

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

CLARA G. WILEY

vs.

AARON W. WILEY

, Complainant

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Decree and Answer~~ **taken in open court,** **Answer and Waiver** and Testimony ~~submitted by the parties~~ 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 Clara G. Wiley is forever divorced from the

said Aaron W. Wiley for and on account of

abandonment. Clara G. Wiley is granted the full custody and control of John Michael Wiley, Dixie Wiley and Norman Wiley, the minor children of said parties and Aaron W. Wiley, the Respondent in said cause shall have the right to visit such children at reasonable and proper times. The said Aaron W. Wiley shall pay the said Clara G. Wiley as support for said children the prevailing sum as established by the regulations of the Veterans Administration, to be deducted from Aaron W. Wiley's disability payments from said Veterans Administration. Under the present regulations, such sum is approximately \$72.62 per month.

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 Clara G. Wiley the Complainant pay the cost herein to be taxed, for which execution may issue.

This 29th day of July, 1952

J. Fair J. Marshall 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

JUL 29 1952

ALBERT W. WATKINS, Clerk

the BALDWIN

ALABAMA'S BEST COUNTY'S-

BEST NEWSPAPER

BAY MINETTE, ALABAMA

2791

In The Circuit Court of Baldwin County,
Alabama
In Equity.

CLARA G. WILEY, Complainant,
Vs.

AARON W. WILEY, Respondent.

It being made to appear from the Affidavit of Clara W. Wiley, the Complainant in the above styled cause that Aaron W. Wiley, the Respondent in said cause is over the age of twenty-one years and a non-resident of the State of Alabama; NOTICE IS HEREBY GIVEN to Aaron W. Wiley that on April 21, 1952, Clara G. Wiley filed her Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against the said Aaron W. Wiley, as Respondent, and you are hereby notified to appear and plead or answer or demur to said Bill of Complaint within thirty (30) days from May 26, 1952, or a decree pro confesso will be rendered against you.

In said Bill of Complaint the said Clara G. Wiley prays for a divorce from the said Aaron W. Wiley for and on account of abandonment and prays that she be awarded the care, custody and control of her minor children.

WITNESS my hand and seal this 21st day of April, 1952.

Alice J. Duck
Register.

Chason & Stone
Solicitors for Complainant

14-4tc.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA,
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Clara G. Wiley vs.

Aaron W. Wiley

COST STATEMENT

201 WORDS @ 6 1/2 cents --- \$ 13 06
I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication April 24, 1952 Vol. 63 No. 14

Date of 2nd publication May 1, 1952 Vol. 63 No. 15

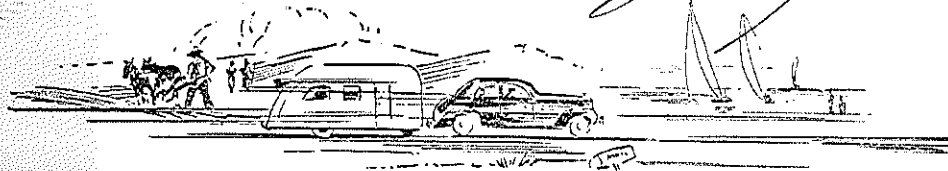
Date of 3rd publication May 8, 1952 Vol. 63 No. 16

Date of 4th publication May 15, 1952 Vol. 63 No. 17

Subscribed and sworn before the undersigned this 15 day of May, 1952

Danathan Martin
Notary Public, Baldwin County.

Jimmy Faulkner
Publisher.



CLARA G. WILEY,

Complainant,

VS.

AARON W. WILEY,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY. NO. 2798.

TESTIMONY TAKEN ON ORAL EXAMINATION OF WITNESSES
ON JULY 29, 1952 BEFORE HONORABLE TELFAIR J. MASHBURN,
JR.

APPEARED: For Complainant,

Hon. John Chason
Bay Minette, Alabama

Mrs. Clara G. Wiley, having been first duly and legally
sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. What is your name, please?

