3822

NORA ELLEN BIGGS,
Complainant,
VS
JOHN L. BIGGS,
Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

DECREE

This cause coming on to be heard was submitted upon Bill of Complaint, 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 said bill.

It is therefore ordered, adjudged and decreed by the Court that the bonds of matrimony heretofore existing between the Complainant and Respondent be, and the same are hereby dissolved, and that the said Nora Ellen Biggs, is forever divorced from the said John L. Biggs for and account of Cruelty.

It is further ordered, adjudged and decreed that the Complainant, Nora Ellen Biggs, be and she is hereby awarded the permanent care, custody and control of the minor child, Deborah Stephanie Biggs, with the right on the part of the Respondent to visit the said minor child at reasonable times and places.

It is further ordered, adjudged and decreed that the Respondent pay to the Complainant for the support and maintenance of said minor child the amount or amounts provided by the Servicemen's Dependents Act of 1950 and any amendments thereto. This amount or amounts to be paid monthly to the Complainant for the support and maintenance of said minor child.

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 John L. Biggs, the Respondent pay the cost herein to be taxed, for which execution may issue.

This 7th day of July, 1956.

Hubert M. Hall
Judge.

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 Judg 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 20th day of December, 1957.

_____

COMMISSION TO TAKE DEPOSITIONS B.T.-500-11-54

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: Ernestine R. Sims

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 Nora Ellen Biggs

a witnesses in behalf of Complainant in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Nora Ellen Biggs

is, Complainant

and John T. Biggs

is Respondent

on oath, to be by you administered, upon Nora Ellen Biggs

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

Witness 7th day of July, 195 6

Alice J. Duck
Register.

Commissioner's Fee, $

Witness' Fees, $

No. 3822

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

NORA ELLEN BIGGS,

Complainant

VS.

JOHN L. BIGGS,

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

ORAL DEPOSITION BT-½M-12-40

THE STATE OF ALABAMA
Baldwin County

Circuit Court of Baldwin County, Alabama,
(In Equity)

NORA ELLEN BIGGS COMPLAINANT

vs.

JOHN L. BIGGS RESPONDENT

I, Ernestine R. Sims

as Register and Commissioner

have called and caused to come before me Nora Ellen Biggs, a

witness named in the requirement for Oral Examination, on the 7th day of July

1956 ~~194~~, at the office of James R. Owen

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said Nora Ellen Biggs

doth depose and say as follows:

That she is over the age of twenty-one years and a resident of Baldwin County, Alabama.

That on or about September 11, 1955, and many times prior thereto, the Respondent, John L. Biggs, made numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life and health if she continues to live with him. Complainant further avers that the said Respondent has committed actual violence on her person attended with danger to her life and health on numerous occasions prior to September 11, 1955.

Nora Ellen Biggs

ORAL EXAMINATION BT-½M-12-40

I, Ernestine R. Sims as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness—— and read over to her and she signed the same in the presence of myself and James R. Owen at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness—— or had proof 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 July ~~194-~~ 1956.

Ernestine R. Sims (L. S.)

No. 3822 Page——

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

NORA ELLEN BIGGS, COMPLAINANT

vs.

JOHN L. BIGGS RESPONDENT

ORAL DEPOSITION

Filed ——, 194——, Register.

FILED JUL 2 1956 RECORDED IN Alice H. Buck Register

Vol.—— Page—— Record

——, Register

8581. NOTE OF TESTIMONY 1M-7-46 Printed By The Baldwin Times

NORA ELLEN BIGGS,
Complainant,

vs.

JOHN L. BIGGS,
Respondent.

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 Deposition and Oral Deposition of Complainant, Nora Ellen Biggs

and in behalf of Defendant upon Answer and Waiver

Sara R. Ow
Patricia J. Henck Register.

Sol for compt

No. 3827

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

NORA ELLEN BIGGS,

Complainant,

vs.

JOHN L. BIGGS,

Respondent.

NOTE OF TESTIMONY

Filed in Open Court this .....

day of ....., 194.....

FILED JUL 7 1958 ARGE M DUCK Reg

Register.

Printed By The Baldwin Times

NORA ELLEN BIGGS, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
JOHN L. BIGGS, Respondent.	)	IN EQUITY

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

Your Complainant, Nora Ellen Biggs, respectfully represents and shows unto the Court and your Honor as follows:

1. Your 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 State for more than one year next preceding the filing of this Bill of Complaint. The Respondent is over the age of twenty-one years and is a resident of Baldwin County, Alabama, but he is presently serving in the Armed Forces of the United States.

