

The State of Alabama, Baldwin County

Circuit Court, In Equity

CAROL CAPERS WILKINSON

, Complainant

vs.

WILLIAM JOHN WILKINSON

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confession and answer & waiver 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 CAROL CAPERS WILKINSON is forever divorced from the said WILLIAM JOHN WILKINSON for and on account of

CRUELTY

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the complainant

resume her maiden name.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

It is further ordered that CAROL CAPERS WILKINSON the COMPLAINANT pay the cost herein to be taxed, for which execution may issue.

This 17th day of December, 1951

J. Fair J. Maslbury Jr.
Judge Circuit Court, In Equity

I, _____ Register of the Circuit

Court of 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.

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

DEC 11 1951

ALICE J. DUCK, Registrar

Carol Capers Wilkinson

Complainant

vs.

William John Wilkinson

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

No. _____

DEMAND FOR ORAL EXAMINATION

COMES the Complainant, by attorney, and represents to the Court as follows:

1. That the following named witnesses reside within one hundred miles from _____

Bay Minette, in the County of Baldwin

Alabama, the place of trial of said cause, to-wit: Carol Capers Wilkinson and

Alvin Bailey

2. That said Complainant requires an oral examination of said witnesses before a Commissioner appointed by the Register of this Court.

M. C. Burke

Solicitor for Complainant

NOTE:

Complainant suggests the name of Madeline S. Bryans

as a suitable and competent person to act as commissioner upon the examination of said witnesses.

M. C. Burke

Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

Complainant

vs.

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this

FILED
DEC 7 1951

194

ALICE J. DUCK, Register

Register

Moore Printing Co.

Carol Capers WilkinsonComplainant

vs.

William John WilkinsonDefendant

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint,
and testimony as noted by the register.

and in behalf of Defendant upon answer & waiver

W. O. Beck
attorney for complainant

W. J. Duck

Register.

m

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this

FILED

DEC 7, 1951

day of, 194

ALICE L. DUCK, Register

Register.

Printed By The Baldwin Times

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: MADELINE S. BRYARS

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 Carol Capers Wilkinson and Alvin Bailey

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

Carol Capers Wilkinson, Complainant
and

William John Wilkinson Respondent
on oath, to be by you administered, upon oral examination

to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 7th day of December, 1951

Alice F. Welch
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant—

vs.

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

WITNESSES:

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

Carol Capers Wilkinson Complainant

VS.

William John Wilkinson RespondentI, Maudeline S. Rogers

as Register and Commissioner

have called and caused to come before me

Carol Capers Wilkinson
and Alvin Bailey

witness as named in the Requirement for Oral Examination, on the 7th day of December 1951, at the office of W. B. Barber in Bay Minette, Alabama, and having first sworn said Witness Carol Capers Wilkinson and Alvin Bailey to speak the truth, the whole truth, and nothing but the truth, the said Carol Capers Wilkinson and Alvin Bailey doth depose and say as follows:

My name is Carol Capers Wilkinson. I am the complainant in that certain cause pending in the Circuit Court of Baldwin County, Alabama for divorce against William John Wilkinson. I am over the age of 17 years and he is over the age of 27 years. We are both residents of Loxley, in Baldwin County, Alabama. We were married on June 1, 1951 and lived together as husband and wife until August 15, 1951 when we separated at Loxley. Almost immediately after we were married his true nature evidenced itself and at least once a week he would get drunk and come home and curse and abuse me and beat me about the face and body with his hands, severely lacerating and bruising me, and he threatened to kill me. From his threats, and abuses I was afraid that should I continue to live with him he would do me bodily harm attendant with danger to my life or health. And from this cause and after a severe beating on August 15th I left him and we have not lived together as husband and wife since. There are children of this marriage and there will be none.

Carol Capers Wilkinson

My name is Alvin Bailey. I am a cousin of Carol Capers Wilkinson, complainant in the suit for divorce in the Circuit Court of Baldwin County, Alabama against William John Wilkinson. I lived near them at Loxley during the time that they were married. He frequently became so drunk that he acted like a crazy man and on a number of occasions I know that he beat her severely. She exhibited to me the bruises on her face and shoulders. He is a man of violent and ungovernable temper and should she continue to live with him he would probably kill her or injure her health.

Alvin Bailey

ORAL EXAMINATION.

I, W. S. L. B. B. B., as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down by me in writing in the words of the witness and and read over to them and they signed the same in the presence of myself and at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness is or had proom 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 any manner interested in the result thereof I enclose the said Oral Examination in an envelope to the Register of said Court.