A. Clara G. Wiley.

Q. Are you the wife of Aaron W. Wiley?

A. Yes sir.

Q. Are both you and Aaron W. Wiley over the age of twentyone
years?

A. Yes sir.

Q. Where do you reside?

A. Summerdale.

Q. How long have you been living in Summerdale?

A. Since 1948.

Q. Since April, 1948?

A. Yes sir.

Q. Do you know where your husband lives?

A. No sir.

Q. How long since you have seen or known where he lives?

A. Since April, of 1948.

Q. Now, when did you and Aaron W. Wiley marry?

A. November, 1936.

Q. November 1, 1936?

A. Yes.

- Q. Did you live together as man and wife until April, 1948, except for a separation from June, 1940, until September, 1945?
- A. Yes sir.
- Q. Then you went back together in '45 and lived together until '48?
- A. Yes sir.
- Q. Now, in April, 1948, did your husband, Aaron W. Wiley, voluntarily abandon your bed and board?
- A. Yes sir.
- Q. Did he have any reason for leaving you, any just cause or legal excuse for leaving you?
- A. Not from my part.
- Q. Has he failed or refused to live with you since that time?
- A. Yes.
- Q. Have you and Aaron W. Wiley lived together as man and wife since April, 1948?
- A. No sir.
- Q. Now, do you have three children?
- A. Yes sir.
- Q. Are your children John Michael M i c h a e l Wiley, a boy fourteen years of age; Dixie Wiley, a girl thirteen years of age, and Norman Wiley, a boy five years of age?
- A. Yes sir.
- Q. They are the minor children of you and Aaron W. Wiley?
- A. Yes sir.
- Q. Now, where are those children living?
- A. With me.
- Q. Have they been with you since April, 1948?
- A. Yes sir.
- Q. And you have the full custody and control of such children?
- A. Yes.
- Q. Do you think that you are a fit and proper person to have their care, custody and control, and can properly raise them and maintain them?

A. Yes.

Q. Do you think that your husband would be a proper person to have them?

A. No.

I think that's all.

Johnnie Mae Davidson, having been first duly and legally sworn, testified as follows:

ON DIRECT EXAMINATION

By Mr. Chason

Q. All right, what is your name, please Ma'am?

A. Johnnie Mae Davidson.

Q. Where do you live, Mrs. Davidson?

A. Robertsdale.

Q. Do you know Clara G. Wiley and Aaron W. Wiley?

A. Yes.

Q. How long have you known them?

A. I've known Mrs. Wiley all my life and Aaron Wiley since 1945.

Q. Where does Clara G. Wiley live?

A. Summerdale.

Q. Has she been living there since April, 1948?

A. Yes sir.

Q. Do you know where Aaron W. Wiley now lives?

A. No sir.

Q. Or do you know where he lived back on April 21, 1952?

A. No sir.

Q. Has Clara G. Wiley and Aaron W. Wiley lived together as man and wife since April, 1948?

A. No sir.

Q. Do you know their minor children?

A. Yes sir.

Q. Is Clara G. Wiley a fit and proper person to have the care, custody and control of her children?

A. Yes sir.

I think that will be all.

I, Ora S. Nelson, Official Court Reporter of and for the Twenty-eighth Judicial Circuit of Alabama, hereby certify that the foregoing is a true and correct transcript of the testimony given on a hearing of the above styled cause, taken and transcribed by me.

This 30th day of July, 1952.

Ora S. Nelson
Court Reporter

STATE OF ALABAMA)

BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Aaron W. Wiley to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Clara G. Wiley, as Complainant, against Aaron W. Wiley as Respondent.

Witness my hand this 21st day of April, 1952.

W. J. Smith
Register.

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

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

Comes the Complainant in the above styled cause and files this her Bill of Complaint for divorce and shows unto this Court and unto your Honor as follows:

FIRST:

That your Complainant is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Summerdale, and that she has been a resident of Summerdale, since April 1948; that the Respondent is over the age of twenty-one years and a non-resident of the State of Alabama.

SECOND:

That your Complainant and Respondent were married on heretofore to-wit, November 1, 1936, and they lived together as man and wife until April, 1948, except for a separation of 5½ years from June, 1940, until September, 1945. That in April 1948, the Respondent voluntarily abandoned the bed and board of your Complainant, without just cause or legal excuse and the Respondent has failed and refused to live with your Complainant since that time. That your Complainant and Respondent have not lived together as man and wife since April, 1948.

THIRD:

That there was born of the marriage between your Complainant and Respondent three children, John Michael Wiley, a boy, 14 years of age; Dixie Wiley, a girl, 13 years of age; and Norman Wiley, a boy 5 years of age. That all of such children are now living with your Complainant and have been living with her since the separation. That your Complainant is a fit and proper person to have the care, custody and control of said minor children, and the Respondent is not a fit and proper person to have the care, custody and control of said minor children.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Aaron W. Wiley be made a party Respondent to this cause by the usual writ of process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this court and the statutes in such cases made and provided; that the Respondent being a non-resident of the State of Alabama, that your Honor will cause a notice to be published in some newspaper published in Baldwin County, Alabama, for four consecutive weeks, such notice to require the Respondent to plead, answer or demur before a date to be named therein, or as required by the laws of the State of Alabama; that upon a final hearing of this cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full care, custody and control of her minor children; that your Honor will also decree that the Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Clara G. Wiley
Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me Alcie L. Miller, a Notary Public, in and for said County in said State personally appeared Clara G. Wiley, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That her name is Clara G. Wiley; that she is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Summerdale, where she has lived for the last four years; that she is the Complainant in the above styled cause and that Aaron W. Wiley is the Respondent in the above styled cause; that he is over the age of twenty-one years; that he was in military service

of the United States of America from April 1948, until approximately July 1951 when he was discharged from such military service, according to information furnished your Complainant by the United States Government. That soon after Aaron W. Wiley was discharged from the military service the Respondent was in Memphis, Tennessee, and this is the last time that your Complainant has heard from such Respondent. That your Complainant has made a diligent inquiry to ascertain his present residence and Post Office address and she has been unable to ascertain where he now resides and his present Post Office address but she is informed and believes and upon such information and belief says that he is a non-resident of the State of Alabama.

