

The State of Alabama,
Baldwin County.

No. 955

Circuit Court, in Equity.

Alice Wiggins

Complainant

vs.

Henry Wiggins

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

.....on account of cruelty.....

It further ordered, that the said Alice Wiggins be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Alice Wiggins pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said

Henry Wiggins

It is further ordered, adjudged and decreed that said Alice Wiggins shall not again marry except to said Henry Wiggins until sixty days after this date, and that if an appeal is taken within sixty days she shall not marry again except to said Henry Wiggins

during the said pendency of appeal

This 6th day of March 1931

J. W. Hare
Judge of the Circuit Court of Baldwin County.

STATE OF ALABAMA,
Baldwin County.

Circuit Court, in Equity.

I, _____ Register of said Circuit Court of said County, Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on the _____ day of _____ 192____, in the cause of _____

Complainant

vs,

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 192____

Register

Recorded

NO. 955

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

Alice Wiggins

VS.

Henry Wiggins

DECREE OF DIVORCE.

Filed in office this

9th

day of

March

1931

Wm. H. Haskins

Register.

E. O. M.

Moore Printing Co. : : : Bay Minette, Ala.

911111

Petition to remarry.

To the Hon. F. W. Hare, Judge of the 21st., Judicial Circuit:

Your petitioner, John Henry Wiggins, humbly petitions the Court to grant him permission to marry again, and alleges and states:

That on the 6th. day of March 1931, your honorable court issued a decree divorcing your petitioner from Alice Wiggins, complainant in the cause of Alice Wiggins vs. Henry Wiggins, as per certified copy of the decree attached to this petition and made a part thereof.

That petitioner also attaches to this petition, affidavits of Lonnie Wiggins and J. A. Byrd, showing the good character of said John Henry Wiggins and said affidavits are also attached to this petition and made a part of same.

The premises considered and on examination of the affidavits and copy of the decree, your petitioner, John Henry Wiggins, requests your Honor to grant him permission to again contract marriage and grant unto him further and other relief and he will forever pray etc.

This the 2nd. day of March 1940.


Solicitor for Petitioner.

Recorded

NO. 955

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY,
BALDWIN COUNTY, ALA.

Alice Wiggins

VS.

Henry Wiggins

DECREE OF DIVORCE.

Filed in office this *9th*

day of *March*, 19*31*

Register.

E. O. M.

Moore Printing Co. : : : Bay Minette, Ala.

911000

RECORDED

Petition to remarry.

Ex Parte John Henry Wiggins.

*Filed March 4, 1940
R.S. Dwyer, Registrar*

State of Alabama,
Baldwin County.

Personally appeared before me, W. H. Hawkins, a Notary Public, Lonnie Wiggins and C. J. A. Byrd, Jr., who being by me first duly sworn doth depose and says:-

We know John H. Wiggins, the respondent in the divorce case of Alice Wiggins vs. John H. Wiggins, and we both have known him for more than twenty years and know his character and reputation.

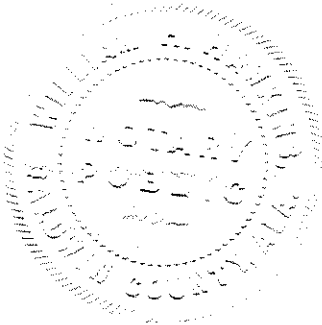
He is of good character and his reputation is good in the neighborhood in which he lives and is known, and since we have known him, he has deported himself correctly and is a good and law-abiding citizen.

J. Lonnie Wiggins
C. J. A. Byrd, Jr.

Sworn to and subscribed before me this the 2nd. day of March 1940.

W. H. Hawkins

Notary Public, Baldwin County, Ala.



IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA.
IN EQUITY NO. 855.

ALICE WIGGINS,
Complainant,
vs.
HENRY WIGGINS,
Respondent.

DECREE OF DIVORCE.

This case coming on and heard at this Term was submitted upon Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant, on account of cruelty.

IT IS FURTHER ORDERED that the said ALICE WIGGINS, be, and she is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that said ALICE WIGGINS, shall not again marry except to said HENRY WIGGINS until sixty days after this date, and that if an appeal is taken within sixty days, she shall not marry again except to said HENRY WIGGINS during the pendency of appeal.

IT IS FURTHER ORDERED, that the said ALICE WIGGINS, pay the costs herein taxed, for which execution may issue, and is such execution is returned "no property found", then execution for such costs may issue against the said HENRY WIGGINS.

This 6th day of March, 1931.

