

4135

WAIVER AND ANSWER

ARIEBELL RIGSBY,)	
)	
COMPLAINANT)	
)	IN THE CIRCUIT COURT OF
VS:)	
)	BALDWIN COUNTY, ALABAMA
ALLEN RIGSBY,)	
)	IN EQUITY.
RESPONDENT)	

Comes the respondent in the above styled cause and accepts service of a bill of complaint heretofore filed in said cause; and waives notice of the filing of interrogatories in said cause, and the right to cross same; waives notice of the taking of testimony in said cause, and consents that the same may be taken and the cause submitted for final decree.

And for answer to the bill of complaint heretofore filed in this cause, respondent says:

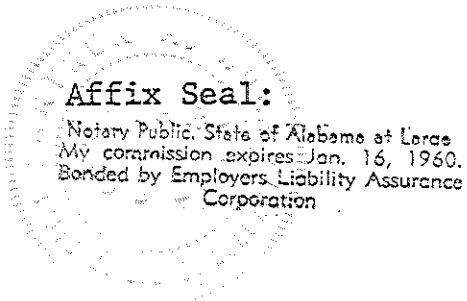
1. He admits the allegations contained in paragraphs 1 and 2 of said bill of complaint.
2. He denies each and every allegation contained in paragraph 3 of said bill of complaint and demands strict proof thereof.

Allen Rigsby
 Allen Rigsby
mark

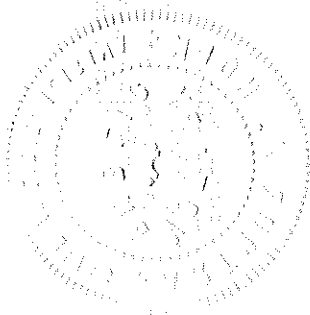
THE STATE OF ALABAMA,)
 BALDWIN COUNTY.)

I, the undersigned Notary Public in and for said County and State, do hereby certify that Allen Rigsby, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 20th day of September, 1957.



Arthur A. Falk
 Notary Public



RECORDS SECTION

1957

SEARCHED INDEXED SERIALIZED FILED

SEP 24 1957
FBI - NEW YORK
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Handwritten signature and initials

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RECEIVED

FILED
SEP 24 1957
ALICE J. HAY, Register

4136

SEP 24 1957
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SUMMONS

THE STATE OF ALABAMA,)

BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA, GREETING:

You are hereby commanded to summon ALLEN RIGSBY to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, Alabama, at Bay Minette, against ALLEN RIGSBY by ARIEBELL RIGSBY.

Witness my hand this the _____ day of September, 1957.

Clerk

%%%%%%%%%

BILL OF COMPLAINT

ARIEBELL RIGSBY,)	
)	
COMPLAINANT)	IN THE CIRCUIT COURT OF
)	
VS:)	BALDWIN COUNTY, ALABAMA
)	
ALLEN RIGSBY,)	IN EQUITY.
)	
RESPONDENT)	


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

Your complainant Ariebell Rigsby, respectfully represents and shows unto your Honor:

1. That complainant is over the age of twenty-one years and is a resident citizen of said State and County, and has been a resident citizen of said State and county for more than one year next preceding the filing of this bill of complaint; that Allen Rigsby is over the age of twenty-one years and resides in Baldwin County, Alabama.
2. That your complainant and respondent were lawfully married in the year 1911 at Monroe County, Alabama.
3. Complainant further avers that said respondent voluntarily abandoned the bed and board of complainant in the year 1935 next preceding the filing of this bill of complaint, since which time complainant and respondent have not lived together nor in any way recognized each other as husband and wife.

The premises considered, your complainant makes the said Allen Rigsby a party respondent to this bill of complaint, and in order that the complainant may have the relief herein prayed for, may it please your Honor to cause the State's writ of subpoena to be issued,

directed to the said Allen Rigsby, commanding him to answer, plead or demur to this bill of complaint, within the time required by law; and that on a final hearing of this cause, that your Honor will enter a decree divorcing your complainant from said respondent; and that your Honors will grant such other, further and different relief as unto your Honor may seem just and proper, and your complainant will ever pray.


Solicitor for Complainant

ARIEBELL RIGSBY

vs.

ALLEN RIGSBY

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, _____

Commission to Take Testimony, Testimony of Ariebell Riggsby and

John Collins

and in behalf of Defendant upon _____ Answer and Waiver

Handwritten signature: [Signature]

Handwritten text: Selection for completion for

Handwritten signature: [Signature]

Register.

No. 4135

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194.....

FILED

SEP 24 1957 Register

Printed By The Baldwin Times

ALICE J. DUCK, Register

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

ARIEBELL RIGSBY, Complainant

vs.

ALLEN RIGSBY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and 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 Ariebell Rigsby is forever divorced from the said Allen Rigsby for and on account of voluntary abandonment

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 payment of the cost of this suit.

It is further ordered that Allen Rigsby the respondent pay the cost herein to be taxed, for which executed may issue.

This 24th day of September 1957

Hubert M. Hall 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. 4135 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

SEP 24 1957

ALICE J. DUCK, Register

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

ARIEBELL RIGSBY

Complainant

VS.

ALLEN RIGSBY

Respondent

I, Alica A. Christian

as ~~Registered~~ Commissioner

have called and caused to come before me Ariebell Rigsby and John Collins

witnesses named in the Requirement for Oral Examination, on the 21st day of September 1957, at the office of Forest A. Christian in Foley, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Ariebell Rigsby and John Collins doth depose and say as follows:

My name is Ariebell Rigsby; both Allen Rigsby and I are residents near Foley, Alabama. I married Allen Rigsby in 1911 in Monroe County, Alabama. In the year 1935, my husband, Allen, left me and was gone for more than 16 years before he returned, all of which time I did not hear from him, nor did I know where he was. He did not furnish me any support during all this time.

Ariebell Rigsby
Ariebell Rigsby

My name is John Collins; I am well acquainted with Ariebell Rigsby and I know that Allen Rigsby, her husband, left her and was not heard from for at least 15 years. During this time he did not support her.

John Collins
John Collins

ORAL EXAMINATION.

I, Alica A. Christian, as ~~Register and~~ Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down by me in writing in the words of the witnesses and read over to them and they signed the same in the presence of myself and Forest A. Christian

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proom made before me of the identity of said witnesses that I am not of counsel or 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 21st day of September, 1957

Alica A. Christian (s.)

NO. 4135 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

vs. Complainant

Respondent.

Filed , 195

FILED

SEP 24 1957
Recorded in

Record

Vol. _____ Page _____

Register

Oral Deposition

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Alica A. Christian

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 Ariebell Rigsby and John Collins

as witnesses in behalf of Ariebell Rigsby in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein

Ariebell Rigsby, Complainant
and

Allen Rigsby Respondent

on oath, to be by you administered, upon Ariebell Rigsby and John Collins
to take and certify the depositions of the witnesses and return the same to our Court, with all
convenient speed, under your hand.

Witness 21st day of September, 1957.

Alica A. Christian
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____