

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

EDNA MILLS

, Complainant

vs.

JAMES MILLS

, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Registered Mail 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 EDNA MILLS is forever divorced from the said JAMES MILLS for and on account of cruelty

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, by the court, that the Complainant be and she is hereby awarded the custody, care and control of the said minor child, Joyce Ann Mills.

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 the payment of the cost of this suit.

It is further ordered that EDNA MILLS the Complainant pay the cost herein to be taxed, for which execution may issue.

This 6th day of January, 1950.

Felmer J. Madbury Jr.
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

EDNA MILLS

Complainant

vs.

JAMES MILLS

Respondent

DIVORCE DECREE

FILED

JAN 6 1950

ALICE A. DICK, Register

THE STATE OF ALABAMA }
Baldwin County

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

Edna Mills COMPLAINANT

vs.

James Mills RESPONDENT

I, Louise Morris

as Register and Commissioner in the above styled cause

have called and caused to come before me

Edna Mills and Lennie Boone

witnesses named in the requirement for Oral Examination, on the 3 day of January

1945, at the office of H. M. Hall, Attorney

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

truth, the whole truth, and nothing but the truth, the said Edna Mills and

Lennie Boone doth depose and say as follows:

My name is Edna Mills. I am a bona fide resident of Baldwin County, Alabama, and have been for more than one year next preceding the filing of this bill of complaint in this cause. I am over twenty-one years of age. The Respondent James Mills is over twenty-one years of age, and a non resident of the State of Alabama, his address being, Lena, Mississippi.

The Respondent and I married at Loxley, Alabama, on September 24, 1936. We lived together as husband and wife, until on to-wit, October 24, 1949.

The Respondent on October 24, 1949, threatened and abused me and did actual violence to my person by choking me, which necessarily endangered my life and health. The Respondent had before this date often threatened and abused me and threatened to do actual violence to my person, which would have necessarily endangered my life and health. The conduct of the Respondent was such as to give me every reasonable apprehension to believe, and I do actually believe that if I continued to live with him he would carry out his threats and do further violence to my person which would necessarily endanger my life and health.

The Respondent and I on a former occasion separated and remained a way from him, about a month or more, however, for the sake of our child I returned and lived with him in an effort to make a go of it, however, I found that he was worse than before and that it was absolutely impossible for me to live with him.

The Respondent and I have one child, Joyce Anna Mills, who is now 12 years old and is now and has been all of her life with me. I am the suitable, fit and proper person to have her care, custody and control.

My child and I have necessarily had to live with my sister and mother, and in fact when the Respondent left, he left us with absolutely nothing, and we had to depend upon my sister and mother for our livelihood.

I am at present living with my suster, Mrs. Elbert Boone at Foley, Alabama, where we have a home.

The Respondent and I were living in Baldwin County at the time we ceased to live together.

Edna Mills

I, Louise Morris 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 es and read over to them and they signed the same in the presence of myself and H. M. Hall at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof 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 3 day of January 1950.

Louise Morris (L. S.)

No. _____ Page _____

**THE STATE OF ALABAMA,
BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

EDNA MILLS

COMPLAINANT

vs.

JAMES MILLS

RESPONDENT

ORAL DEPOSITION

Filed 1-16, 1950

Marie J. Weech, Register.
RECORDED IN

Record

Vol. _____ Page _____

_____, Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: LOUISE MORRIS

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 EDNA MILLS

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

EDNA MILLS

Complainant
and EDNA MILLS

Respondent
on oath, to be by you administered, upon EDNA MILLS

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

Witness day of January, 194

Alvin J. Wrench

Register.

Commissioner's Fee, \$

Witness' Fees, \$

No. _____

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Complainant.

vs.

Defendant.

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

The State of Alabama,
Baldwin County.

No. CIRCUIT COURT, IN EQUITY.

Edna Mills

Complainant.....

Vs.

James Mills

Defendant.....

Motion is hereby made for a Decree Pro Confesso against

James Mills

Defendant.....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant....., and that said summons was duly served by Registered Mail, according to law, and that said Defendant.....has.... failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This *19* day of *December*, 19*49*

Wm Hall

Solicitor.

No.

Page

THE STATE OF ALABAMA

Baldwin County

CIRCUIT COURT, IN EQUITY

Edna Mills

Vs.

James Mills

**MOTION FOR DECREE PRO CONFESSO
AFTER NOTICE BY REGISTERED MAIL**

Filed, 19.....

FILED

DEC 19 1949

ALICE J. DUCK, Register

Register.

Recorded in Record,

Vol. Page

Register.

STATE OF ALABAMA §
BALDWIN COUNTY §

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons James Mills, 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 Edna Mills, as Complainant and against James Mills, as Respondent.

WITNESS my hand this 2nd day of November, 1949.

