

HELEN M. GARDINER,
Complainant,

-vs-

DAVID L. GARDINER,
Respondent.

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IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY.

Comes Stevens, McCorvey & McLeod and moves the Court for leave
to withdraw their appearance as solicitors for the respondent in the
above entitled cause.

Stevens, McCorvey & McLeod
~~Solicitors for Respondent.~~

6-11

Helen M. Gardner

David S. Gardner

Filed 6/25 - 1919

D. W. Richardson
Register

RECORDED

6-11

RECORDED

TO ALL PARTIES CONCERNED IN THE MATTER OF THE ESTATE OF DAVID S. GARDNER, DECEASED, AND THE ESTATE OF HELEN M. GARDNER, DECEASED.

WILLIAM F. GARDNER, Executor.

COMPTROLLER.

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MEMORANDUM FOR MR. T. COLVILLE
Mr. T. Colville

MEMORANDUM FOR MR. T. COLVILLE

MEMORANDUM FOR MR. T. COLVILLE

MEMORANDUM FOR MR. T. COLVILLE

Filed 1/7-19
T. W. Richmond
Register

MEMORANDUM FOR MR. T. COLVILLE

RECORDED

5.22

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No.

THE STATE OF ALABAMA,

..... County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL
EXAMINATION.

vs.

Filed in office this

31st

day of

Dec

1918

J. W. Richardson
Register.

RECORDED

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THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT, IN EQUITY.

Helena M Gardiner Complainant.....

vs.

David L Gardiner Defendant.....

No.....

Now comes the *Complainant* by *her*

Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witness....., who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Helena M Gardiner

And *she* suggests the name of *Mrs Francis E Stearns*

who resides at *Mobile* as a suitable person to be appointed Commissioner to take the testimony of said witness.....

This *31* day of *December* 19*18*

Rickaby Austin Beck
Solicitor for *Complainant*

The Applicant for said Oral Examination is hereby required to give in writing.....days notice thereof, before the examination is taken, to the adverse party, or to.....Solicitor.....of Record, if either reside.....in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the Clerk.

J. W. Ransom
Register.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Henry M Gardner
Complainant.....

vs.

David L Gardner
Defendant.....

No.....

Now comes the *Complainant* by *hen*

Solicitor of Record, and makes application to the Register of said Court to issue a Commission to take the testimony in said cause, or oral examination, of the following named witness....., who reside within the State of Alabama:

NAME OF WITNESS.

RESIDENCE OF WITNESS.

Henry M Gardner

And *she* suggests the name of *Mrs Francis E Stearns*

who resides at *Mobile* as a suitable person to be appointed Commissioner to take the testimony of said witness.....

This *31* day of *December* 19*18*

Rickaby Austin Beck
Solicitor for *Complainant*

The Applicant for said Oral Examination is hereby required to give in writing.....days notice thereof, before the examination is taken, to the adverse party, or to.....Solicitor.....of Record, if either reside.....in this District, but if neither reside therein, the notice may be given by entry on the Order Book of the Clerk.

J. H. Reardon
Register.

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No.

THE STATE OF ALABAMA,

.....County.

CIRCUIT COURT, IN EQUITY.

APPLICATION FOR ORAL
EXAMINATION.

vs.

Filed in office this

31st

day of

Dec

19

Register.

RECORDED

B. C. ...

... ..

...

HELEN M. GARDINER, COMPLAINANT

VS

DAVID L. GARDINER, DEFENDANT

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

IT IS HEREBY AGREED between the parties to this cause that commission may issue to take the testimony of Complainant's witnesses upon oral examination or written interrogatory as she may see fit without further notice to Respondent, who hereby further waives the right to cross-examine or file cross-interrogatories, and who consents that said cause may be submitted for final decree in term time or vacation.

Helen M. Gardiner,
Complainant.

David L. Gardiner,
Respondent.

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HELEN M. GARDINER,
COMPLAINANT

VS

DAVID L. GARDINER,
DEFENDANT.

*Filed 12/31-1918
D. W. Milner
Register*

AGREEMENT
AS TO TESTIMONY.

RECORDED

Rickarby, Austill & Beebe
Solicitors.

TO THE HONORABLE ARTHUR E. GAMBLE, JUDGE OF THE
CIRCUIT COURT OF BALDWIN COUNTY, SITTING IN EQUITY:

Comes Helen M. Gardiner and by this, her bill of complaint exhibited against David L. Gardiner, respectfully shows unto your Honor:

FIRST: That she and the Defendant are both over the age of twenty-one years; that she is a bona fide resident of the County of Baldwin, State of Alabama, and has been, since January, Nineteen Hundred and Sixteen, and that the Defendant is a resident of the City of Aurora, Illinois. That they were lawfully married in the State of Illinois on June nineteenth, Nineteen Hundred and Fourteen, and lived in that State as man and wife for several years, but that she is now a resident of Fairhope, Alabama.

SECOND: That at various times since said marriage, the Defendant has committed actual violence to the person of Complainant attended to danger to life or health, and, from his conduct, she has reason to believe that this will continue. She is unable to state the exact dates but such acts have repeatedly occurred during their living together and up to the time of their separation.

THIRD: That there are two children of said marriage, daughters, Helen Elizabeth, age three years and Jeanne, age one and a half years, who now live with Complainant in Fairhope and are dependent upon her for support and maintenance.

