

JOAN LITTLE,  
Complainant,  
VS.  
ARTHUR AUBREY LITTLE,  
Respondent

IN THE  
CIRCUIT COURT OF BALDWIN COUNTY,  
ALABAMA. IN EQUITY.  
NO. 3302

This cause coming on to be heard was submitted upon the original bill of complaint on behalf of the Complainant; answer and cross bill of the Respondent; answer of the Complainant to the Respondent's cross bill; and the testimony of the witnesses taken ore tenus.

The Court, after considering all of the pleadings and the testimony of the several witnesses for the Complainant and the Respondent, having had an opportunity to observe the several parties, is of the opinion and finds and decrees as follows:

1. That the Complainant, Joan Little, is entitled to a divorce from the Respondent, Arthur Aubrey Little;

IT IS, THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved and that the said Joan Little is forever divorced from the said Arthur Aubrey Little for and on account of cruelty;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that neither party to this suit shall again marry, except to each other, until 60 days have elapsed after the rendition of this decree, and that if an appeal is taken within 60 days, then neither party shall again marry except to each other during the pendency of said appeal.

IT IS FURTHER ORDERED that the Complainant and the Respondent be and they are hereby permitted to again contract marriage upon the payment of cost in this suit.

2. That neither the Complainant nor the Respondent is a suitable, fit and proper person to have the permanent care, custody and control of the minor children, Arthur Larry Little, and Gwen Allen Little.

3. That Mittie Little, the paternal grand mother is a suitable, fit and proper person to have the care, custody and control of said minor children, Arthur Larry Little, and Gwen Allen Little -


IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that the custody of said minor children, Arthur Larry Little and Gwen Allen Little, is awarded to Mrs. Mittie Little for the months of August through May of each year, subject to the right of visitation at reasonable times and under reasonable conditions on the part of the Complainant and the Respondent.

4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Joan Little, shall be awarded the custody of said minor children, Arthur Larry Little and Gwen Allen Little, for the months of June and July of each year, conditioned that she call at the home of the said Mrs. Mittie Little and receive the said children on the first day of June and deliver them back to the said Mrs. Mittie Little on the 31st day of July, of each year, subject to the right of visitation on the part of the Respondent at reasonable times and under reasonable conditions.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED this this Court retain jurisdiction of this cause, with the right to alter or modify this decree at such times as it may deem fit and to be best interest of said minor children.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent Arthur Aubrey Little, pay the cost in this proceeding, for which execution may issue.

This 1st day of September 1954.

  
Judge of the 28th Judicial  
Circuit of Alabama.

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FILED  
SEP 1 1954  
ALICE J. DUCK, Register

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STATE OF ALABAMA

I

IN THE CIRCUIT COURT OF BALDWIN COUNTY

BALDWIN COUNTY

I

IN EQUITY NO. \_\_\_\_\_

To Any Sheriff of the State of Alabama, GREETING:

You are hereby commanded to summon ARTHUR AUBREY LITTLE to appear, and plead to, answer or demur, within thirty days from the service hereof, to the bill of complaint filed in the Circuit Court in Equity, in Bay Minette, Alabama by JOAN LITTLE against ARTHUR AUBREY LITTLE.

Herein fail not, due return to make of this Writ as the law directs.

Witness this 19<sup>th</sup> day of July, 1954.

Archie J. Luck  
Register

JOAN LITTLE	I	IN THE CIRCUIT COURT OF
Complainant	I	BALDWIN COUNTY, ALABAMA
v.	I	IN EQUITY
ARTHUR AUBREY LITTLE	X	NO _____
Respondent	I	

To: HONORABLE H. M. HALL, JUDGE OF THE  
CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA  
SITTING IN EQUITY.

Now comes the complainant JOAN LITTLE, humbly complaining of the respondent ARTHUR AUBREY LITTLE, in a matter of divorce as will hereinafter appear and represents and shows unto Your Honor as follows:

(1) That both of the parties are resident citizens of Baldwin County, Alabama and that complainant is eighteen (18) years of age and respondent is over the age of twenty-one (21) years.

(2) That the complainant and respondent were married to each other on October 16, 1950 at Lucedale, Mississippi and lived together thereafter as man and wife.