Aaron W. Wiley

Sworn to and subscribed before
me this 19th day of April, 1952.

Alice L. Miller
Notary Public, Baldwin County,
Alabama.

44-5111

Register.
Alice L. Miller

Filed: April 19, 1952.

IN WITNESS
WHEREOF I HAVE
IN THE COUNTY OF BALDWIN

Respondent.

AARON W. WILEY

as

Complainant.

ALICE L. MILLER

SHAWNEE & BIRD OF COMBINATION

STATE OF ALABAMA,
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY.

No. _____ Term, 193_____

Clara G. Wiley _____, Complainant

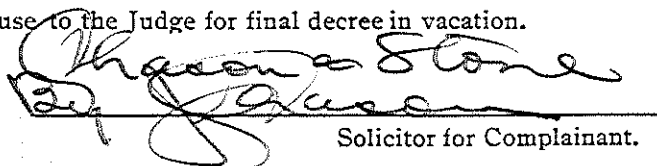
Vs.

Aaron W. Wiley _____, Defendant

To Alice J. Duck _____, Register :

In the above stated cause a Decree Pro Confesso having been taken 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 _____ Chason and Stone _____

_____ 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.


Solicitor for Complainant.

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

Clara G. Wiley

Vs.

Aaron W. Wiley

**REQUEST FOR DECREE IN
VACATION**

Filed **FILED**, 193

JUL 29 1952

ALICE J. DICK, Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

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

This AGREEMENT made and entered into on this 29th
day of July, 1952, by and between CLARA G. WILEY
and AARON W. WILEY;

That, WHEREAS, the undersigned CLARA G. WILEY has filed or contemplates filing, a bill for divorce against the undersigned, AARON W. WILEY; and

NOW THEREFORE, it is hereby agreed by and between the parties hereto that in the event a decree of divorce should be granted in favor of CLARA G. WILEY and against the said AARON W. WILEY the following shall operate as settlement of the controversies between the parties and the respective rights and liabilities of the parties, and shall be incorporated in and made a part of said decree of divorce granted to the parties:

2. The said AARON W. WILEY shall pay to the said CLARA G. WILEY as support for the said minor children of said parties the following sum, to-wit; The prevailing sum as established by the regulations of the Veterans Administration to be deducted from

AARON W. WILEY'S disability payments from said Veterans Administration. It is agreed that said sum under existing regulations amounts to approximately \$72.62 per month.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day and year first above set forth.

J. B. Johnson
Witness to the signature of
Aaron W. Wiley.

Aaron W. Wiley (L.S.)

John R. Rason
Witness to the signature of
Clara G. Wiley.

Clara G. Wiley (L.S.)

CLARA G. WILEY,
Complainant,
vs.
AARON W. WILEY,
Respondent.

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

It being made to appear from the Affidavit of Clara W. Wiley, the Complainant in the above styled cause that Aaron W. Wiley, the Respondent in said cause is over the age of twenty-one years and a non-resident of the State of Alabama;

NOTICE IS HEREBY GIVEN to Aaron W. Wiley that on April 21, 1952, Clara G. Wiley filed her Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against the said Aaron W. Wiley, as Respondent, and you are hereby notified to appear and plead answer or demur to said Bill of Complaint within thirty (30) days from May 26, 1952, or a decree pro confesso will be rendered against you.

In said Bill of Complaint the said Clara G. Wiley prays for a divorce from the said Aaron W. Wiley for and on account of abandonment and prays that she be awarded the care, custody and control of her minor children.

WITNESS my hand and seal this 21st day of April, 1952.

David J. Stone
Register.

Chas. & Stone
Solicitors for Complainant

2797

RECORDED

NOTICE

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

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

It being made to appear in the above styled cause from the Bill of Complaint and Affidavit of Clara G. Wiley that Aaron W. Wiley is over the age of twenty-one years and a non-resident of the State of Alabama, and in the Bill of Complaint filed by the said Clara B. Wiley against Aaron W. Wiley, such Complainant has prayed that this court enter an appropriate order of publication, making the said Aaron W. Wiley a Respondent in said cause and requiring him to appear and plead, answer or demur to the Bill of Complaint filed in said cause before a date to be named in such notice;

It is therefore ORDERED AND DECREED that such notice be prepared and published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four (4) consecutive weeks and that a copy of such notice be posted at the Court House door in Bay Minette, Alabama; that in said notice that said Respondent be required to plead, answer or demur to such Bill of Complaint before May 26, 1952.

