8550 REQUEST FOR DECREE IN VACATION. Moore Ptg. Co.

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. 488 November Term, 1938

KATIE GERTRUDE GATES, , Complainant

Vs.

GUS T. GATES, , Defendant

To R. S. DUCK, , Register :

In the above stated cause ~~a Decree Pro Confesso having been taken~~ ANSWER having been filed by 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.

MOORE PRINTING CO., BAY MINETTE, ALA.

8581. NOTE OF TESTIMONY

KATIE GERTRUDE GATES,
Complainant,
vs.
GUS T. GATES,
Respondent.

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, Testimony of Katie Getrude Gates, and Mrs. Carrie Nelson, and Request for Decree in Vacation;

and in behalf of Defendant upon Answer and Waiver;

R. S. DUCK
clerk, ~~register~~ Register.

By Sandrie Thompson
Deputy

Copy

488

DIVORCE DECREE

The Baldwin Times, Bay Minette, Ala.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EARTH DEPERIDE GATES Complainant

VS.

GUS T. GATES Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decress Pro Confesso~~ Answer and Waiver

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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said EARTH DEPERIDE GATES is forever divorced from the said GUS T. GATES

for and on account of Mutuay

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 EARTH DEPERIDE GATES AND GUS T. GATES be, and they are hereby permitted to again contract marraige upon the payment of the cost of this suit.

It is further ordered that GUS T. GATES the Respondent pay the cost herein to be taxed, for which execution may issue.

This 9th day of Nov., 19 39.

F W Hare.
Judge Circuit Court, in Equity.

I, R S Duck., Register of the Circuit Court for 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 3rd. day. of July, 19 43.

R S Duck
Register of Circuit Court, in Equity.

Original

DIVORCE DECREE

The Baldwin Times, Bay Minette, Ala.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

KATIE GERTRUDE GATES Complainant

VS.

GUS T. GATES Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree Pro Confesso~~ Answer and waiver

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 heretofore existing between the Complainant and Defendant be, and the same are hereby, dissolved, and that the said KATIE GERTRUDE GATES is forever divorced from the said GUS T. GATES for and on account of Adultry

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 KATIE GERTRUDE GATES AND GUS T. GATES be, and they are hereby permitted to again contract marraige upon the payment of the cost of this suit.

It is further ordered that GUS T. GATES the Respondent pay the cost herein to be taxed, for which execution may issue.

This 9th day of Nov., 1938.

J. W. Hare

Judge Circuit Court, in Equity.

I, _____, Register of the Circuit Court for 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.

KATIE GERTRUDE GATES, 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. I 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.

Katie Gertrude Gates

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.

C E R T I F I C A T E.

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.

O. H. Swinson (SEAL)
Commissioner.

The State of Alabama,
Baldwin County

CIRCUIT COURT

To O. H. SWINSON:-

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 Mrs. Katie Gertrude Gates and Mrs. Carrie Nelson, of Mobile, Ala.,

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

KATIE GERTRUDE GATES,

Complainant

and GUS T. GATES,

Defendant,

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

Witness 6th day of October 19 38

R. S. Dick
REGISTER

By: Nellie Thompson
Deputy-Register.

COMMISSIONER'S FEE, $ 4.00 Not Paid and to be collected by Court for my account.

WITNESS FEES, $

O. H. Swinson
Commissioner,
P.O.Bx.1070, Mobile, Ala.

Katie Gertrude Gates, Complainant, vs. Gus T. Gates, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

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:

1. Your complainant and the respondent are over the age of 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 Baldwin County, State of Alabama, on, to-wit, the 15th day of April, 1935, which at that time was the county of their residence. 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.

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, TURNER & ROGERS,
By _____
Solicitors for Complainant.

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.

_____

Subscribed and sworn to before
me this ____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.

McCORVEY, McLEOD, TURNER & ROGERS,
By _____
Solicitors for Complainant.

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, 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.

Gus T. Gates
Respondent.

Witness
W. B. Huff

SUMMONS — ORIGINAL.

THE BALDWIN TIMES, 500-7-38

The State Of Alabama,
Baldwin County

Circuit Court of Baldwin County, In Equity.