(3) That there was born to the union of the parties two children whose names and ages are as follows, to-wit:

Arthur Larry Little, now two (2) years of age and Gwen Allen Little now six (6) months of age. These children are now in the custody of respondent who obtained an ex parte interlocutory decree from this Honorable Court dated the 10th day of July, 1954 awarding him these children. Complainant further alleges that she is a suitable person to have the care, custody and control of her minor children and that she loves these children with the lasting love of a mother and that respondent, owing to the fact that he drinks heavily and lives a wild and dissolute life, is not a suitable person to be entrusted with the care, custody and control of these minor children.

(4) That the respondent, ARTHUR AUBREY LITTLE, has committed actual violence upon the person of complainant, attended with danger to her life or health or from his conduct, there is reasonable appre-

hension of such violence; that on, to-wit, the 8th day of June, 1951, respondent without just cause attacked complainant and beat her badly about the face and body with his fist and that on many occasions before this date respondent has struck and beat the complainant without provocation; that this cruelty was of a grave nature and attended with danger to the life or health of complainant and she can no longer, with any degree of comfort or safety, continue to live with the respondent as his wife.

(5) That complainant is now employed by the Chemstrand Corporation, whose mill is located near Pensacola, Florida, but she lives with her mother, Mrs. Ted Allen at Flomaton, Alabama and her mother has agreed to cooperate with complainant in caring for her minor children. That the respondent is also employed by the Chemstrand Corporation at the place mentioned above and is well able to contribute to the support of his minor children and is able to respond to a decree of this court requiring him to pay to the complainant for the support of said children a reasonable sum.

PRAYER FOR PROCESS

To the end that equity may be had in the premises, complainant prays that ARTHUR AUBREY LITTLE be made party respondent to the bill of complaint filed in this cause and that service be perfected upon him as required by law and that he be required to plead, answer or demur to the within bill within the time and under the penalties prescribed by law and the rules of this honorable court.

PRAYER FOR RELIEF

Complainant prays that Your Honor will at once issue an order or decree to the Register of the Circuit Court of Baldwin County, Alabama directing that he hold a reference after giving the parties named herein at least ten (10) days notice in order to determine the following:

(1) To ascertain the extent of the earnings, income and holdings of the respondent.

Complainant further prays that upon a final hearing of this cause Your Honor will make and enter a decree granting to complainant a divorce from the respondent with the right granted to complainant to again marry should she so desire and that a further decree be rendered awarding to your complainant the permanent custody and control of her minor children, free from interference on the part of the respondent, subject to the right of respondent to visit his children at such times as the court may set after examination of all the evidence in this cause and that a further decree be rendered awarding a reasonable sum to complainant for support of the said minor children ARTHUR LARRY LITTLE and GWEN ALLEN LITTLE in such amounts and payable under such terms and conditions as may seem fit and proper subject however, to the further orders of this Honorable Court.

The complainant prays for all other, additional and general relief to which she may be entitled, premises considered and she will ever pray, etc. etc.

HORNE AND WEBB

By *W. Douglas J. Webb*  
SOLICITORS FOR COMPLAINANT

FILED

7-19-54

ALICE J. DUCK, Register

# MATTIE L. RHODES HOSPITAL

P. O. DRAWER 360

BAY MINETTE, ALA.

AUGUST 30, 1954

TO WHOM IT MAY CONCERN:

MRS. LOIS LITTLE HAS BEEN UNDER MY PROFESSIONAL CARE AND IS APPROXIMATELY FIVE MONTHS GESTATION WITH THE USUAL DISCOMFORTS OF THIS STATE. IT IS CALLED TO MY ATTENTION THAT SHE HAS BEEN SUMMONED TO THE LOCAL COURT AS A WITNESS. IF HER TESTIMONY BE NECESSARY, IT WOULD BE APPRECIATED BY ME IF SHE BE HEARD WITH AS LITTLE DELAY AS POSSIBLE. IF HER TESTIMONY IS NOT MANDATORY, WE WOULD APPRECIATE HER NOT BEING SUBJECTED TO THIS HEARING.

RESPECTFULLY,

*George B. Halliday M.D.*  
GEORGE B. HALLIDAY, M.D.



Law Offices of  
**Horne & Webb**  
Attorneys at Law  
Atmore, Ala.

