaint brought against him by the said Katie Gertrude Gates, your respondent respectfully prays that he be hence dismissed with his costs, etc.

Witness Wiff

Grespondent. Salva

The State Of Alabama, Baldwin County County of Baldwin County In Equity.

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GU	S T. GATES,	<u> </u>	
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ourt of Baldwin County, exercising Char	ncery jurisdiction, within th	airty days afte	r the service of
ummons, and there to answer, plead or de	emur, without oath, to a Bill o	of Complaint lat	ely exhibited by
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KATIE	GERTRUDE GATES,		7
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made a party respondent to this your complainant's bill of complaint and that the usual process be issued and served upon him commanding him within the time required by law to come in and plead, answer or demur to this bill of complaint.

PRAYER FOR RELIEF.

Your complainant prays that upon a final hearing hereof your Honors will be pleased to decree to her an absolute divorce from the bonds of matrimony now and heretofore existing between your complainant and the respondent; and your complainant prays for such other, further and different relief as she may be entitled to receive the premises considered, and in duty bound she will ever pray.

McCORVEY, McLEOD, FURNER & ROGERS,

By Solicitors for complainant.

State of Alabama, Mobile County.

This day before me <u>Quite J. Rugh</u>, a Notary Public in and for said County in said State, personally appeared Katie Gertrude Gates, who is known to me and who being by me first duly sworn deposes and says that she has read the foregoing bill of complaint and that as to all facts therein stated as true they are true, and that as to all statements made upon information and belief, she believes them to be true.

Subscribed and sworn to before

me this 10 day of September, 1938.

Notary Public, Mobile County, Alabama.

FOOT NOTE:

The respondent, Gus T. Gates, is required to answer the foregoing bill of complaint and each and every paragraph thereof numbered from one to two, both inclusive, but not under oath, oath thereto being hereby expressly waived.

By Solicitors for Complainant.

The respondent, Gus T. Gates, may be located in Thomasville, Clarke

REGORDED 2 - 402

`h	State of Alabama BALDWIN COUNTY
iro	IN EQUITY uit Court of Baldwin County
	KATIE GERTRUDE GATES,
	Complainant,
	vs.
•	GUS T. GATES,
	Respondent
	NOTE OF TESTIMONY
File	in Open Court this 8th
	of November 193-
	R. S. DUCK
	Clerk, " LOS REGIST

No		Page
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	Vs	5.
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The State Of Alabama

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

KATIE. GERTRUDE GATES

VS. Complainant

GUS. T. GATES

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DIVORCE DECREE

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The State of Alabama BALDWIN COUNTY CIRCUIT COURT

KATIE GERTRUDE GATES,

Complainant_

SA

GUS T. GATES,

COMMISSION TO TAKE DEPOSITION Defendant____

COMMISSIONER:

H. SWINSON,

WITNESSES:

Katie Gertrude Gates

Carrie Welson.

Lied Oct. 5; 1834 185. Duch Pagind By: Muldie Thamp

Recorded in Vol. ————————————————————————————————————	MCCORVEY, MCLEOD, TURNER & ROGERS Solicitor for Complainant	Respondent.	GUS T. GATES,	VS.	Compla	KATIE CERTRUDE GATES.	Summons	No. 488	Circuit Court of Baldwin County IN EQUITY	Serve On RECORDED S.	
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County	ALABAM
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KATIE GERTRUDE GATES, Complainant.

VS.

GUS T

Respondent.

OF COMPLATED

IC. S. DUCK

clerk, - register

KATIE GERTRUDE GATES,

Complainant,

Vs.

GUS T. GATES.

Defendant.

No. 488
IN THE CIRCUIT COURT OF
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Katie Gertrude Gates being first duly sworn to speak the truth, the whole truth and nothing but the truth, So Help Her God, did testify as follows, on examination by Mr. C.M.A. Rogers.

DIRECT EXAMINATION.