2. The Complainant and Respondent were lawfully married on or about, to-wit, March 8, 1951, in Lucedale, Mississippi, and lived together as man and wife until on or about September 11, 1955.

3. Your Complainant avers and charges that the said Respondent did on or about the 11th day of September, 1955, and many times prior thereto, make numerous threats of doing her physical harm and from his manner and conduct toward her, she is reasonably convinced that he will commit an actual violence upon her person, attended with danger to her life and health if she continues to live with him. Your Complainant further avers that the said Respondent has committed actual violence on her person attended with danger to her life and health on numerous occasions prior to September 11, 1955.

4. There was born to the Complainant and the Respondent during this marriage one child, Deborah Stephanie Biggs, a daughter, who is now three years of age and who is in the care, custody and control of your Complainant who is a fit and proper person to have the care, custody and control of said minor child. Complainant

further avers that she and the Respondent have entered into an agreement whereby the Respondent will pay to the Complainant for the support and maintenance of said minor child the amount or amounts provided by the Servicemen's Dependents Act of 1950 and any amendments thereto. This amount or amounts to be paid monthly to your Complainant for the support and maintenance of said minor child.

PRAYER FOR PROCESS

The premises considered, your Complainant makes the said John L. Biggs a party respondent to this Bill of Complaint and in order that the Complainant may have the relief herein prayed for she prays that the usual process of this honorable Court issue to the Respondent, John L. Biggs, requiring him to appear and plead, answer or demur to this Bill within the time prescribed by law and under the rules and practices of this honorable Court.

PRAYER FOR RELIEF

Complainant respectfully prays for the following separate and several relief:

1. That on a final hearing of this cause the Court will make and enter a proper order or decree giving and granting the Complainant the permanent custody and control of the said minor child.

2. That the Court will make and enter a proper decree divorcing the Complainant from the Respondent and will fix the monthly amount to be paid to the Complainant for support and maintenance of said minor child as shown by Paragraph Numbered 4 above.

3. Complainant further prays for such other, further and general relief as she may be equitably entitled to, the premises considered.

Respectfully submitted,

Solicitor for Complainant.

NORA ELLEN BIGGS, Complainant,	)	IN THE CIRCUIT COURT OF
VS.	)	BALDWIN COUNTY, ALABAMA
JOHN L. BIGGS, Respondent.	)	IN EQUITY

DECREE

This cause coming on to be heard was submitted upon Bill of Complaint, 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 Respondent be, and the same are hereby dissolved, and that the said Nora Ellen Biggs is forever divorced from the said John L. Biggs for and on account of cruelty.

It is further ordered, adjudged and decreed that the Complainant, Nora Ellen Biggs, be and she is hereby awarded the permanent care, custody and control of the minor child, Deborah Stephanie Biggs, with the right on the part of the Respondent to visit the said minor child at reasonable times and places.

It is further ordered, adjudged and decreed that the Respondent pay to the Complainant for the support and maintenance of said minor child the amount or amounts provided by the Servicemen's Dependents Act of 1950 and any amendments thereto. This amount or amounts to be paid monthly to the Complainant for the support and maintenance of said minor child.

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 John L. Biggs, the Respondent pay the cost herein to be taxed, for which execution may issue.

This 7th day of ~~June~~ July, 1956.

Hubert M Hall
Judge.

DECREE 3822.

RECORDED

NORA ELLEN BIGGS,

Complainant,

VS.

JOHN L. BIGGS,

Respondent.

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

FILED
JUL 7 1956
ALICE J. DUCK, Register

NORA ELLEN BIGGS, Complainant, VS. JOHN L. BIGGS, Respondent.	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA IN EQUITY

ANSWER AND WAIVER

Now comes the Respondent in the above styled cause and for answer to the Bill of Complaint heretofore filed in this cause says:

1. He admits the allegations of Paragraphs 1, 2 and 4 of said Bill of Complaint.

2. He denies the allegations of Paragraph 3 of the said Bill of Complaint and demands strict proof thereof.

Respondent hereby waives notice of service of the Bill of Complaint and of notice of the date set for hearing same and consents and agrees that a final decree be rendered in accordance with the prayer of the said Bill without further notice to him.

John L. Biggs
Respondent.

WITNESS:

Paul R. Neff

PAUL R. NEFF
1st Lt. Inf.
Adjutant

ANSWER AND WAIVER

NORA ELLEN BIGGS,

Complainant,

VS.

JOHN L. BIGGS,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY