

162

HORACE MILLS,  
Complainant,  
vs.  
NORA MILLS,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

This cause coming on to be heard was submitted upon Bill of Complaint, Answer of Nora Mills 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 Horace Mills is forever divorced from the said Nora Mills on the ground of voluntary abandonment.

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 Horace Mills and Nora Mills be, and they are hereby permitted to again contract marriage upon the payment of the costs of this suit.

It is further ORDERED that Horace Mills, the complainant, pay the costs herein to be taxed, for which execution may issue.

This the 19th day of August, 1936.

*J. W. Hare*  
\_\_\_\_\_  
Judge of the Circuit Court of Baldwin County, Alabama.

HORACE MILLS,  
Complainant and Cross Respondent

vs

NORA MILLS,  
Respondent and Cross Complainant

E Q U I T Y  
CIRCUIT COURT OF  
BALDWIN COUNTY

Comes NORA MILLS, Respondent in above entitled cause, and for answer to the bill of complaint says:

FIRST: She admits the allegations of the first paragraph of the bill except as to the statement of her given name which is Nora.

SECOND: She admits the averments of the second paragraph as to the marriage of the parties but denies all other averments therein, and for answer shows that they lived together as man and wife until the Fall of 1934, when he left her because he had by his relations with other women contracted venereal disease and she refused to permit him to further cohabit with her.

Having thus fully answered, Respondent further shows that she is entitled to affirmative relief against the said HORACE MILLS, and to that end would have this, her answer, taken as a CROSS BILL and in support thereof shows as follows:

A. That as alleged in the original bill, she and the said Horace Mills are both over the age of twenty-one years, bona fide residents of Baldwin County for more than three years prior to the filing of the bill and were lawfully married about nineteen years ago in Monroe County.

B. That to said marriage was born one son now seventeen years of age, who is in bad health, unable to do active work, and dependent upon Cross-Complainant for support.

C. That Horace Mills has regular and fairly steady employment as a laborer with the Daphne Pottery Company, but for the past year has done nothing toward the support of Cross-Complainant or his invalid son, whom she is compelled to support by her meager earnings as a domestic servant.

D. That since he left her in the Fall of 1934, Horace Mills has been guilty of adultery with other women whose names are unknown to Cross-complainant except one Marie Adams with whom he is now living in adulterous relationship and which action on his part she has in no way condoned.

THE PREMISES CONSIDERED, Cross-Complainant prays that Horace Mills be made Defendant to this Cross-bill, required to answer same within the time prescribed by law and obey such orders and decrees as may be made in the premises.

Cross-Complainant further prays that upon the hearing of this cause a decree be rendered dismissing the Original Bill, forever divorcing her from the said Horace Mills, granting her the right to marry again should she so desire, and ordering the payment to her of such sums monthly as shall be adequate to assist her in supporting herself and in caring for the invalid son of the marriage.

CROSS-COMPLAINANT FURTHER PRAYS that an order be made forthwith directing the Register of this Court to hold a reference and report as to a reasonable amount to be paid by Cross-Respondent as fees for her counsel in this litigation, and also the proper amount to be paid her as permanent alimony. That upon the report of the Register to be made as aforesaid, an order be made forthwith commanding Cross-Respondent to pay to Cross-Complainant such sum as the Register's report shall show proper for counsel fees and that Cross-Respondent be restrained from proceeding further in this cause until such amount so ordered be paid in full.

Cross-Complainant further prays for such other or further relief as to Equity may seem mete.

*Elliot S. Dickson*  
Solicitor for the Respondent  
and Cross-Complainant.

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LAW OFFICES  
ELLIOTT G. RICKARBY  
BANK BUILDING  
FAIRHOPE, ALABAMA

October 8th, 1935

Mr. Robert S. Duck  
Register Circuit Court  
Bay Minette, Alabama

Dear Mr. Duck:

MILLS vs MILLS: If the Solicitor for Horace Mills has filed with this bill of divorce a copy of the bill, please send it to me as Solicitor for the Defendant. If there is no copy please mail the original, holding this as my receipt that I may prepare a proper defense. This is being handled out of the Fairhope office.

With thanks in advance.