Witness my hand and seal this 21st day of April, 1952.

W. J. H. H. H.
Register.

RECORDED

ORDER OF PUBLICATION

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Filed: April 21st, 1952.

David L. Smith
Register.

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY.

Comes the Respondent in the above styled cause and denies each and every allegation of the Bill of Complaint filed in said cause and demands strict proof thereof.

The Respondent hereby waives notice of the taking of testimony and notice of submission of said cause and hereby agrees that said testimony may be taken and the cause submitted without further notice to him.

Respondent further says that he is not a member of the Armed Forces of the United States of America and that there is no reason why such case should not proceed in the Circuit Court of Baldwin County, Alabama, In Equity.

Aaron W. Wiley
Respondent.

WITNESSES:

J. C. Tidwell

J. E. Wall

RECORDED

ANSWER AND WAIVER

CLARA G. WILEY,
Complainant,
vs.
AARON W. WILEY,
Respondent.

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

Filed: July 29, 1952.

Amos J. Leach
Register.

STATE OF ALABAMA)

BALDWIN COUNTY)

IN THE CIRCUIT COURT - IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Aaron W. Wiley to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Clara G. Wiley, as Complainant, against Aaron W. Wiley as Respondent.

Witness my hand this 21st day of April, 1952.

Aurice J. Conner
Register.

CLARA G. WILEY,

Complainant,

vs.

AARON W. WILEY,

Respondent.

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

Comes the Complainant in the above styled cause and files this her Bill of Complaint for divorce and shows unto this Court and unto your Honor as follows:

FIRST:

That your Complainant is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Summerdale, and that she has been a resident of Summerdale, since April 1948; that the Respondent is over the age of twenty-one years and a non-resident of the State of Alabama.

SECOND:

That your Complainant and Respondent were married on heretofore to-wit, November 1, 1936, and they lived together as man and wife until April, 1948, except for a separation of $5\frac{1}{2}$ years from June, 1940, until September, 1945. That in April 1948, the Respondent voluntarily abandoned the bed and board of your Complainant, without just cause or legal excuse and the Respondent has failed and refused to live with your Complainant since that time. That your Complainant and Respondent have not lived together as man and wife since April, 1948.

THIRD:

That there was born of the marriage between your Complainant and Respondent three children, John Michael Wiley, a boy, 14 years of age; Dixie Wiley, a girl, 13 years of age; and Norman Wiley, a boy 5 years of age. That all of such children are now living with your Complainant and have been living with her since the separation. That your Complainant is a fit and proper person to have the care, custody and control of said minor children, and the Respondent is not a fit and proper person to have the care, custody and control of said minor children.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above named Aaron W. Wiley be made a party Respondent to this cause by the usual writ of process of this Honorable Court requiring him to appear and plead, answer or demur within the time and under the penalties prescribed by the rules of this court and the statutes in such cases made and provided; that the Respondent being a non-resident of the State of Alabama, that your Honor will cause a notice to be published in some newspaper published in Baldwin County, Alabama, for four consecutive weeks, such notice to require the Respondent to plead, answer or demur before a date to be named therein, or as required by the laws of the State of Alabama; that upon a final hearing of this cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will award your Complainant the full care, custody and control of her minor children; that your Honor will also decree that the Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Clara G. Wiley
Complainant

STATE OF ALABAMA

BALDWIN COUNTY

Before me Alvin L. Miller a Notary Public, in and for said County in said State personally appeared Clara G. Wiley, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That her name is Clara G. Wiley; that she is over the age of twenty-one years and a resident citizen of Baldwin County, Alabama, residing at Summerdale, where she has lived for the last four years; that she is the Complainant in the above styled cause and that Aaron W. Wiley is the Respondent in the above styled cause; that he is over the age of twenty-one years; that he was in military service

of the United States of America from April 1948, until approximately July 1951 when he was discharged from such military service, according to information furnished your Complainant by the United States Government. That soon after Aaron W. Wiley was discharged from the military service the Respondent was in Memphis, Tennessee, and this is the last time that your Complainant has heard from such Respondent. That your Complainant has made a diligent inquiry to ascertain his present residence and Post Office address and she has been unable to ascertain where he now resides and his present Post Office address but she is informed and believes and upon such information and belief says that he is a non-resident of the State of Alabama.

Clara B. Wiley

Sworn to and subscribed before
me this 19th day of April, 1952.

Alice L. Miller
Notary Public, Baldwin County,
Alabama.