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon

GUS T. GATES,

of Clarke 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

KATIE GERTRUDE GATES,

against said GUS T. GATES,

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, R. S. Duck, Register of said Circuit Court, this 12th day of September, 1938.

R. S. Duck, Register

BY: Nellie Thompson Deputy-Registe

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

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, TURNER & ROGERS,
By C M Rogers
Solicitors for Complainant.

State of Alabama,
Mobile County.

This day before me Annie G. Pugh, 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.

Katie Gertrude Gates

Subscribed and sworn to before me this 10th day of September, 1938.

Annie G. Pugh
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.

McCORVEY, McLEOD, TURNER & ROGERS,
By C M Rogers
Solicitors for Complainant.

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

RECORDED Duck 2 - 402

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

KATIE GERTRUDE GATES,

Complainant,

vs.

GUS T. GATES,

Respondent

NOTE OF TESTIMONY

Filed in Open Court this 8th

day of November 1938

R. S. DUCK
clerk, - register REGISTER

By Thompson
Deputy

MOORE PRINTING CO. BAY MINETTE, ALA.

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

KATIE GERTRUDE GATES,

Complainant,

Vs.

GUS T. GATES,

Respondent.

REQUEST FOR DECREE IN VACATION

Filed November 8th, 1938

R. S. DUCK,

By: Kathie Mangum Register.

Deputy

Recorded in _____ Record

Vol. _____ Page _____

Register.

Moore Ptg. Co. Bay Minette

RECORDED

No. ..... Page .....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

KATIE GERTRUDE GATES

vs. Complainant.

GUS T. GATES

Respondent.

DIVORCE DECREE

Filed November 10, 1938
R. S. Duck, Register
By — Nellie Hampton, Deputy

No. ..... Page .....

The State Of Alabama

Baldwin County

In Circuit Court, In Equity

.....

.....

vs. Complainant.

.....

.....

Respondent.

DIVORCE DECREE

NO. 488

The State of Alabama
BALDWIN COUNTY

CIRCUIT COURT

KATIE GERTRUDE GATES,

Complainant

VS.

GUS T. GATES,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

O. H. SWINSON,

WITNESSES:

Katie Gertrude Gates

Carrie Nelson.

RECORDED Duck
8-

Answer

Filed Oct. 5, 1935
R.S. Duck, Register
By: Bulkie Thompson,
Deputy.

original Hammacette, Ala

RECORDED Duck 9 —

Serve On _____

Circuit Court of Baldwin County
IN EQUITY

No. 488

Summons

KATIE GERTRUDE GATES,
Complainant,

VS.

GUS T. GATES,
Respondent.

MCCORVEY, MCLEOD, TURNER
& ROGERS **Solicitor for Complainant**

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
Baldwin County

Received in office this _____

day of _____, 193__

_____ **Sheriff.**

Executed this 17th day of
Oct, 193__
by leaving a copy of the Summons with
Guy T Gates

_____ Defendant

J S Wheeland
Sheriff

By J E Pittman
Deputy Sheriff

RECORDED 8 - Aust

KATIE GERTRUDE GATES,

Complainant.

vs.

GUS T. GATES,

Respondent.

BILL OF COMPLAINT.

Filed September 12, 1938

R. S. DUCK

clerk, - register

By Lucille Thompson

Deputy

KATIE GERTRUDE GATES, 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. I 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.

Katie Gertrude Gates

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.

C E R T I F I C A T E.

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.

O. H. Swinson (SEAL)
Commissioner.

Katie Gertrude Gates, Complainant, vs. Gus T. Gates, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

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:

1. Your complainant and the respondent are over the age of 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 Baldwin County, State of Alabama, on, to-wit, the 15th day of April, 1935, which at that time was the county of their residence. 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.

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, TURNER & ROGERS,
By C. M. Rogers
Solicitors for Complainant.

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.

Katie Gertrude Gates

Subscribed and sworn to before
me this ____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.

McCORVEY, McLEOD, TURNER & ROGERS,
By C. M. 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, vs. Gus T. Gates, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.

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:

1. Your complainant and the respondent are over the age of 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 Baldwin County, State of Alabama, on, to-wit, the 15th day of April, 1935/ which at that time was the county of their residence. 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