Sincerely,

*Elliott G. Rickarby*

R/C

HORACE MILLS,  
Complainant,  
vs.  
NORA MILLS,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

IT IS AGREED between the parties in the above styled cause that the testimony of Horace Mills and Calvin Carpenter be taken before Ida M. Turnbull without the formality of Commission and that all motions and notices prerequisite to the taking of testimony be and are hereby waived, and that the signatures of witnesses is hereby waived.

It is further agreed that this cause may be submitted for hearing forthwith.

It is agreed that an attorney's fee of Fifteen Dollars (\$15.00) shall be paid by the complainant to the defendant's attorney, Five Dollars (\$5.00) of which has been paid and the balance shall be paid Five Dollars (\$5.00) a month until the total of Fifteen Dollars (\$15.00) is paid.

This the 8th day of August, 1936.

Debe Hall Beebe  
Solicitor for Complainant.

William S. Rinsley  
Solicitor for Respondent.

HORACE MILLS  
Complainant

NUMBER 162

vs

NORA MILLS  
Respondent

IN EQUITY

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA

October 21, 1935. This cause coming on to be heard this day on the petition of Nora Mills as embodied in her cross-bill filed in this cause for an order of reference to ascertain a suitable amount to be allowed said Respondent as solicitor's fees for her defence in this matter and this being the day set for the hearing on same petition and due notice, as required by law having been given the solicitors for the Complainant:

IT IS HEREBY ORDERED by the Register in vacation that said petition be granted, and that said Register hold a reference, after due notice as required by law, to ascertain the suitable amount to be allowed Respondent and paid by Complainant for her counsel fees in this cause, and that said reference be held as speedily as possible and report be made to this Court for further action in the premises.

*C. V. ...*  
Register.

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 Nore Mills

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

Horace Mills

against said Nore Mills

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, Robert S. Duck, Register of said Circuit Court, this 26th day of September 1935

*Robert S. Duck*

Register

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

HORACE MILLS,  
Complainant,  
vs.  
NORA MILLS,  
Respondent.

)  
) IN THE CIRCUIT COURT OF  
) BALDWIN COUNTY, ALABAMA.  
)

)  
) IN EQUITY.  
)

This cause coming on to be heard is submitted on behalf of complainant on the Bill of Complaint, the answer of the respondent, agreement of counsel dated August 8th, 1936, and deposition of complainant, Horace Mills, and of Calvin Carpenter.

R. S. Lucas  
Proctor



TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA:

Comes HORACE MILLS and humbly complaining against NORE  
MILLS respectfully shows unto your Honor as follows:

FIRST:

That your complainant and the said Nora Mills are both  
over the age of twenty-one years and reside in Baldwin County,  
Alabama; that they have resided continuously in Baldwin County,  
Alabama, for more than three years next preceding the filing of  
this bill of complaint, at Daphne.

SECOND:

That your complainant and the said Nora Mills were mar-  
ried in Monroe County, Alabama, about twenty years ago and lived  
together as husband and wife until about three years ago; that  
more than two years ago the said Nora Mills voluntarily abandoned  
your complainant at Daphne, in Baldwin County, Alabama, without  
cause or fault on the part of your complainant, and your complain-  
ant and the said Nora Morris have not lived together as husband  
and wife during the last two years next preceding the filing of  
this bill of complaint.

WHEREFORE, this complainant prays this Honorable Court  
will take jurisdiction of the cause made by this bill of complaint,  
and by appropriate process make the said Nora Morris party defend-  
ant hereto and require her to plead, answer or demur to this bill  
of complaint within the time and under the pains and penalties  
prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of  
this bill of complaint your Honor will make and enter a decree  
forever dissolving the bonds of matrimony existing between your  
complainant and the said Nora Mills.

Your complainant prays for such other, further or differ-

ent relief as in equity and good conscience he shall be entitled to receive.

Beebe & Hall  
Solicitors for Complainant.

The respondent is required to answer each and every allegation contained in this bill of complaint, from Paragraph FIRST to SECOND inclusive, but not under oath, oath being hereby expressly waived.

Beebe & Hall  
Solicitors for Complainant.

JUDGMENT  
Quick  
2-22-34

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HORACE MILLS,  
Complainant,

vs.

NORA MILLS,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.  
IN EQUITY.