My name is Katie Gertrude Gates, and I am over the age of twenty-one years. I live in Mobile, and am a resident of Mobile County, Alabama. I have lived here in Mobile for more than one year, and have been a bona fide resident of Mobile County for more than one year.

I was married to one Gus T. Gates, who lives in Clarke County, Alabama. He has lived there practically all of his life, and has been a resident of Clarke County, Alabama, for more than three years. He has been a resident of the State of Alabama all of his life. I was married to the said Gus T. Gates on the 30th day of November, 1919, at Thomasville, Clarke County, Alabama, and we lived together as husband and wife for some time. For about eleven years we lived in Baldwin County, Alabama. During the time we were living in Baldwin County the said Gus T. Gates was guilty of adulterous conduct I would know the women if I were to see with divers women. them, but I do not know their names. During the time I was married to Gus T. Gates, and while we were living in Baldwin County, Alabama, he also became addicted to habitual drunkenness, and almost continuously during the last several months of our married life while we were living together his conduct was such as to make living with him almost unbearable. left Gus T. Gates in Baldwin County, Alabama, on or about April 15th, 1935, and I-have not lived with him as his wife

since that time, and in fact have not even seen him. I left him because of his adulterous conduct with various women, and because of his constant drinking and drunken condition.

I want a divorce from him, and I am not asking for any alimony.

Atic Hartaled Hates

DEPOSITION OF MRS. CARRIE NELSON,

A witness examined in behalf of complainant.

Carrie Nelson being first duly sworn to speak the truth, the whole truth and nothing but the truth, So Help Her God, did testify as follows, on examination by Mr. C. M. A. Rogers.

DIRECT EXAMINATION.

My name is Mrs. Carrie Nelson, and I reside at 303 St. Francis Street, in Mobile, Alabama. I would say that I knew both Mr. and Mrs. Gates for a period of about fifteen years. When I first knew them they were living in Fairhope, and we lived side by side, with just a fence dividing our yards. This gave me an opportunity to observe Mr. and Mrs. Gates and to know something about their conduct and their family life. During the time that they were living there Mr. Gates, to my certain knowledge, frequently used alcoholic liquors. I have seen him frequently under the influence of liquor. I know that at one time he left Mrs. Gates and their children, who were small at that time, and went away and stayed away a month. During that time Mrs. Gates had to look out for herself and her children as best she could, because he didn't care whether they were eating or sleeping or starving, apparently. Mrs. Gates, in my opinion, stayed with her husband far longer than I would have stayed with him. He showed her no courtesy or consideration, and was neglectful of her and his family. I don't know of my own knowledge that he had anything to do with any women other than his wife, but I do know that the way he treated his wife and his children indicated that he cared nothing about them. He never went anywhere with them, and he just wanted her to stay there and be his slave and take care

of the children. He would never offer to take her out anywhere, and any time that she went away from the house he would abuse her for leaving. She was a mighty good wife to him and stayed with him longer than I ever expected she would be able to.

I saw him, as I have stated, frequently under the influence of alcoholic liquors during the time I lived next door to them. When Mrs. Gates actually left Mr. Gates I had come to Mobile, but the surprising thing to me is that she stayed with him as long as she did.

Carrie Nelson.

CERTIFICATE,

I, O. H. Swinson, the Commissioner appointed by the attached Commission issued out of the Circuit Court of Baldwin County, in Equity, in that certain cause entitled: Katie Gertrude Gates, Complainant, vs. Gus T. Gates, Defendant, and being No. 488 pending in said Court, do hereby certify that I caused Mrs. Katie Gertrude Gates and Mrs. Carrie Nelson, as witnesses on the part of Complainant, to come before me at my office on the Ninth Floor of the Merchants National Bank Building, in the City of Mobile, Alabama, at 11 o'clock A. M. on Friday, November 3rd, 1938, that the said witnesses are known to me, and before testifying each of the said witnesses were by me first duly sworn to speak the truth, the whole truth and nothing but the truth, so help them God, and did then testify, on examination by Mr. C.M.A. Rogers, as is hereinabove set down, that their testimony was by me reduced to writing, and that it was subscribed by the witnesses in my presence after having been first read over to them.