F. W. HARE,
Judge of the Circuit Court
of Baldwin County.

REGISTER'S CERTIFICATE.

STATE OF ALABAMA,)

BALDWIN COUNTY.)

I, R. S. DUCK, Register of the Circuit Court of Baldwin County, Alabama, do hereby certify that the above and foregoing is a true, correct and complete copy of the original of the above entitled cause, by the Judge of the Circuit Court of Baldwin County, on the 6th day of March, 1931, the original of which remains on file and enrolled in this Office.

DATED this the 2nd day of March, 1940.

R. S. Duck
R. S. Duck, Register of the
Circuit Court, in Equity.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

Ex Parte

John Henry Wiggins

No. 955 (old no)

THIS CAUSE coming on to be heard at this Term was submitted upon the Petition filed by said

John Henry Wiggins

and the affidavits filed therewith; and, upon consideration thereof, the Court is of the opinion that the Petitioner is entitled to the relief prayed for in his said Petition;

IT IS, THEREFORE, Ordered, adjudged and decreed by the Court, that the said

John Henry Wiggins

be and he is hereby granted permission to again contract marriage.

It is further ordered, that the said petitioner John Henry Wiggins

pay the costs herein taxed, for which execution may issue.

This the 4th day of March, 1940. 192

(Signed)

J. M. Stare
Judge of the 21st Judicial Circuit of Alabama.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

I, T. W. RICHMOND, Register of the Circuit Court, in and for said State and County, do hereby certify that the above is a true and correct copy of the Decree allowing the within named Petitioner to again contract marriage, rendered on the day of 192 in the cause; all of which appears of record in this Court.

Witness my hand and seal of office, this the day of 192

Register of the Circuit Court in Equity for Baldwin County, Ala.

No. _____ COPY.

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

EX PARTE

DECREE.

Filed in office this the _____

day of _____, 1925.

Register.

REGISTER

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

Alice Wiggins

VS.

Henry Wiggins

RESPONDENT

I, T.W. Richardson

as Register and Commissioner

have called and caused to come before me Ada Flowers and Alice Wiggins

witness -- named in the Requirement for Oral Examination, on the 2nd day of March

1931, at the office of Register

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

truth, the whole truth, and nothing but the truth, the said witnesses

doth depose and say as follows :

Alice Wiggins, who being duly sworn testified as follows:-

My name is Alice Wiggins and I am the complainant in this cause and Henry Wiggins, otherwise known as John Henry Wiggins is the Respondent in this cause. The said Henry Wiggins and myself were married on September 5th, 1926, at Bay Minette, Alabama and were lawfully married by Reverend John Joe Phelan, a minister of the Gospel. A license to marry was duly issued by the Probate Judge of Baldwin County, Alabama. We lived together at Bay Minette and in its vicinity as husband and wife except when we lived awhile in Stockton in Baldwin County and a short while at Theodore in Mobile County, Alabama, and we continued to live together as husband and wife in said Baldwin County and Mobile County, Alabama until October 4th, 1930 when on account of cruelty and cruel treatment of her by the said Henry Wiggins, Respondent aforesaid, I was forced to abandon him and go to live temporarily with my mother Mrs. Ada Flowers. I had no other place to go to for aid and protection from my husband, the said Henry Wiggins. He had been cruel to me ever since we were married, and he beat me a number of times; on October 4th, 1930, he threatened to kill me and do me great bodily harm so much so that I became alarmed at his threats to kill me and had to then and there abandon him, which I did. He would give me no support while I lived with him and would go out with me to no place like church or other meetings in the community where we happened to live and at times he would go off with other women and stay with them and when he would come home he would tell me about staying with these women and about having illicit relations with them, and when I complained to him about his conduct in this respect he beat me and at last threatened to kill me. Since he forced me to leave him by his cruel treatment he has not sent me any money, clothes or anything toward my support and I have been wholly dependant upon my mother Ada Flowers for my maintenance and support. From time to time while we were living together as husband and wife Henry Wiggins would go off from home and stay for a week or more at a time and at these times I would have to go to live with my mother to get something to eat. Henry Wiggins, the

ORAL EXAMINATION

I, T.W. Richerson, 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 them and they signed the same in the presence of myself and the Hon. S.C. Jenkins 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 2nd day of March 1931.

T.W. Richerson (L. S.)