DECREE

Filed August 19 1934  
O. R. Street  
Court Reg-

RECORDED  
INDEXED

Mills  
900  
6-454

Mills

Agreement w/ Donald

162

Filed August 19 1934  
R. D. Brewster  
Risp

162  
RECORDED  
swell  
6-219

NUMBER 162

HORACE MILLS  
Complainant

vs

NORA MILLS  
Respondent

ORDER OF REFERENCE

Filed for 51 Oct 35  
Robert J. Mack

Mills RECORD  
92  
6-4574

162

Mills  
note at heading

Filed August 19 1936  
E. A. Dyer

RECORDED  
INDEXED  
162  
6-21-33

Serve on Nore Mills  
**Circuit Court of Baldwin County**  
IN EQUITY

No. 162  
**SUMMONS**

Horace Mills

VS.

Nore Mills

*Rephue*

**BEER & HALL**

Solicitor for Complainant

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

**THE STATE OF ALABAMA,**  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

26

day of Sept, 1935

*W. H. Williams*

SHERIFF

Executed this Oct 4 day of \_\_\_\_\_

1935

by leaving a copy of the within Summons with

*Nore Mills*

Defendant

*M. H. Williams*

Sheriff

By *E. N. Anderson*

Deputy Sheriff

ORAL EXAMINATION

I, IDA M. TURNBULL, ~~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 \_\_\_\_\_ signed the same in the presence of myself \_\_\_\_\_ 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 8th day of August, 1936.

Ida M. Turnbull (L. S.)  
Commissioner.

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No. \_\_\_\_\_ Page \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**

IN CIRCUIT COURT, IN EQUITY

Horace Mills,

COMPLAINANT

VS.

Nora Mills,

RESPONDENT

**ORAL DEPOSITION**

Filed August 14, 1936

[Signature], Register

RECORDED IN

\_\_\_\_\_ Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

\_\_\_\_\_ Register



The State of Alabama }  
Baldwin County

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

HORACE MILLS,

COMPLAINANT

VS.

NORA MILLS,

RESPONDENT

I, IDA M. TURNBULL,

as Register and Commissioner

have called and caused to come before me

Horace Mills and Calvin Carpenter,

witnesses named in the Requirement for Oral Examination, on the 8th day of August,

1936, at the office of Beebe, Hall & Beebe,

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

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

Calvin Carpenter doth depose and say as follows:

HORACE MILLS, on direct examination by W. C. Beebe:

My name is Horace Mills; I am over the age of twenty-one years and reside in Baldwin County, Alabama. Nora Mills and I are husband and wife, having intermarried in Monroe County about twenty years ago. We moved to Baldwin County about five years ago and have lived in this County, at Daphne, continuously since. Nora Mills abandoned me at Daphne, in Baldwin County, Alabama, in 1933, more than two years next preceding the filing of my bill of divorce in this case. We have not lived together as husband and wife since. She voluntarily abandoned me without cause.

CROSS EXAMINATION BY MR. RICKABY,  
SOLICITOR FOR RESPONDENT.

There is one living child born of this marriage; his name is Robert. He is now about 18 years old, will be 19 in November, this coming November.

CALVIN CARPENTER, on direct examination by W. C. Beebe:

My name is Calvin Carpenter; I am 36 years old; I reside at Daphne, Baldwin County, Alabama. I have known Horace and Nora Mills ever since they have been in Baldwin County, about five or five and a half years. They separated some time the middle of 1933, and have not lived together since then.

CROSS EXAMINATION BY MR. RICKABY;

I live about a mile from Nora's place. I would have known if they had gone back together. Me and Horace work together. Horace and I work for Mr. Dryer in the pottery at Daphne.

RECORDED

NO. 162

*Duck*  
6.214

E Q U I T Y

HORACE MILLS  
Complainant and Cross-  
Respondent

vs

NORA MILLS  
Respondent and Cross-  
Complainant

ANSWER AND CROSS-BILL

Filed this 17 day Oct 1935  
*Robert J. Duck*  
Clerk-Register

ELLIOTT G. RICKARBY  
LAWYER  
FAIRHOPE, ALABAMA

RECORDED

162

*Duck*  
6.213

HORACE MILLS,  
Complainant,

vs.

NORA MILLS,  
Respondent.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

BILL OF COMPLAINT.

Filed Sept. 24, 1935.

*Robert J. Duck*  
Clerk.

BEEBE & HALL  
LAWYERS