

-----X
WILLIE GAINS,
Complainant.)
-vs-)
POLLY MAY GAINS,
Defendant.)
-----X

IN THE CIRCUIT COURT-BALDWIN COUNTY.

STATE OF ALABAMA-EQUITY SIDE.

NO. 216

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, EQUITY SIDE, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your complainant and exhibits this his original bill of complaint for divorce against Polly May Gains on the ground of adultery and for grounds of the same respectfully shows unto your Honor and unto this Honorable Court as follows;

FIRST.

That your Complainant and the defendant are both bona fide residents of the County of Baldwin and State of Alabama where they have lived for the past five years or more immediately next preceeding the filing of this Bill of Complaint and your complainant is over the age of twenty-one years.

SECOND.

That your complainant and the defendant were married on to-wit; Dec. 24th, 1918, in Bay Minette, Baldwin County, Alabama, and lived together as man and wife until about to-wit; the Month of June, 1919.

THIRD.

That after the marriage of the defendant to the complainant the defendant became a lewd and immoral woman; that because of her adulterous acts the complainant was compelled to leave her on to-wit; the month of June, 1919. That the defendant has committed adultery with one Sam Harris. That the complainant did not consent to said adulterous act for the purpose of obtaining a divorce; that the complainant has not committed adultery nor has there been a condonation or forgiveness by said complainant of said adultery by the defendant nor did he connive at or know of said adultery at the time the same was committed.

PRAYER FOR PROCESS.

The premises considered the complainant prays that your Honor will issue and cause to be issued such orders, decrees and subpoenas to the said defendant as are necessary to make her a party respondent to this

to the same within the time required of this honorable court.

PRAYER FOR REMEDY

Complainant prays that upon a final hearing of this cause that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant, Willie Gains and the defendant Polly May Gains be forever dissolved and that your complainant be again permitted to contract the marriage relation if he so desires, And, as in duty bound, he will ever pray etc., etc.,

Stam & Stam
Solicitors for Complainant.

FOOT NOTE:-The defendant, Polly May Gains is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to "THIRD" both inclusive, but not under oath, answer under oath being hereby expressly waived.

Stam & Stam
Solicitors for Complainant.

Copy for defendant.

Willie Gains, Complainant.

-vs-

Polly May Gains, Defendant.

Divorce Proceedings.

Circuit Court-Equity Side.

State of Alabama.
Baldwin County.

Filed in office this 9th day
of February, 1920.

Register.

THE STATE OF ALABAMA, Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Willie Gains. Complainant

vs.

Polly May Gains. Defendant

Oral examination before the Register of the following witnesses:

Willie Gains, the complainant and a witness for the complainant,

who reside in Alabama, said examination being conducted in Bay Minette Alabama, on this the 15th day of September, and there being present Stone & Stone, Solicitors for complainant.

The said witnesses being first sworn to speak the truth, the whole truth and nothing but the truth, testified as follows:

My name is Willie Gains. I am the complainant in the above divorce suit where my wife, Polly May Gains, is the defendant. Both I and my wife are residents of Baldwin County, State of Alabama. I have lived here all of my life. My wife has lived here all of her life. Both of us are over twenty-one years of age.

I was married to Polly May Gains in Bay Minette, Baldwin County, Alabama, on December 24th., 1918. We lived to-gether as man and wife until some time in the month of June, 1919.

The reason me and my wife quit living to-gether was because she committed adultery with Sam Harris. This was in the same month that I quit living with her, June, 1919. I was at a concert of practice at Hurricane, in this county and my wife and Sam Harris cam there to-gether. Sam Harris and my wife stayed there about an hour and then left to-gether with no one else with them. They left before any one else left there.

~~After awhile they then come back again just these two~~. All of this was in the night time. I and another fellow named Sam Hawkins then left the pratice and started over to a supper. On our way over we saw my wife and this man Sam Harris coming towards us down the road. Me and Sam ~~Hawkins~~ Hawkins then hid and watched them. We hid right in front of Sam Harris' house and then they went in thereto-gether. Nobody else was with them. They were alone in the house. ^{This was about nine o'clock at night} They closed the doors and they stayed in there to-gether. They never lit and lamps or lights at all. We waited outside for about an hour to see when they would come out but they never came out up to the time we left which was about an hour from they time they went in the house. .

This night that I have been talking about when she stayed in Sam Harris House with him was not the only time I have seen them to-gether. While I was working on the Railroad section at Hurricane my wife would come down to meet Sam Harris in the evening and then they would go off alone.

I never did consent to any of this. I have never lived with my wife since the night they were in the house with each other. I have never forgiven her for this either nor did I connive at or condone any part of this adultery.

I had a conversation with Sam Harris after this. He told me that on the night we watched them he stayed there all night with her and that he had stayed with her a ~~lot more nights~~ heap 'o nights with her. I did not know any thing about any other night except the one when we watched them until he told me about these other nights himself

Willie Gainer

I, J. W. Dickerson, as Register

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 him and her signed the same in the presence of myself....., 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 15th day of Sept, 1920

J. W. Dickerson (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,
Baldwin COUNTY.

IN CIRCUIT COURT, IN EQUITY.

Willie Giner

vs. Complainant,

Polly May Giner

Defendant.

Deposition Taken Before Register on Oral Examination.

