

(3299)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

OTHALIA McMILLIAN

Complainant

vs.

IVERDELL McMILLIAN

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 Othalia McMillian is forever divorced from the said Iverdell McMillian for and on account of Cruelty.

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 Othalia McMillian the Complainant pay the cost herein to be taxed, for which executed may issue.

This 8th day of July, 1955

Herbert M. Hae  
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

ORNALTA MCNULTY

Complainant

vs.

JOHN EDWARD MCNULTY

Respondent

**DIVORCE DECREE**

**FILED**

JUL 8 1935

ALICE J. DUCK, Register

## THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

OTHALIA McMILLIAN

Complainant

VS.

IVERDELL McMILLIAN

Respondent

I, Lois Howard

as Register and Commissioner

have called and caused to come before me Othalia McMillian and Estella Padgett

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 6th day of July  
1955, at the office of G. LeNoir Thompson  
in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the  
truth, the whole truth, and nothing but the truth, the said Othalia McMillian and Estella  
Padgett doth depose and say as follows:

That my name is Othalia McMillian, I am now over the age of 21 years and  
arresident of Daphne, Alabama and the Respondent is over the age of 21 and  
is presently a resident of Los Angeles, California. We were married in  
Lucedale, Mississippi on August 6, 1949 and lived together as husband and wife  
until on or about December 4, 1953 at which time the Respondent abused me striking  
me about the face and head until I became in fear of my life and health. In  
this assault he knocked out two of my front teeth. I knew after this treatment  
I could never live with him anymore as his wife. I have not lived with him  
any more since the separation occurred on December 4, 1953. I respectfully  
ask this Honorable Court for a divorce. There were no children born as fruits  
of this marriage and no property to be divided.

Othalia m<sup>c</sup> Millian

That my name is Estella Padgett, I know both parties to this cause,  
both are now over the age of 21 and the Complainant Othalia McMillian is  
a resident of Daphne, Baldwin County, Alabama while the Respondent is presently  
arresident of California. They were married at Lucedale, Mississippi on  
August 6, 1949 and lived together until December 4, 1953. The Complainant was  
forced to leave the Respondent because of the beating which he gave her.  
During this beating he knocked two of her front teeth out and she became in  
fear of her life or health. I know they will never live together again as  
husband and wife. There were no children born as fruits of this marriage  
and no property to be divided.

Estella Padgett

ORAL EXAMINATION.

I, Lois Howard, as Register and Commissioner hereby certify that the foregoing deposition s 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 and C. LeNoir-Thompson 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 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 6th day of July, 1955.

Lois Howard (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
CHALITA BELL	
vs.	Complainant
IVAN ADAL BELL	
	Respondent.
Oral Deposition	
Filed <u>7-7</u> , 195 <u>5</u>	Recorded in _____
<u>Lois Howard</u> Register.	
Vol. _____	Page _____
Record _____	
Register _____	

FILED  
JUL 7 1955  
ALICE J. WICK, Register

THE STATE OF ALABAMA

Baldwin County

Circuit Court

TO: LOIS HOWARD

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 Othalia McMillian and Estella Padgett.

a witnesses in behalf of Othalia McMillian in a cause pending in our Circuit Court in Baldwin County, of said State, wherein

Othalia McMillian

, Complainant

and Iverdell McMillian

Respondent

on oath, to be by you administered, upon to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 1<sup>st</sup> day of July, 1955

Archie F. Wicks  
Register.

Commissioner's Fee, \$

Witness' Fees, \$

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

**THE STATE OF ALABAMA**  
**Baldwin County**

**CIRCUIT COURT**

OTHALIA McMILLIAN

Complainant

VS.

IVERDELL McMILLIAN

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

LOIS HOWARD

WITNESSES:

OTHALIA McMILLIAN

ESTELJA PADGETT

**FILED**  
**JUL 7 1955**

**ALICE J. DUCK, Register**

OTHAIDA McMILLIAN

vs.

IVERDELL McMILLIAN

CIRCUIT COURT OF  
Baldwin County.

IN EQUITY.

In this cause it being made to appear to the Register that on the 15<sup>th</sup> day of July, 1924, a copy of the Bill of Complaint filed in this cause was sent to Iverdell McMillian

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 26<sup>th</sup> day of July, 1925, 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

Iverdell McMillian

Defendant.

This the 6<sup>th</sup> day of July, 1925  
Georg Duck Register.

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

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

**In Equity.**

OTHALIA McHILLIAN

vs.

IVERDELL McHILLIAN

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

Filed in office this 6th day of

July 1955

Alice J. Smith Register

Entered in O. B. \_\_\_\_\_ Page \_\_\_\_\_



8600 - Motion for Decree Pro Confesso After Service by Registered Mail.

B.T. 1-47-200

The State of Alabama,  
Baldwin County.

No. .... CIRCUIT COURT, IN EQUITY.

OTHELIA McMillian

Complainant.....

Vs.

IVERDELL McMillian

Defendant.....

Motion is hereby made for a Decree Pro Confesso against .....

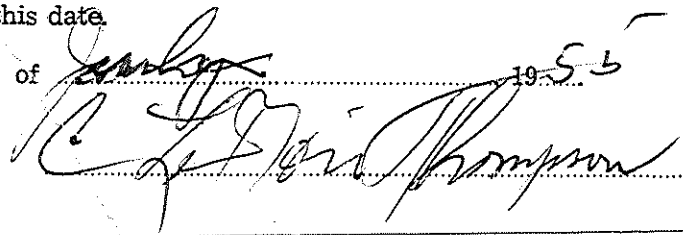
Iverdell McMillian

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..... day of .....

1955



....., Solicitor.