Given under my hand and seal, this 7th day of December, 1947

W. S. L. B. B. B. (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

vs. Complainant

Respondent.

Oral Deposition

Filed _____, 194

FILED
DEC 7 1947

Register.

Recorded in

Record

Vol. _____ Page _____

Register.

CAROL CAPERS WILKINSON,
COMPLAINANT

VS

WILLIAM JOHN WILKINSON
DEFENDANT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

And now comes the defendant in his own proper person and accepts service of the summons and complaint in the above styled cause, and denies each and every allegation contained in the bill of complaint, and demands strict proof of the same.

The defendant waives notice of the time of taking testimony on behalf of complainant, the right to cross-examine complainant's witnesses, and agrees that this cause be submitted forthwith for final decree without further notice.

William J. Wilkinson
Defendant

STATE OF

GEORGIA

COUNTY OF

LOWNDES

I, the undersigned authority, in and for said State and County, hereby certify that William John Wilkinson, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 27th day of

November

, 1951.

Rafael H. Galceran, Capt USAF
Deputy Officer - Notary Public - ex officio
in and for the above County & State.

Carol Capus Wilkinson
Complainant

VS

William John
Wilkinson
Defendant

Answer Waiver

RECORDED

FILED

DEC 1 1951

ALICE J. DUCK, Registrar

STATE OF ALABAMA

BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

WE COMMAND YOU, that you summon William John Wilkinson, to be and appear before the Judge of the Circuit Court of Baldwin County, Alabama, 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 Carol Capers Wilkinson against the said William John Wilkinson and further to do and perform what said Judge shall order and direct in that behalf, and this the defendant shall in no wise omit, under penalty of the law; and we further command that you return this writ with your endorsement thereof, to our said court immediately upon the execution thereof.

Witness, Alice J. Duck, Register of said Circuit Court, this the ___ day of November, 1951.

Register

CAROL CAPERS WILKINSON,
COMPLAINANT

VS

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

WILLIAM JOHN WILKINSON,
DEFENDANT

IN EQUITY.

TO THE HONORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Comes your complainant, Carol Capers Wilkinson, in the above styled cause and humbly complaining against William John Wilkinson respectfully shows unto your Honor:

FIRST:

That your complainant is over the age of 17 years, that the defendant, William John Wilkinson, is over the age of 27 years, that they are both residents of Loxley, in Baldwin County, Alabama, where they have resided practically all of their lives.

SECOND:

That your complainant and the said defendant are husband and wife, having intermarried at Lucedale, Mississippi, June 1, 1951, that they lived together as husband and wife in Loxley, until August 15, 1951, when your complainant because of cruelty of

the defendant was compelled to leave the defendant, that there were no children born to complainant and defendant. Complainant's maiden name was Carol Capers.

THIRD:

That the defendant is a man of violent and ungovernable temper and without just cause or excuse has frequently become enraged and has choked, abused and cursed complainant and threatened to kill her. That he has become increasingly more violent and cruel to your complainant and on the evening of August 15th, 1951 he abused and threatened to kill your complainant and because she feared that should she continue to live with him he would inflict bodily injury upon her attendant with danger to her life or health.

WHEREFORE, your complainant prays that this Honorable Court will take jurisdiction of the cause and by appropriate process make the said William John Wilkinson party defendant hereto and require him to plead, answer or demur to the same within the time and under the pains and penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon the final hearing of this cause this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between this complainant and the said defendant; that she be permitted to resume her maiden name, Carol Capers, and complainant prays for such other, further or different relief as in equity and good conscience she shall be entitled to receive in the premises.

W. C. Beck
Solicitor for complainant.

Lawyers Title
Insurance Corporation
New Orleans, Louisiana

822 Gravier St.
JAMES W. MILLS, JR.
Manager

May 21, 1969

Clerk of Court
Baldwin County
28th Circuit Court
Bay Minette, Alabama

Dear Sir:

Please forward us a certified copy of
divorce decree rendered in divorce proceedings
between William J. Wilkinson and his wife,
sometime around 1947.

Please advise us of the cost of said
certified copy, and we will immediately forward
you our check to cover same.

Very truly yours,

LAWYERS TITLE INSURANCE CORPORATION

William W. Shaw, Jr.
William W. Shaw, Jr.

WWSJr/pe

*done
CB-5-23-69*