No. _____ Page _____

The State of Alabama
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed March 2nd, 1931

T.W. Richerson, Register

RECORDED IN

Record

Vol. _____ Page _____

Register

Respondent and myself are both twenty-one years of age and both are bona-fide resident citizens of Baldwin County, Alabama. I was born in Baldwin County, Alabama, and lived here all my life and I always claimed Bay Minette, Alabama, as my home and residence though at times I lived at Stockton, Alabama, and at Theodore, Alabama and lived at times with my mother Mrs. Ada Flowers, who resided in Bay Minette, Alabama where I would go from time to time when my husband would go off from home and leave me without anything to eat. At the present I reside at Bay Minette, Alabama, staying with my grandfather, Reverend J.A. Brown, who resides there, and go back and forth from his house and my mother's house, who lives twelve miles south of Atmore in Escambia County, Florida, which is about twenty-five miles southeast of Bay Minette, Alabama

Alice Wiggins

Mrs. Ada Flowers, witness for the Complainant, who being duly sworn testified as follows:-

I know Alice Wiggins, and Henry Wiggins, otherwise known as John Henry Wiggins. They were married September 5th., 1926 at Bay Minette, Alabama, in Baldwin County. They were married at my house in Bay Minette, where I then resided. I continued in Bay Minette until August 5th., 1928. They resided in or near Bay Minette and lived together as husband and wife all the time that I lived in Bay Minette. They are both twenty-one years of age and bona-fide residents of Baldwin County, Alabama. They resided here for more than three years past and Alice Wiggins was born in Baldwin County, Alabama, and lived here all her life. While I was living in Bay Minette Alice Wiggins at times came to my house to live for a week at a time. I know that he treated her cruelly and did not support and she had to come to my house from time to time to get clothes and something to eat. I am the mother of Alice Wiggins. I was born in Baldwin County, Alabama, and lived here all my life until two years ago when I moved to Wallnut Hill, about twelve miles south of Atmore, and about twenty-five miles southeast of Bay Minette. My Father lives in Bay Minette, Alabama where I often visit and where my daughter Alice Wiggins is staying now. I remember the time on to-wit:- October 4th., 1930 that Henry Wiggins made threats to kill his wife Alice Wiggins. That was the time she came to my house and complained of his cruel treatment and threats to kill her. When he made this threat to kill her and he came to the house too, at this time I saw him with a knife in his hand and Alice was crying and I upbraided him for his cruel conduct and told him he ought to be ashamed of himself. One time in Bay Minette, while I was living there, Henry Wiggins slapped Alice Wiggins right in front of my door. He would not go out with his wife, take her to church or other meetings of the community, and when he went off in his car, he went off by himself, and when he would come back in his car I asked him why he neglected his wife and treated her as he did, his only excuse to me was that it was the pure devil in him, and at these times when I upbraided him about his treatment of his wife, he would admit that he had been with other women. He told me this to my face, not only once, but a number of times.

Ada Flowers

Alice Wiggins, Complainant,)
)
vs)
)
John Henry Wiggins, Respondent) In Equity.

In The Circuit Court of Baldwin
County, Alabama.

Comes John Henry Wiggins, the defendant and respondent in the above styled case or cause and for an answer to same denies every allegation contained therein or alleged therein and demands strict proof of same. He waives service of subpoena by the sheriff of said bill, notice of advertisement if any required by law, notice of the filing of interrogatories or the taking of testimony on either oral or written examination, as well as the right to cross-examine the witnesses offered by the complainant and consents that this cause may be submitted for decree on note of testimony either in term time or vacation.
Dated this 28th day of February, 1937.

John Henry Wiggins

Witnesses

R.C. Heard
S. C. Jenkins

State of Alabama,)
Baldwin County)

Before me, R.C. Heard, a Notary public in and for said state and county personally appeared, John Henry Wiggins, who is known to me and who being by me ~~being~~ duly sworn on his oath says that he signed the foregoing instrument as his answer to the complaint in the cause therein stated and that the foregoing signature thereto is his signature.

Subscribed and sworn to
before me this 28th day of February, 1937.

R.C. Heard
Notary Public for Baldwin County, Alabama.

Alice Wiggins

vs.

Henry. Wiggins

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,.....

..Service on Defendant., and answer of Defendant and testimony....
of Alice Wiggins, and Ada Flowers

and in behalf of Defendant upon

J W Peterson

Register.

4

RECORDED

No. 955

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Alloe Wiggins

VS

Henry Wiggins

NOTE OF TESTIMONY

Filled in Open Court this 2nd

day of March 1931

J. M. McInnis
Register

8550 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 955

Vacation

Term, 1931.

Alice Wiggins

, Complainant...

vs.

Henry Wiggins

, Defendant...

To T.W. Richerson

, 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

S.C. Jenkins 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.

.... S.C. Jenkins
Solicitor for Complainant.