Deice L. Owen
Register

EDNA MILLS	§	IN THE CIRCUIT COURT OF
COMPLAINANT	§	BALDWIN COUNTY, ALABAMA
VS.	§	IN EQUITY
JAMES MILLS	§	
RESPONDENT	§	

TO HON. TELFAIR J. MASHBURN JR., JUDGE OF THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA:

Your Complainant, Edna Mills, respectfully represents and shows unto
your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident of Baldwin County,
Alabama, and has been for more than one year next preceding the filing
of this bill of complaint, and is over twenty-one years of age; that the
Respondent is over twenty-one years of age, and a non resident of the
State of Alabama, living at Lena, Mississippi.

2.

That your Complainant and the Respondent married at Loxley, Alabama,
on September 24, 1936, and lived together as husband and wife, until on
to-wit, October 24th, 1949.

3.

That on to-wit, October 24th, 1949, the Respondent threatened and
abused your Complainant and did actual violence to her person by choking
her, which necessarily endangered her life and health; that the conduct
of the Respondent was such as to give your Complainant every reasonable
apprehension to believe and she does actually believe that if she continues
to live with the Respondent, he will carry out his threats and do further

violence to her person, which will necessarily endanger her life and health.

4.

That there was born to the marriage between your Complainant and the Respondent, one child, Joyce Ann Mills, now twelve years old; that said child is now and has been all of her life, lived with your Complainant, who is a suitable, fit and proper person to have her care, custody and control; that the Respondent is not a suitable, fit and proper person to have the care, custody and control of the said child.

5.

That your Complainant and the Respondent were living in Baldwin County, Alabama, at the time the Complainant was forced to cease living with the Respondent.

WHEREFORE the premises considered your Complainant prays that your Honor will, by proper process make the said James Mills party respondent to this bill of complaint, requiring him to plead, answer or demur to the same within the time and under the penalties prescribed by law, and the practice of this Honorable Court.

Complainant further prays that your Honor will upon a final hearing hereof, award to her a decree of divorce forever barring the bonds of matrimony existing between your Complainant and the Respondent; that she be awarded the custody, care and control of the minor child, Joyce Ann Mills, age 12; that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

James Mills
Solicitor for the Complainant.

2386

EDNA MILLS

COMPLAINANT
VS.

JAMES MILLS

RESPONDENT

FILED

NOV 2 1949

ALICE I. DUCK, Register

Edna Mills

vs.

*James Mills*CIRCUIT COURT OF
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 2-1
day of November 1949, a copy of the Bill of Complaint filed in this cause was
sent to James Mills

Defendant, by registered mail, postage prepaid, marked "For delivery only to the person to whom
addressed," and return receipt demanded addressed to the Register of this Court; and that on the
6 day of November 1949, such receipt was duly
received and filed in this cause:

And it further appearing to the Register that the said Defendant has failed to plead, answer
or demur to the said Bill to the date hereof, it is now, therefore, on motion of Complainant, ordered,
adjudged and decreed by the Register that the said Bill of Complaint be, and it hereby is in all
things taken as confessed against the said

James Mills

Defendant.

This the 19th day of Dec 1949

Reis Jensen Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALA.**

In Equity.

Edna Mills

vs.

Jessie Mills

**Decree Pro Confesso After
Notice By Registered Mail.**

Filed in office this _____ day of

FILED

192

DEC 19 1949

Register

ALICE J. DICK, Register

Entered in O. B. _____ Page _____

Edna Mills

vs.

James Mills

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*and in behalf of Defendant upon *deceit and Confession was*
*Registered mail**H. M. HALL**W. J. H. H. H.*

Register.

No.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

Edna Mills

vs.

Jessie Mills

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

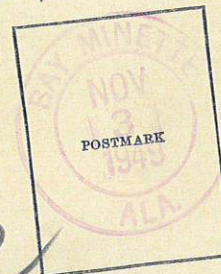
Register.

Printed by the Baldwin Times

2386

RECEIPT FOR REGISTERED ARTICLE No. 381

75 fee paid. 1 class postage paid. 11-3, 19 49
 Declared value, \$ None Surcharge paid, \$
 From Alice J. Duck (Sender)
 Addressed to James Leno (Addressed to)
 (Street and number) (Post office and State)
 Accepting employee will place initials in space below, indicating restricted delivery
 Return receipt fee 5 in person Special delivery fee
 Delivery restricted to addressee or order 70 Postmaster, per
 Fee paid
 GPO 16-12696



Post Office Department
OFFICIAL BUSINESS

REGISTERED ARTICLE

No. 381

INSURED PARCEL

No.

Return to

Street and Number, }
or Post Office Box, }

Post Office at

State

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300

POSTMARK OF DELIVERING
OFFICE



AND DATE OF DELIVERY

Rev. 3-24

65-6116

RETURN RECEIPT.

Received from the Postmaster the Registered or Insured Article, the original number of which appears on the face of this Card.

FILED
NOV 9 1929
ALICE J. DUCK, CLERK

James Mills

(Signature or name of addressee.)

(Signature of addressee's agent.)

Date of delivery, *11/6*

192*9*

Form 3811

GOVERNMENT PRINTING OFFICE

05-6116