FRANK G. HORNE  
DOUGLAS S. WEBB

August 5, 1954.

Mrs Alice J. Duck,  
Clerk,  
Circuit Court,  
Baldwin County,  
Bay Minette, Alabama.

Dear Mrs Duck:

Enclosed is an answer we wish filed in the case of  
Joan Little, Complainant vs. Authur Aubrey Little, Respondent.

I mailed a copy of this answer to Wilters & Brantley,  
Attorneys for Respondent on this date.

Very truly yours,

HORNE & WEBB

BY:

*Douglas S. Webb*  
DOUGLAS S. WEBB

Dsw/iw.

JOAN LITTLE

COMPLAINANT

VS

ARTHUR AUBREY LITTLE

RESPONDENT

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

ANSWER AND CROSS BILL.

Comes now the Respondent in the above styled cause and for answer to the Complainant's complaint says as follows:

1.

That he admits the allegations in Section 1 of the Complaint.

2.

That he admits the allegations in Section 2 of the Complaint.

3.

That he admits so much of Section 3 of the Bill of Complaint as reads "(3) That there was born to the union of the parties two children whose names and ages are as follows, to-wit: Arthur Larry Little, now two (2) years of age and Gwen Allen Little now six (6) months of age. These children are now in the custody of respondent who obtained an ex parte interlocutory decree from this Honorable Court dated the 10th day of July, 1954, awarding him these children." He denies all further allegations contained therein and demands strict proof of the same.

4.

The Respondent denies the allegations of Section 4 of the Bill of Complaint, but says he did slap the Complainant on July 8th, 1954, to stop her from using vulgar language in mixed company and in the presence of his children.

5.

The Respondent admits the allegations of Section 5 of the Bill of Complaint except that he is not informed as to the Complainant's Mother's agreement to aid her in caring for the children and demands strict proof thereof.

Now having fully answered the Complainant's Bill of Complaint your Respondent comes now and by way of cross bill shows unto Your Honor as follows:

6.

That the Respondent lives in the home of his mother, Mrs. Mittie Little,.  
That his children Arthur Larry Little and Gwen Allen Little have lived in  
this home most of their lives. That Mittie Little is physically and financially  
able to care for these children; that they are well adjusted to this home.  
That this is a comfortable, modern and christian home.

7.

That the Complainant is in no wise a suitable person to be entrusted  
with the care of children of tender years, that she spends most of her time  
away from home. That her conduct and language is such that it would be  
detrimental to the morals of small children.

8.

That the home of the Complainant's parents is not a suitable place to  
rear these children, it is one of a broken marriage.

9.

The Respondent avers that the Complainant has been guilty of adultery  
~~with divers persons whose names are to the Respondent unknown, that this~~  
adultery has taken place since the time of the marriage of the Complainant  
and Respondent and has not been condoned by the Respondent.

WHEREFORE, the premises considered, the Respondent prays that Your  
Honor will cause the Complainant to answer this cross bill within the time  
prescribed by law.

That your Honor will enter a decree granting the Respondent a divorce  
from the Complainant and awarding <sup>Mrs Mittie Little</sup> ~~him~~ the permanent care, custody and control  
of Arthur Larry Little and Gwen Allen Little, the Respondent prays for such  
further and general relief to which he may in equity be entitled.

Respectfully submitted

Wiltens & Brantley

By:

*Arthur M Brantley*  
Solicitors for the Respondent

FILED

7-28-54

ALICE L. DUCK, Register



JOAN LITTLE	Ø	IN THE CIRCUIT COURT OF
COMPLAINANT	Ø	BALDWIN COUNTY, ALABAMA
vs.	Ø	SITTING IN EQUITY.
ARTHUR AUBREY LITTLE	Ø	NUMBER. _____
RESPONDENT.	Ø	

Now comes the Complainant, Joan Little, and for answer to the cross bill filed in this cause by Arthur Aubrey Little says as follows:

(1)

For answer to paragraph Six (6) of said cross bill Complainant admits that Complainant and Respondent have lived in the home of Mittie Little a good portion of their married lives but asserts that this was due to the abject failure of the Respondent Arthur Aubrey Little to provide a suitable place for the Complainant and her minor children. Complainant denies each and every other allegation contained in paragraph Six (6) of Respondent's Cross Bill and demands strict proof thereof.

