

(3813)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MILDRED STYRON HIGGINS, Complainant

vs.

WAYMAN HIGGINS, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on PUBLICATION 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

MILDRED STYRON HIGGINS is forever divorced from the said WAYMAN HIGGINS for and on account of

It is further ordered, adjudged and decreed that the Complainant be and she is hereby permitted to resume the name Mildred Styron.

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 Mildred Styron Higgins the Complainant pay the cost herein to be taxed, for which executed may issue.

This 22 day of August 1956

[Signature] Judge Circuit Court, In Equity.

I, ALICE J. DUCK, 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 AUGUST 19 56

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

AUG 23 1956

ALICE J. DUCK, Register

MILDRED STYRON HIGGINS)
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

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

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

Your complainant MILDRED STYRON HIGGINS respectfully represents and shows unto your Honor:

1. That the complainant is over the age of twenty-one years and is a resident of Baldwin County, Alabama, and has been a bona fide resident of said County and state for more than one year precedeing the filing of this bill of complaint; that WAYMAN HIGGINS, the respondent, is over the age of twenty-one years and whose residence and address is unknown to your complainant and cannot be ascertained after reasonable effort.

2. That your complainant and respondent were lawfully married on or about, to-wit: February 27, 1956 at Pascagoula Mississippi, and that the complainant is now pregnant as a result of this union.

3. Your complainant avers and charges that the said respondent did on or about to-wit: the 14th day of April, 1956 assault, beat, hit and strike the complainant; that the respondent has committed actual violence on her person attended with danger to her health and life.

3. Your complainant further avers and alleges that the said respondent has, since her said marriage to the respondent become addicted to habitual drunkenness, and that said habit has continued up until the time the complainant last saw the respondent.

The premises considered, your complainant makes the said Wayman Higgins a party respondent to this bill of complaint and in order that complainant may have the relief herein prayed for, may it please your Honors to cause the State's writ of subpoena to be issued, directed to the said Wayman Higgins, commanding him to plead, answer or demur within the time allowed by law; and that on a final hearing of this cause that Your Honor will enter a decree divorcing your complainant from the said respondent and granting the complainant the right to resume the name Mildred Styron, and that Your Honor will grant such other, further or different relief as unto your Honor may seem just and proper.

Arthur C. Spivey
SOLICITOR FOR COMPLAINANT

RESPONDENTS ADDRESS:

Unknown.

MILDRED STYRON HIGGINS
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the complainant in the above styled cause and shows
unto the ~~register~~ ^{Court} that an order of publication was made on the
18th day of June, 1956, which was duly published in the Onlooker
a newspaper published in Baldwin County, Alabama, once a week for
four consecutive weeks, commencing on the 21 st day of June, 1956
and which was directed to Wayman Higgins, respondent in said cause
which required the said respondent to plead, answer or demur to the
bill of complaint in the cause by the 21 day of July, 1956, which
the said respondent has to this date failed to do, wherefore the complainant moves t
moves the Court to grant a decree pro confesso against the said
respondent.

This the 21 st day of August, 1956.

Arthur C. Epperson
Solicitor for the Complainant

The State of Alabama, { Circuit Court of Baldwin County, Alabama
Baldwin County. (In Equity)

MILDRED STYRON HIGGINS Complainant

VS.

WAYMAN HIGGINS Respondent

I, Virginia Hillhouse

as Register and Commissioner

have called and caused to come before me MILDRED STYRON HIGGINS

and NANCY A. MILLER

witness, es named in the Requirement for Oral Examination, on the _____ day of _____

19____, at the office of Virginia Hillhouse

in Foley, Alabama, and having first sworn said Witness es to speak the

truth, the whole truth, and nothing but the truth, the said Mildred Styron Higgins and

Nancy A. Miller doth depose and say as follows:

My name is Mildred Styron Higgins. I am a resident of Baldwin County, Alabama and have been for more than one year before filing this bill for a divorce. I was lawfully married to Wayman Higgins February 27, 1956 in Pascagoula, Mississippi. I have attempted to find the whereabouts of Wayman Higgins, but I have been unable to locate him. Before our marriage I did not know of Wayman Higgins ever drinking. Soon after we were married he began drinking and quit his job and began living off of me, getting drunk as often as he could. Wayman Higgins has become addicted to habitual drunkenness since our marriage and continued up until the time he left here.

Mildred Styron Higgins

My name is Nancy A. Miller. I am the mother of Mildred Higgins. She has been a resident of Baldwin County, Alabama for many years. Mildred Higgins resides with me and did before her marriage to Wayman Higgins. After Mildred married Wayman Higgins, they lived with me at my house. Wayman Higgins quit working and depended on Mildred to feed him. Wayman Higgins became addicted to habitual drunkenness after their marriage which habit continued up until the last time I saw him.

Nancy A. Miller

ORAL EXAMINATION

I, Virginia Hillhouse, 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

Virginia Hillhouse

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 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 22 day of August, 1956

Virginia Hillhouse (L. S.)

No. _____ Page _____

The State of Alabama
Baldwin County.

In Circuit Court, In Equity

MILDRED STYRON HIGGINS

vs. Complainant

WAYMAN HIGGINS

Respondent

Oral Deposition

Filed 8-22-56, 1956

Virginia Hillhouse Register

Recorded in

Record

Vol. _____ Page _____

Register

MILDRED STYRON HIGGINS)
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

It appears to the Court that the order of publication directed to Wayman Higgins heretofore made in this cause was published four consecutive weeks, commencing June 21, 1956, in the Onlooker, a newspaper of general circulation, published in Baldwin County, Alabama; that a copy of said order was posted at the Court House door in the County of Baldwin on the 18th day of June, 1956. And it now appearing further to the Court, that the said Wayman Higgins has to date failed to plead, answer or demur to the bill of complaint in this cause; it is therefore, on motion of complainant, ordered and decreed by the Court, that the said bill of complaint be and hereby is in all things taken as confessed against the said Wayman Higgins.

