

3460

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CLARENCE B. RIGSBY, Complainant

vs.

LILY MAE RIGSBY, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~and~~ 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 CLARENCE B. RIGSBY is forever divorced from the said LILY MAE RIGSBY for and on account of Voluntary Abandonment. IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Respondent be, and she hereby is awarded the care, custody and control of the minor child, Edna Mae Rigsby.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Court that Complainant be, and he hereby is ordered to pay to the Respondent Five (\$5.00) dollars per week for the maintenance and support of the minor child, Edna Mae Rigsby.

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 CLARENCE B. RIGSBY the Complainant pay the cost herein to be taxed, for which executed may issue.

This 4 day of March, 1955, 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. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

CLARENCE B. RIGSBY

Complainant

vs.

LILY MAE RIGSBY

Respondent

DIVORCE DECREE

FILED

APR 24 1955

CLARENCE B. RIGSBY

Clarence B. Riggsby

COMPLAINANT

BALDWIN COUNTY, ALABAMA

vs-

IN EQUITY

LILY MAE RIGSBY,

RESPONDENT

---o---

Does now Respondent, in her own proper person, and admits the allegations contained in the Bill of Complaint filed in the above styled cause, as to ages, residence, marriage and children, but denies all other allegations contained therein and demands strict proof of same.

The Respondent hereby waives notice of the time of taking testimony on behalf of Complainant; the right to cross examine Complainants witnesses; and agrees that this cause be submitted for final decree without further notice.

Lilly Mae Riggsby
LILY MAE RIGSBY, Respondent

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Wilson Hayes, a Notary Public in and for said county and state, hereby certify that Lily Mae Riggsby, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6th day of February, 1936.

Wilson Hayes
Notary Public, Baldwin County, Alabama

CLARENCE B. RIGSBY

vs.

LILLY MAE 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, _____
Testimony of Complainant and Witness, Willie Rigbsby

and in behalf of Defendant upon _____ Answer and Waiver

Wilson Hayer

Willie Rigbsby

Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194

FEB 28 1955

WIFE A. HOCK, Register.

Printed by the Baldwin Times

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Clarence B. Rigsby

Complainant

VS.

Lillie Mae Rigsby

Respondent

I, Louise Dusenbury

as ~~Register and~~ Commissioner

have called and caused to come before me Clarence B. Rigsby and Willie Rigsby

witnesses named in the Requirement for Oral Examination, on the 10 day of February 1955, at the office of Louise Dusenbury in Bay Minette, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said Clarence B. Rigsby

doth depose and say as follows:

CLARENCE B. RIGSBY: My name is Clarence B. Rigsby; I am 19 years of age and I reside in Foley, Baldwin County, Alabama; I was married to Lillie Mae Rigsby on October 14, 1952, in Lucedale, Mississippi, and we lived together as husband and wife until November 15, 1953; one child, Edna Mae Rigsby, was born to us on October 2, 1953, and I have at all times supported Edna Mae and my wife to the best of my ability. On November 15, 1953, my wife Lillie Mae Rigsby, left our home and took herself to another vicinity where she lived separate and apart from me until this day. I have never been with my wife since November 16, 1953. On December 16, 1954, my wife gave birth to a child, whose father is unknown to me. I make a salary of about \$25.00 each week. I will contribute to the best of my ability to the support and maintenance of my child, Edna Mae Rigsby.

Clarence B Rigsby

Willie Rigsby: My name is Willie Rigsby; I am 32 years of age, and I reside in Foley, Baldwin County, Alabama; I know of the marriage of Clarence B. Rigsby to Lillie Mae Rigsby on October 14, 1952, and I know that they lived together as husband and wife in Foley, Alabama, until about November 15, 1953. About that time Lillie Mae Rigsby left the home of Clarence B. Rigsby and has never returned. I know that they did not live together as husband and wife at any time from about November 16, 1953 until the present time. On December 16th. 1954, or a date close to that Lillie Mae Rigsby gave birth to a male child, whose name I do not know and whose father I do not know. I am certain that Clarence B. Rigsby is not the father of the child born to Lillie Mae Rigsby on December 16, 1954.

Willie Rigsby

ORAL EXAMINATION.