WHEREFORE, Complainant prays that your Honor take jurisdiction of this cause; that David L. Gardiner be made a party thereto and, by proper process, required to answer this bill; that it may please your Honor, upon the hearing of the cause, to decree that the bonds of matrimony existing between Complainant and Defendant be dissolved; that she be permitted to marry again should she so desire; that she may have the custody and control of her two children; that suitable provision

be made out of the estate of the Defendant for the maintenance and support of herself and said children; have solicitor's fees for the prosecution of this action, and that she may have such other, further or different relief as to equity may seem meet.

Complainant, as in duty bound, will ever pray, etc.

Risley Ansell & Burt
Solicitors for Complainant.

The Defendant is required to answer all allegations of the foregoing bill but oath to said answer is hereby waived.

Risley Ansell & Burt
Solicitors for Complainant.

1st Original Bill

Filed 12/31 - 1918
T. W. Wilson
Register

RECORDED

HELEN M. GARDINER, COMPLAINANT

VS

DAVID L. GARDINER, RESPONDENT

IN EQUITY.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.

TO THE HONORABLE ARTHUR E. GAMBLE,
JUDGE OF SAID COURT, SITTING IN EQUITY:

Comes the Respondent, David L. Gardiner, and for answer to the bill of complaint heretofore filed in this cause, states as follows:

FIRST: Respondent admits the allegations of the first paragraph of said bill relative to the age, residence and marriage of the parties thereto .

SECOND: Respondent denies all of the allegations of the second paragraph of said bill.

THIRD: Respondent admits that portion of the third paragraph of said bill as to the names, ages and residence of the children of the marriage, but denies any liability for alimony.

Having thus fully answered, Respondent prays that the bill heretofore filed in this cause be dismissed at Complainant's cost.

David L. Gardiner
Respondent.

Geo. R. Warner
Solicitor for Respondent.

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HELEN M. GARDINER,
COMPLAINANT

VS

DAVID L. GARDINER,
DEFENDANT.

Filed 1²/₃₁ - 1918
T. W. Keilman
Register

ANSWER

~~Rickarby, Austill & Beebe~~
Solicitors.

STEVENS, McCORVEY & McLEOD
ATTORNEYS AT LAW
503-7 CITY BANK BUILDING
MOBILE, ALA.

January 14, 1919.

THOMAS M. STEVENS.
GESSNER T. McCORVEY.
WILLIAM McLEOD.
DAVID B. GOODE.

Mr. T.W. Richerson,
Clerk of Circuit Court,
Bay Minette, Alabama.

Dear Sir:-

Enclosed herewith we return to you the Court file in
the case of Helen M. Gardiner vs. David L. Gardiner, pending
on the Equity side of your Court.

Thanking you for your courtesy in sending this to us,
we are,

Yours truly,

Stevens, McCorvey, McLeod

WM*MLP

Enclosure.

STEVENS, M^CCORVEY & M^CLEOD
ATTORNEYS AT LAW
503-7 CITY BANK BUILDING
MOBILE, ALA.

March 31, 1919.

THOMAS M. STEVENS.
GESSNER T. M^CCORVEY.
WILLIAM M^CLEOD.
DAVID B. GOODE.

Mr. T. W. Richerson,
Clerk Circuit Court,
Bay Minette, Ala.

Dear Sir:-

Will you be kind enough to again send us the Court file
in the case of Helen Gardiner vs. David L. Gardiner, which file
we borrowed from you some time ago. We will be glad to reimburse
you for the postage on same.

Yours truly,

Stevens, M^CCorvey & M^CLeod

WM-S.

HELEN M. GARDINER,
Complainant,

-VS-

DAVID L. GARDINER,
Respondent.

IN THE CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA.

IN EQUITY.

Comes Stevens, McCorvey & McLeod and moves the Court for leave
to withdraw their appearance as solicitors for the respondent in the
above entitled cause.

Stevens, McCorvey & McLeod
Solicitors for Respondent.

STEVENS, M^CCORVEY & M^ELEOD
ATTORNEYS AT LAW
503-7 CITY BANK BUILDING
MOBILE, ALA.

June 24th, 1919.

THOMAS M. STEVENS.
GESSNER T. M^CCORVEY.
WILLIAM M^ELEOD.
DAVID B. GOODE.

Mr. T.W. Richerson,
Clerk of Circuit Court,
Bay Minette, Alabama.

Dear Sir:-

Enclosed is motion for permission to withdraw our
appearance for the respondent in the case of Helen M. Gardiner vs.
David L. Gardiner, which please file in said cause and oblige,

Yours truly,

Stevens, McCovey - enclosed

WM*P

Enclosure.

STEVENS, McCORVEY & McLEOD
ATTORNEYS AT LAW
503-7 CITY BANK BUILDING
MOBILE, ALA.

THOMAS M. STEVENS.
GESSNER T. McCORVEY.
WILLIAM McLEOD.
DAVID B. GOODE.

April 8, 1919.

Mr. T.W. Richerson,

Bay Minette, Alabama.

Dear Sir:-

Enclosed herewith we return to you Court file in the case of Gardiner vs. Gardiner, together with three cent stamp to reimburse you for expense of mailing same to us.

Thanking you for so promptly complying with our request that you send this file to us, we are,

Yours truly,

Stevens, McCorvey & McLeod

WM*P

4/9-19

*I hereby Certify
that the 3[¢] stamp
was enclosed as stated.*

Enclosure.

*T. W. Richerson
Register.*