(2)

For answer to paragraphs Seven (7), Eight (8), Nine (9) of Respondent's Cross Bill Complainant denies each and every allegation contained in said paragraphs and demands strict proof of the same.

Respectfully submitted on this the 5th day of August 1954.

HORNE & WEBB  
BY:

*Douglas Webb*  
ATTORNEYS FOR JOAN LITTLE.

I certify that I have on this the 5th day of August, 1954 mailed a copy of the foregoing answer to Wilters & Brantley, Attorneys for Respondent, by United States Mail, Postage Prepaid.

FILED

8-6-54

ALICE J. DUCK, Register

HORNE & WEBB  
BY:

*Douglas Webb*  
ATTORNEYS FOR JOAN LITTLE.

JOAN LITTLE,	)	
	)	IN THE
Complainant,	)	
	)	CIRCUIT COURT OF BALDWIN
VS.	)	
	)	COUNTY, ALABAMA.
ARTHUR AUBREY LITTLE,	)	
	)	IN EQUITY.
Respondent.	)	
	)	

This cause coming on to be heard is submitted upon the petition of Joan Wiggins, formerly Joan Little, to modify the decree of divorce heretofore entered in the case of Joan Little, Complainant VS. Arthur Aubrey Little, Respondent, in the Circuit Court of Baldwin County, Alabama, in Equity, being case number 3302, the order of the Court setting a date for the hearing of said petition, the answer and cross bill of Mittie Little, and the testimony of witnesses taken ore tenus; and it appearing to the Court that on September 1, 1954, a decree of divorce was rendered in the Circuit Court of Baldwin County, Alabama, in Equity, forever divorcing the said Joan Little from the Respondent, Arthur Aubrey Little; that in and by said decree the Court decreed that neither the said Joan Little nor the said Arthur Aubrey Little were suitable, fit and proper persons to have the permanent care, custody and control of the minor children, Arthur Larry Little and Gwen Allen Little; that Mittie Little, the paternal grandmother of said children was a suitable, fit and proper person to have the care, custody and control of the said Arthur Larry Little and Gwen Allen Little, and that the custody of said minor children was awarded to the said Mittie Little for the months of August through May of each year, subject to the right of visitation at reasonable times and places on the part of Joan Little and Arthur Aubrey Little, and that

the said Joan Little was awarded the custody of said minor children, Arthur Larry Little and Gwen Allen Little, for the months of June and July of each year; and

The Court, after considering the allegations of the petition and the answer, has taken in mind and under consideration only what is to the best interest of said minor children and how and where their interest will be best promoted; and

It appearing to the Court that the said minor children, Arthur Larry Little and Gwen Allen Little, have been all or practically all of their lives with the said Mittie Little, who has had the responsibility of rearing said minor children through their infancy, and that said minor children have now reached the age where they can be of some service to the said Mittie Little, the Court is of the opinion and finds that the best interest and welfare of the said minor children will be promoted by leaving them in the home of the said Mittie Little, subject to the conditions hereinafter set out. It is, therefore

ORDERED, ADJUDGED AND DECREED by the Court that the said Mittie Little be and she is hereby awarded the permanent care, custody and control of the said minor children, Arthur Larry Little and Gwen Allen Little, subject only to the rights of visitation hereinafter set out; it is further

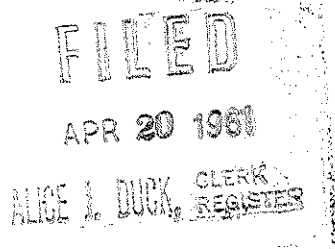
ORDERED, ADJUDGED AND DECREED that the Petitioner, Joan Wiggins shall have the right to have said minor children visit with her in her home the third week-end of each month and the third full week in July of each year, conditioned that she shall call for and deliver said children to the home of Mittie Little where the children reside. The week-end shall constitute the time from Friday afternoon at four o'clock until the following Sunday afternoon at five o'clock. It is further

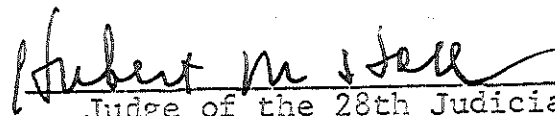
ORDERED, ADJUDGED AND DECREED that all of the terms and conditions of the decree of divorce heretofore granted shall remain in full force and effect, subject only to the conditions as to the care, custody and control of the said minor children. It is further

ORDERED, ADJUDGED AND DECREED by the Court, that this Court retain jurisdiction of this cause, with the right to alter or modify this decree as it may see fit and to the best interest of said children. It is further

ORDERED, ADJUDGED AND DECREED that the said Joan Wiggins, the Petitioner, be and she is hereby taxed with the costs herein, which execution shall issue.