I, Louise Dusenbury, ~~XXXXXXXX~~ 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 es and read over to them and they signed the same in the presence of myself and Wilson Hayes

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 10th day of February, 1955

Louise Dusenbury (L. S.)

NO 3460 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

Clarence B. Riggsby

vs. Complainant

Lillie Mae Riggsby

Respondent.

Oral Deposition

Filed 2-10, 1955

Louise Dusenbury
Recorded in _____
Register.

Record

Vol. _____ Page _____

Register

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: LOUISE J. DUSENBERY

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine CLARENCE B. RIGSBY & WILLIE RIGSBY

a witnesses in behalf of CLARENCE B. RIGSBY in a cause pending in our Circuit Court in Baldwin County, of said State, wherein CLARENCE B. RIGSBY is

Complainant
and LILY MAE RIGSBY is

Respondent

on oath, to be by you administered, upon
to take and certify the deposition S of the witness S and return the same to our Court, with all convenient speed, under your hand.

Witness 10th day of February, 1955

Clarence B. Riggsby
Register

Commissioner's Fee, \$

Witness' Fees, \$

No. 3460

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

CLARENCE B. RIGSBY

Complainant

VS.

LILY MAE RIGSBY

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

CLARENCE B. RIGSBY
LOUISE J. DUBENBERRY

WILLIE RIGSBY

WITNESSES:

CLARENCE B. RIGSBY

WILLIE RIGSBY

any testimony given by witnesses may be used in any trial by the court in any case in which the testimony is relevant and material to the issues in the case. The testimony of any witness may be used in any case in which the testimony is relevant and material to the issues in the case. The testimony of any witness may be used in any case in which the testimony is relevant and material to the issues in the case.

Commissioner

Witness

Subscribed and sworn to before me this _____ day of _____, 19____.

Notary Public for Baldwin County, Alabama

Witness

Subscribed and sworn to before me this _____ day of _____, 19____.

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon LILY MAE RIGSBY 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 CLARENCE B. RIGSBY, as Complainant and against LILY MAE RIGSBY, as Respondent.

WITNESS my hand this _____ day of ~~January~~^{February}, 1955

Register

CLARENCE B. RIGSBY, § IN THE CIRCUIT COURT OF
 § BALDWIN COUNTY, ALABAMA
 § IN EQUITY
 §
LILY MAE RIGSBY, §
 § RESPONDENT,

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

Your Complainant, Clarence B. Rigsby, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1.

That your Complainant is 19 years of age and is a bona fide resident of Baldwin County, Alabama, and that Respondent is 19 years of age and is a resident of Baldwin County, Alabama.

2.

That Complainant and Respondent were married in Lucedale, Mississippi on October 14, 1952, and that they loved together as husband and wife until, to-wit, November 15, 1953.

3.

That on to-wit November 15, 1953 Respondent abandoned Complainant and removed herself from his domicile and to another vicinity where Respondent has loved separate and apart from Complainant during the period from November 16, 1953 to this date; that Respondent has been guilty of adultery with some certain party whose name is unknown to Complainant; that on or about December 16, 1954 Respondent gave birth to a child; and that said child is the natural issue of such adulterous act.

4.

That there is one child, Edna Mae, the fruits of this marriage, born October 2, 1953, and that Complainant has at all times until December 1954,

maintained and supported the child to the best of his ability to do so; that the said child is presently in the care, custody, and control of its mother, Respondent, and that the child's welfare is not endangered by such care, custody and control; that complainant stands ready to support and maintain the said child to the best of his ability to do so.

5.

That there is no property involved.

6.

Now therefore, the premises considered, Complainant prays that this Honorable Court will cause process to issue to the said Respondent, LILY MAR RIGSBY, requiring her to plead, answer or demur to same within the time allowed by law.

And Complainant further prays that upon final hearing of this cause Your Honor will grant to him an absolute divorce forever barring the bonds of matrimony existing between Complainant and Respondent, and that Your Honor will grant such other, further, different or general relief to which Complainant may be in equity and good conscience entitled.

Wilson Hayes
Solicitor for the Complainant.

3460

BILL OF COMPLAINT FOR DIVORCE

SUMMONS & COMPLAINT

CLARENCE B. RIGSBY,
Complainant

-vs-

LILLY MAE RIGSBY,
Respondent

FILED
FEB 17 1951
ALICE A. BUCK, Register