Done this 21st day of August, 1956.

Nathan M. Steele
Judge of the Circuit Court

MILDRED STYRON HIGGINS)
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

CASE NO. _____

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

Your complainant MILDRED STYRON HIGGINS respectfully
represents and shows unto your Honor:


1. That the complainant is over the age of twenty-
one years and is a resident of Baldwin County, Alabama, and
has been a bona fide resident of said County and state for more
than one year precedeing the filing of this bill of complaint;
that WAYMAN HIGGINS, the respondent, is over the age of twenty-
one years and whose residence and address is unknown to your
complainant and cannot be ascertained after reasonable effort.

2. That your complainant and respondent were law-
fully married on or about, to-wit: February 27, 1956 at Pasca-
goula Mississippi, and that the complainant is now pregnant as
a result of this union.

3. Your complainant avers and charges that the said
respondent did on or about to-wit: the 14th day of April, 1956
assault, beat, hit and strike the complainant; that the respondent
has committed actual violence on her person attended with danger
to her health and life.

3. Your complainant further avers and alleges that the
said respondent has, since her said marriage to the respondent
become addicted to habitual drunkenness, and that said habit has
continued up until the time the complainant last saw the respondent.

The premises considered, your complainant makes the
said Wayman Higgins a party respondent to this bill of complainant
and in order that complainant may have the relief herein pray-
ed for, may it please your Honors to cause the State's writ of
subpoena to be issued, directed to the said Wayman Higgins, com-
manding him to plead, answer or demur within the time allowed by
law; and that on a final hearing of this cause that Your Honor
will enter a decree divorcing your complainant from the said res-
pondent and granting the complainant the right to resume the
name Mildred Styron, and that Your Honor will grant such other,
further or different relief as unto your Honor may seem just and
proper.


SOLICITOR FOR COMPLAINANT

RESPONDENTS ADDRESS:

Unknown.

MILDRED STYRON HIGGINS

Complainant

vs.

WAYMAN HIGGINS

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 : MILDRED STYRON HIGGINS

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


Solicitor for Complainant

NOTE:

Complainant suggests the name of Virginia Hillhouse

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


Solicitor for Complainant.

DEMAND FOR ORAL EXAMINATION

MILDRED STYRON HIGGINS

Complainant

vs.

WAYMAN HIGGINS

Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

IN EQUITY

Filed this _____ day of _____

194_____

Register

Moore Printing Co.

MILBERD STYRON HIGGINS)
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

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

In this cause it appearing to the Register from the affidavit of Arthur C. Epperson, Solicitor of Record for the Complainant, that the Respondent's address and residence is unknown and that the respondent conceals himself so that process cannot be served and further that in the belief of the affiant the respondent is over the age of twenty-one years, it is therefore ordered by the Register that publication be made once a week for four consecutive weeks, in the Oplooker, a newspaper published in Baldwin County, Alabama, requiring the said Wayman Higgins to plead, answer or demur to the bill of complaint in this cause by the 21st day of July, 1956, or, in default thereof, thirty days thereafter a decree pro confesso may be taken against said respondent.

Done at Office this the 18th day of June, 1956.

Archie J. Newack
Register.

MILDRED STYRON HIGGINS
~~XXXXXXXXXXXXXXXXXXXX~~

COMPLAINANT

vs.

~~WAYMAN HIGGINS~~
WAYMAN HIGGINS

RESPONDENT

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, ORDER OF
PUBLICATION, DECREE PRO CONFESSO, Oral Deposition of the Complainants
witnesses

and in behalf of Defendant upon

Arthur J. Johnson
Solicitor for the Complainant

Archie J. ...
Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 27

day of Aug, 1946

W. J. Luck
Register.

Printed by the Baldwin Times

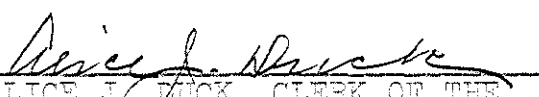
MILDRED STYRON HIGGINS)
COMPLAINANT)
VS.)
WAYMAN HIGGINS)
RESPONDENT)

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

Personally appeared before me the undersigned authority, Arthur C. Epperson, Solicitor of Record for the complainant in the above entitled cause, who being duly sworn deposes and says that he is informed and verily believes that Wayman Higgins, the Respondent in the above entitled cause is a non-resident of the State of Alabama and whose address is unknown or if a resident of Alabama, conceals himself so that process cannot be served, and that respondent in the belief of the affiant is over the age of twenty-one years.


AFFIANT

Sworn to and subscribed before me, this the 19
day of June, 1956.


ALICE J. DUCK, CLERK OF THE
CIRCUIT COURT, BALDWIN COUNTY
ALABAMA.

ARTHUR C. EPPERSON
ATTORNEY AT LAW
POPPE BUILDING
FOLEY, ALABAMA

June 16th, 1956

Dear Mrs. Duck:

I would appreciate it very much if you could make the notice in this case and have it to the Onlooker by Wednesday morning at the latest for publication. I have the dates set which makes it necessary to begin in the paper this week.

I will not be in Court Tuesday as I will be at Keesler Field, Miss. on reserve active duty training with the Air Force. Thanks very much.

A handwritten signature in cursive script, appearing to read "Arthur C. Epperson", is written over a horizontal line.