This 18th day of April, 1961.



  
Judge of the 28th Judicial Circuit  
of Alabama.



JOAN LITTLE,	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA,
ARTHUR AUBREY LITTLE,	)	IN EQUITY, NO. 3302.
RESPONDENT	)	

A petition having been filed in this cause by Joan Wiggins, formerly Joan Little, the original Complainant in this cause, seeking modification of the decree originally entered on September 1, 1954, in so far as said decree concerns the custody of the minor children of the parties,

And it appearing to the Court that said petition is in proper form and that a hearing should be held thereon to determine the advisability of changing the original order of this Court concerning the care, custody and control of said minor children,

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That the Sheriff of Baldwin County, Alabama, give notice to Arthur Aubrey Little, the original Respondent in this cause and to Mrs. Mittie Little, the person to whom custody of said children was previously awarded, of the filing of said petition by serving upon them individually, copies thereof.

2. That said cause shall be set for hearing on the 8 day of July, 1960, at 10 o'clock A m. and any Sheriff of the State of Alabama shall notify Arthur Aubrey Little and Mrs. Mittie Little of the date set for hearing said petition by serving upon them a certified copy of this decree.

Dated this 27 day of June, 1960.

Hubert M. Hall  
HUBERT M. HALL, CIRCUIT JUDGE.

JOAN LITTLE,	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA,
ARTHUR AUBREY LITTLE,	)	IN EQUITY, NO. 3302.
RESPONDENT	)	

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes now Joan Wiggins, formerly Joan Little, the Complainant in the above styled cause and respectfully represents and shows unto Your Honor as follows:

1. That petitioner is over the age of twenty-one years and now resides with her husband, Thomas Taylor Wiggins, Jr. near Brewton, Alabama, in Escambia County; that the Respondents Arthur Aubrey Little and Respondent's mother, Mittie Little are both over the age of twenty-one (21) years and are resident citizens of Bay Minette in Baldwin County, Alabama.

2. That heretofore and on September 1, 1954, this Honorable Court entered a decree in the above styled cause forever dissolving the bonds of matrimony between the parties hereto with provisions in said decree concerning the custody of the minor children of the parties reading as follows:

"2. That neither the Complainant nor the Respondent is a suitable, fit and property person to have the permanent care, custody and control of the minor children, Arthur Larry Little and Gwen Allen Little.

3. That Mittie Little, the paternal grandmother, is a suitable, fit and proper person to have the care, custody and control of said minor children, Arthur Larry Little and Gwen Allen Little.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the custody of said minor children, Arthur Larry Little and Gwen Allen Little, is awarded to Mrs. Mittie Little for the months of August through May of each year subject to the right of visitation at reasonable times and under reasonable conditions on the part of the Complainant and the Respondent.

4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Joan Little, shall be awarded the custody of said minor children, Arthur Larry Little and Gwen Allen Little, for the months of June and July of each year, conditioned that she call at the home of the said Mrs. Mittie Little and receive the said children on the first day of June and deliver them back to the said Mrs. Mittie Little on the 31st day of July of each year, subject to the right of visitation on the part of the Respondent at reasonable times and under reasonable conditions.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court retain jurisdiction of this cause with the right to alter or modify this decree at such times as it may deem fit and to be (in the) best interest of said minor children."

3. That since the issuance of said decree your petitioner has again married and is now the wife of Thomas Taylor Wiggins, Jr.; that petitioner and her husband are in every respect qualified to be awarded the exclusive custody of the minor children, now eight (8) and six (6) years of age respectively, mentioned in the decree of divorce heretofore rendered in this cause and that due to changed conditions since this Court's original decree it will be in the best interest of Arthur Larry Little and Gwen Allen Little should the Court modify its said original decree by awarding the exclusive custody of said children to your petitioner subject to such visitation privileges as the Court might consider proper.