Deposition of *Complainant*

for *Complainant*

Filed *15th* day of *Sept*, 19*20*

Published by order of the Court, _____

day of _____, 19____

J. M. Riccerson
Register.



THE STATE OF ALABAMA,

Baldwin County.

No. *216*

CIRCUIT COURT, IN EQUITY.

Hattie Gaines

Complainant

vs.

Polly May Gaines

Defendant

In this cause it appears to the
that a Summons requiring the Defendant

Register

Polly May Gaines

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 *Polly May Gaines*

was served upon *her* by the Sheriff of *Baldwin* County, Alabama, on the
14th day of *February* 19*20*, 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
Stone & Stone, Solicitors for Complainant.

ordered and decreed that the said Bill of Complaint in this cause be and it hereby is in all things taken as con-
fessed against the said *Polly May Gaines*

Defendant aforesaid.

This *19th* day of *April* 19*20*

J. M. McKeown

Register.

400

No. 216 Page.....

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Willie Gainer

vs.

Polly May Gainer

DECREE PRO CONFESSO ON
PERSONAL SERVICE.

Issued April 19th 1920

J. M. Richardson
Register.

RECORDED

Recorded in.....Record,

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

Register.

WILLIE GAINS,
Complainant.

-vs-

POLYY MAY GAINS,
Defendant.

IN THE CIRCUIT COURT-EQUITY SIDE.
STATE OF ALABAMA.
BALDWIN COUNTY.

Comes the complainant in the above styled cause and shows unto the court that a summons was issued out of this court on the 9th. day of February, 1920 directed to Polly May Gains, the defendant, in said cause. ordering the said defendant to appear and plead, answer or demur to the bill of complaint within thirtys days from the service thereof, and the said summons was duly ~~file~~ served on the defendant on the 14th. day of March, 1920, by the proper officer and that the said defendant has to this date failed to plead, answer or demur to said complaint.

Wherefore complainant prays that a decree pro confesso be entered against defendant.



Solicitors for Complainant.

~~April~~ April 17th., 1920.

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 Polly May Gains

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

Willie Gains

against said Polly May Gains

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 9th day of February 1920, 191

T. W. Richerson

Register.

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

2nd Original

Serve on *Copy Polly May Gains*

CIRCUIT COURT OF BALDWIN COUNTY,
IN EQUITY.

No.

SUMMONS.

Willie Gains

VS

Polly May Gains.



Stone and Stone.

Solicitor for Complainant.

Recorded in Vol. Page.

RECORDED

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this *9th*

day of *February* 19*20*

Sheriff.

Executed this *14th* day of

February 19*20*

by leaving a copy of the within Summons with

Polly May Gains

Defendant

W.R. Stewart

Sheriff

By

Deputy Sheriff.

-----X
WILLIE GAINS,
Complainant.)
)
-vs-)
)
POLLY MAY GAINS,
Defendant.)
-----X

IN THE CIRCUIT COURT-BALDWIN COUNTY.

STATE OF ALABAMA-EQUITY SIDE.

NO. _____

TO THE HONORABLE, THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, EQUITY SIDE, AND THE HON. JOHN D. LEIGH, JUDGE THEREOF, SITTING IN EQUITY:-

Comes your complainant and exhibits this his original bill of complaint for divorce against Polly May Gains on the ground of adultery and for grounds of the same respectfully shows unto your Honor and unto this Honorable Court as follows;

FIRST.

That your Complainant and the defendant are both bona fide residents of the County of Baldwin and State of Alabama where they have lived for the past five years or more immediately next preceeding the filing of this Bill of Complaint and your complainant is over the age of twenty-one years.

SECOND.

That your complainant and the defendant were married on to-wit; Dec. 24th, 1918, in Bay Minette, Baldwin County, Alabama, and lived together as man and wife until about to-wit; the Month of June, 1919.

THIRD.

That after the marriage of the defendant to the complainant the defendant became a lewd and immoral woman; that because of her adulterous acts the complainant was compelled to leave her on to-wit; the month of June, 1919. That the defendant has committed adultery with one Sam Harris. That the complainant did not consent to said adulterous act for the purpose of obtaining a divorce; that the complainant has not committed adultery nor has their been a condonation or forgiveness by said complainant of said adultery by the defendant nor did he connive at or know of said adultery at the time the same was committed.

PRAYER FOR PROCESS.

The premises considered the complainant prays that your Honor will issue and cause to be issued such orders, decrees and subpoenas to the said defendant as are necessary to make her a party respondent to this bill of complaint, requiring her to appear and plead, answer or demur

to the same within the time required by law under the pains and penalties of this honorable court.

PRAYER FOR RELIEF.

Complainant prays that upon a final hearing of this cause that your Honor will render, adjudge and decree that the bonds of matrimony heretofore existing between the complainant, Willie Gains and the defendant Polly May Gains be forever dissolved and that your complainant be again permitted to contract the marriage relation if he so desires, And, as in duty bound, he will ever pray etc., etc.,

Stuart & Stuart

Solicitors for Complainant.

FOOT NOTE:-The defendant, Polly May Gains is required to answer each and every paragraph of the foregoing bill of complaint from "FIRST" to "THIRD" both inclusive, but not under oath, answer under oath being hereby expressly waived.

Stuart & Stuart

Solicitors for Complainant.