And further, I certify that I am not of kin nor of counsel to either party to the suit, and that I am not in any manner interested in the result thereof.

IN TESTIMONY WHEREOF I have hereunto set my hand and seal on this the 3rd day of November, 1938.

Commissioner.

Katie Gertrude Gates,

Complainant, :

VS.

Ous T. Cates.

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

Respondent.

TO THE HONORABLE FRANCIS HART, JUIDE OF SAID COURT:

Your complainant Katie Gertrude Gates exhibits this her bill of complaint against the respondent Gus T. Gates, and thereupon humbly complaining she represents and shows to the Court as follows:

- twenty-one years; the complainant resides in the County of Mobile,
 State of Alabama, and has been a bona fide resident of Mobile County
 for more than one year, and a bona fide resident of the State of Alabama all her life; that the respondent Gus T. Gates is a bona fide
 resident of Clarke County, State of Alabama, and is presently residing
 in Thomasville, Clarke County, Alabama, having been a resident of
 Clarke County, Alabama, for more than three years, and a resident
 of the State of Alabama all of his life; that the separation of your
 complainant and the respondent hereinafter referred to occurred in
 Paldwin County, State of Alabama, on, to-wit, the 15th day of April,
 which at that time was the county of their residence.
 1935/ Your complainant further shows that heretofore on, to-wit, the
 30th day of November, 1919, your complainant intermarried with the
 respondent, the said marriage having been celebrated in the Town of
 Thomasville, County of Clarke, State of Alabama.
- 2. Your complainant shows that heretofore, while your complainant and the respondent were living together as man and wife, the respondent Gus T. Gates has been guilty of adulterous conduct with divers women, the names of such women being unknown to your complainant. Your petitioner further shows that after her marriage to the said Gus T. Gates, he became addicted to habitual drunkenness, being drunk almost continuously for the last several months of their married life, his conduct having become so unbearable as to make it impossible longer for your complainant to live with him as his wife, so that she left him, as aforesaid, on, to-wit, the 15th day of April, 1935.

PRAYER FOR PROCESS

Your complainant prays that the said Gus T. Gates be

made a party respondent to this your complainant's bill of complaint and that the usual process be issued and served upon him commanding him within the time required by law to come in and plead, answer or demur to this bill of complaint.

Your complainant prays that upon a final hearing hereof your Honors will be pleased to decree to her an absolute divorce from the bonds of matrimony now and heretofore existing between your complainant and the respondent; and your complainant prays for such other, further and different relief as she may be entitled to receive the premises considered, and in duty bound she will ever pray.

Solicitors for compaginant.

State of Alabama, Mobile County.

This day before me ________, a Notary

Public in and for said County in said State, personally appeared

Katic Gertrude Gates, who is known to me and who being by me

first duly sworn deposes and says that she has read the foregoing

bill of complaint and that as to all facts therein stated as true

they are true, and that as to all statements made upon information
and belief, she believes them to be true.

April 2 April 2 Delication

Subscribed and sworn to before

me this ___day of September, 1938.

Notary Public, Mobile Vounty, Alabama.

FOOT NOTE:

The respondent, Gus T. Gates, is required to answer the foregoing bill of complaint and each and every paragraph thereof numbered from one to two, both inclusive, but not under oath, oath thereto being hereby expressly waived.

. MOCORVEY, FOLEGO, TURNEY & ROGERS,

Solicitors for Complai/gant.

The respondent, Gus T. Gates, may be located in Thomasville, Clarke County, Alabama, where he presently resides.

Katie Gertrude Gates,

Complainant, :

VS.

Gus T. Gates,

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

Respondent.

TO THE HONORABLE FRANCIS HARE, JUDGE OF SAID COURT:

Your complainant Katie Gertrude Gates exhibits this her bill of complaint against the respondent Gus T. Gates, and thereupon humbly complaining she represents and shows to the Court as follows:

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