4. Petitioner shows unto the Court that due to the advanced age of Mrs. Mittie Little and her husband, Mr. Sam Little, her children, Arthur Larry Little and Gwen Allen Little, are being denied a normal and healthy childhood which they deserve; that the environment in which petitioner's said children have been placed is not conducive to the best interest of minor children and that the district in which the home of Mittie Little is located and the neighbors in this district tend to retard rather than to develop petitioner's children.

5. Petitioner further shows that her said children are allowed to remain constantly dirty and the children do not receive the proper medical and dental care in the custody of Mittie Little. Your petitioner further avers that during the time that her minor children have been in the custody of Mrs. Mittie Little she has made every effort to alienate the affections of her children and to create in them a hostile attitude towards your petitioner.

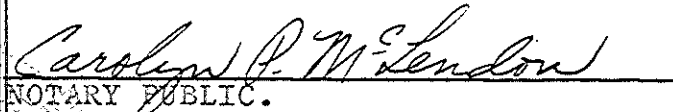
6. Contrary to and in defiance of the express terms of this Court's decree providing that your petitioner should have the custody of her children for the months of June and July of each year the said Mrs. Mittie Little has denied your petitioner the


limited rights heretofore legally conferred upon her by an order of this Court. Petitioner shows unto the Court that heretofore and on, to-wit, June 1, 1960, she, in pursuance of the rights and privileges previously conferred by this Court, called for her children at the home of Mrs. Mittie Little in Bay Minette, Alabama, at which time the said Mrs. Mittie Little refused to allow petitioner's said children to return with petitioner to her home near Brewton, Alabama.

7. Wherefore your petitioner prays the Court as follows: That the said Arthur Aubrey Little and Mrs. Mittie Little, should the Court deem proper, be brought in and made parties to this petition by proper legal process being served upon them and that Your Honor will set a date for a hearing on this cause to determine the advisability of changing the provisions relative to the care, custody and control of said minor children; and that said decree as modified will provide that your petitioner be given the full custody and control of her said minor children subject to reasonable rights of visitation with said minor children by Arthur Aubrey Little and Mrs. Mittie Little; and your petitioner prays for such other, further and different relief to which she may be entitled in the premises.

  
JOAN WIGGINS

Sworn to and subscribed before me  
on this the 9<sup>th</sup> day of June, 1960.

  
NOTARY PUBLIC.

  
HUGH M. CAFFEY, JR.,  
ATTORNEY FOR COMPLAINANT.

JOAN LITTLE,	)	IN THE CIRCUIT COURT OF
Complainant,	)	
vs.	)	BALDWIN COUNTY, ALABAMA
ARTHUR AUBREY LITTLE,	)	IN EQUITY. NO. 3302.
Respondent.	)	

ANSWER:

Now comes Mittie Little, and for answer to the petition heretofore filed in this cause on June 10, 1960, and to each and every count thereof, and each aspect thereof, separately and severally, says:

1. She admits the allegations of paragraph numbered one of the petition.
2. She admits the allegations of paragraph numbered two of the petition.
3. She denies the allegations of paragraph numbered three of the said petition and demands strict proof thereof.
4. She denies the allegations of paragraph numbered four of the said petition and demands strict proof thereof.
5. She denies the allegations of paragraph numbered five of the said petition and demands strict proof thereof.
6. She denies the allegations of paragraph numbered six of the said petition and demands strict proof thereof.

Mittie Little, for further answer to the said petition says as follows:

(a) That since the decree heretofore rendered in this cause on September 1, 1954, the said minor children, Arthur Larry Little and Gwen Allen Little, have been in the care, custody and control of Mittie Little and the Complainant, Joan Wiggins, formerly Joan Little, has not had the care, custody and control of the said minor children, except for short periods of time; that the said Joan Wiggins has not visited the said children or cared for them in any way, except at very infrequent intervals; that due to a change of circumstances it would be to the best interest of the said minor children that they be in the permanent care, custody and control of Mittie Little with rights of visitation for the

said Complainant at such times and places as may be reasonable and proper and the said decree heretofore rendered in this cause should be so modified as to give Mittie Little the permanent care, custody and control of the said minor children.


WHEREFORE, Mittie Little prays that said decree heretofore rendered on September 1, 1954, be modified so that Mittie Little will have the permanent care, custody and control of the said minor children and that the Complainant, Joan Wiggins, be allowed to visit the said minor children at such times and places as may be reasonable and proper.

Mittie Little further prays for such other, further and general relief as she may be entitled to, the premises considered.

**FILED**

JUL 1 1955

ALICE L. DUCK, CLERK  
REGISTER

  
Solicitor for Mittie Little.

RECORDED

3302

3302

FILED  
JUL 1 1960  
ALICE J. DUCK, CLERK  
REGISTER



JOAN LITTLE,	)	
COMPLAINANT	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA,
ARTHUR AUBREY LITTLE,	)	IN EQUITY, NO. 3302.
RESPONDENT	)	

TO THE HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes now Joan Wiggins, formerly Joan Little, the Complainant in the above styled cause and respectfully represents and shows unto Your Honor as follows:

1. That petitioner is over the age of twenty-one years and now resides with her husband, Thomas Taylor Wiggins, Jr. near Brewton, Alabama, in Escambia County; that the Respondents Arthur Aubrey Little and Respondent's mother, Mittie Little are both over the age of twenty-one (21) years and are resident citizens of Bay Minette in Baldwin County, Alabama.

2. That heretofore and on September 1, 1954, this Honorable Court entered a decree in the above styled cause forever dissolving the bonds of matrimony between the parties hereto with provisions in said decree concerning the custody of the minor children of the parties reading as follows:

"2. That neither the Complainant nor the Respondent is a suitable, fit and property person to have the permanent care, custody and control of the minor children, Arthur Larry Little and Gwen Allen Little.

3. That Mittie Little, the paternal grandmother, is a suitable, fit and proper person to have the care, custody and control of said minor children, Arthur Larry Little and Gwen Allen Little.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the custody of said minor children, Arthur Larry Little and Gwen Allen Little, is awarded to Mrs. Mittie Little for the months of August through May of each year subject to the right of visitation at reasonable times and under reasonable conditions on the part of the Complainant and the Respondent.

4. IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Complainant, Joan Little, shall be awarded the custody of said minor children, Arthur Larry Little and Gwen Allen Little, for the months of June and July of each year, conditioned that she call at the home of the said Mrs. Mittie Little and receive the said children on the first day of June and deliver them back to the said Mrs. Mittie Little on the 31st day of July of each year, subject to the right of visitation on the part of the Respondent at reasonable times and under reasonable conditions.



IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this Court retain jurisdiction of this cause with the right to alter or modify this decree at such times as it may deem fit and to be (in the) best interest of said minor children."

3. That since the issuance of said decree your petitioner has again married and is now the wife of Thomas Taylor Wiggins, Jr.; that petitioner and her husband are in every respect qualified to be awarded the exclusive custody of the minor children, now eight (8) and six (6) years of age respectively, mentioned in the decree of divorce heretofore rendered in this cause and that due to changed conditions since this Court's original decree it will be in the best interest of Arthur Larry Little and Gwen Allen Little should the Court modify its said original decree by awarding the exclusive custody of said children to your petitioner subject to such visitation privileges as the Court might consider proper.

4. Petitioner shows unto the Court that due to the advanced age of Mrs. Mittie Little and her husband, Mr. Sam Little, her children, Arthur Larry Little and Gwen Allen Little, are being denied a normal and healthy childhood which they deserve; that the environment in which petitioner's said children have been placed is not conducive to the best interest of minor children and that the district in which the home of Mittie Little is located and the neighbors in this district tend to retard rather than to develop petitioner's children.

5. Petitioner further shows that her said children are allowed to remain constantly dirty and the children do not receive the proper medical and dental care in the custody of Mittie Little. Your petitioner further avers that during the time that her minor children have been in the custody of Mrs. Mittie Little she has made every effort to alienate the affections of her children and to create in them a hostile attitude towards your petitioner.

6. Contrary to and in defiance of the express terms of this Court's decree providing that your petitioner should have the custody of her children for the months of June and July of each year the said Mrs. Mittie Little has denied your petitioner the