RECORDED

No. 955

Page

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Alice Wiggins

vs.

Henry Wiggins

REQUEST FOR DECREE IN
VACATION

FILED March 2nd, 1923

Register

RECORDED IN

PAGE

Register

MOORE PTG. CO

The State of Alabama,
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama--GREETING:

WE COMMAND YOU, That you summon Henry Wiggins

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by Alice Wiggins

against said

Henry Wiggins,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 25th day of

February 1931.

T. W. Richerson Register

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

2 Original
Shapleton

SERVE ON

RECORDED

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Alice Wiggins.

vs.

Henry Wiggins,

Hon. S. C. Jenkins,
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA,
BALDWIN COUNTY

Received in office this 25th day of February 1931

W. R. Shapleton,
Sheriff.

Executed this 28th day of February 1931

by leaving a copy of the within Summons with
Henry Wiggins

W. R. Shapleton
Defendant.

Sheriff.

By R. B. Shapleton,
Deputy Sheriff.

Alice Wiggins, Complainant)
vs)
Henry Wiggins, Respondent)

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

To Honorable Francis W Hare, Judge of the Twenty First Judicial Circuit of Alabama, which includes Baldwin County, humbly complaining, your Oratrix Alice Wiggins, respectfully represents unto your Honor as follows:

1. Your Oratrix, Alice Wiggins, and respondent Henry Wiggins were lawfully married at Bay Minette, in Baldwin County, Alabama, on September 5th, 1926, and lived together as husband and wife until, to wit, October 4th, 1930, when said Alice Wiggins was forced to abandon said Henry Wiggins on account of his cruel treatment of her and go to live with her mother, Mrs. Ada Flowers, where she had to go temporarily as she had no other place to go to for aid, protection and support. Said Henry Wiggins would at times slap and beat her and would from time to time go away from home, while they were living in Baldwin County, Alabama, and stay for weeks at a time and when he did come home, would abuse her and tell her to her own face about the other women he had been staying with and having sexual intercourse with, while he was gone from home; on, to wit, October the 4th, 1930, the said Henry Wiggins, threatened to kill your Oratrix and otherwise do her great bodily harm, when she made complaint of his most cruel and outrageous conduct of which he would voluntarily tell her about having intercourse with other women. Since October, 1930, your Oratrix has been staying with her mother Mrs Ada Flowers just over the Florida line at or near Walnut Hill, Fla. staying there, however, only temporarily. She is now and has been all her life a bona fide resident of Baldwin County, Alabama and at present residing in Bay Minette, Alabama, with her grandfather, who resides in Bay Minette, Alabama. Rev. J.A. Brown.

2. Both your Oratrix and respondent, Henry Wiggins, are both bonafide citizens of Baldwin County, Alabama and both residing here all their lives except when temporarily absent on a visit or on business. Respondent, Henry Wiggins, is over the age of twenty one years and resides at Stapleton Alabama in Baldwin County and your Oratrix is of the age of 21 years and at present resides in Baldwin County, Alabama at Bay Minette.

3. Besides the cruel treatment of your Oratrix set out in the paragraph 1 - above, Henry Wiggins, respondent aforesaid, has in no way contributed to the support and maintenance of your Oratrix since October, 1930 and at no time since they were married on, to wit, Sept. 5th, 1926, has he supported her and has all along since said time failed and refused to give her the maintenance and support she was, as a wife, entitled to and she was forced to abandon him, as she did in October, 1930, on account of nonsupport and maintenance, if for no other reason, all of which your Oratrix to your Honor complaineth and will show due proof of on the final hearing in this cause.

Wherefore the premises considered, your Oratix, Alice Wiggins, prays that a subpoena be issued and directed to the said Henry Wiggins, the

respondent in this cause and that he be brought into this honorable court and directed to answer the charges herein made against him under the rules of this honorable court; that he be made a party defendant respondent to this Bill of Complaint and that upon a final hearing of the evidence in this cause that your Honor will order, adjudge and decree that the bonds of mat-

rimony heretofore existing between your Oratix and the respondent, the said Henry Wiggins, be forever dissolved and that your Oratix be permitted to marry again and that she be granted such other and further relief as may in all equity and good conscience seem proper to and meet to your Honor and your Oratix will ever pray etc.

Solicitor for Complainant.

A. G. Jenkins

Foot Note:

The respondent is required to answer each and every paragraph of the foregoing Bill of Complaint from 1 to 3 inclusive, but his answer under oath is hereby expressly waived.

Solicitor for Complainant.

A. G. Jenkins