Othalia Mc Millan  
\_\_\_\_\_  
Vs.  
Iverdell Mc Millan  
\_\_\_\_\_

CIRCUIT COURT OF  
Baldwin County.  
IN EQUITY

In this cause it being made to appear to the Register that on the 15<sup>th</sup>  
day of July, 1954, a copy of the Bill of Complaint filed in this cause was  
sent to Iverdell Mc Millan

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  
26<sup>th</sup> day of July, 1954, 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 Iverdell Mc Millan  
\_\_\_\_\_  
Defendant.

This the 20<sup>th</sup> day of October, 1954  
David J. Nease Register.

RECORDED

No. 3299

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

In Equity.

Attadune McMillan

Vs.

Iverdell McMillan

DECREE PRO CONFESSO AFTER  
NOTICE BY REGISTERED MAIL

Filed in office this 20 day of

Oct, 1957

Richard H. Hester, Register

Entered in O. B. \_\_\_\_\_ Page \_\_\_\_\_

The Baldwin Times, Bay Minette, Alabama

THE STATE OF ALABAMA, }  
Baldwin County } No. \_\_\_\_\_ Circuit Court, In Equity.

OTHALLA McMILLIAN

Complainant---

Vs.

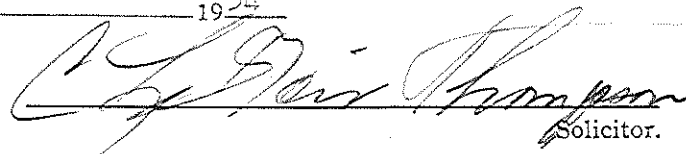
IVERDELL McMILLIAN

Defendant----

Motion is hereby made for a Decree Pro Confesso against IVERDELL McMILLIAN

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 according to law, and that said Defendant -- ha<sup>s</sup> failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 20<sup>th</sup> day of October 1954  
Solicitor.

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Motion for Decree Pro Confesso on  
Personal Service

Filed \_\_\_\_\_ 19 \_\_\_\_\_

Register.

Recorded in \_\_\_\_\_ Record

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

Register.

CTHALIA McMillian

vs.

EVERDELL McMillian

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 Cthalia McMillian and Estella Ladgett and

Decree Pro Confesso after Noticed by Registered Mail.

and in behalf of Defendant upon \_\_\_\_\_

*C. L. G. Thompson*

*W. J. Dorch*

Register.

No. ....

**THE STATE OF ALABAMA**

**Baldwin County**

**IN EQUITY**

**Circuit Court of Baldwin County**

OTUALIA McWILLIAN

vs.

IVERDELL McWILLIAN

**NOTE OF TESTIMONY**

Filed in Open Court this

7th

day of

July

, 1943.

Alice J. Beck  
Register.

Printed by the Baldwin Times

FILED

JUL 7 1955

ALICE J. BECK, Register

STATE OF ALABAMA  
BALDWIN COUNTY

BOOK 017 PAGE 304

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Iverdell McMillian 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 Othalia McMillian, as Complainant and against Iverdell McMillian, as Respondent.

Witness my hand this the 15 day of July, 1954.

*Desire J. Rensch*  
Register

OTHALIA McMILLIAN,

COMPLAINANT,

VS

IVERDELL McMILLIAN,

RESPONDENT.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY

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

Your Complainant, Othalia McMillian, respectfully represents unto your Honor and this Honorable Court as follows:

1.

That your Complainant and the Respondent were both bona fide residents of Baldwin County, Alabama, at the time of their separation and more than two years prior thereto; that your Complainant is a resident of Baldwin County but the Respondent is presently resided at 1224 South Santa Fe Avenue, Los Angeles, California, so far as your petitioner knows. The Complainant and Respondent are both over the age of 21 years of age.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on August 6, 1949, and lived together as husband and wife until on, to-wit, December 4, 1953.

3.

That on to-wit, December 4, 1953, and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her person which would necessarily endanger her life and health. The conduct of the Respondent was such as to give the Complainant



every reasonable apprehension to believe and she did actually believe that if she continued to live with him he would carry out his threats and do actual violence to her person, which would necessarily endanger her life and health.

4.

That the Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, The premises considered, the Complainant prays that your Honor will by proper process make the said Iverdell McMillian, party Respondent to this cause of action, 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 upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bond of matrimony existing between her and the Respondent; that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

FILED

July 15 1934

ALICE J. DUCK, Clerk

*C. B. Thompson*  
Solicitor for the Complainant.

3299

IN THE CIRCUIT COURT OF

DADE COUNTY, ALABAMA

RECORDED

IN EQUITY

OTHELIA McMILLIAN,

COMPLAINANT,

VS

IVEDLEY McMILLIAN,

RESPONDENT.

Bill of Complaint

*Very true*

C. LePoir Thompson  
Attorney At Law  
Bay Minette, Alabama

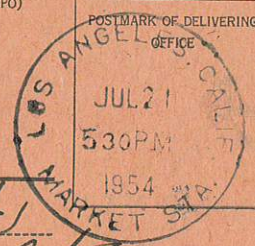
FILED

JUL 15 1954

ALICE J. DUCK, Register

Post Office Department  
OFFICIAL BUSINESS

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



Return to

Street and Number,  
or Post Office Box,

*Alice J. Buck*  
*Circuit Clerk*  
(NAME OF SENDER)

REGISTERED ARTICLE

No.

*37*

INSURED PARCEL

Post Office

*Baymonte*

State

*Cal*

No.

16-12421

3299

Form 3811  
Rev. 1-52

## RETURN RECEIPT

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

FILED  
JUL 1 1954

*Guendell M. Millan*

(Signature or name of addressee)

Deliver to Addressee Only

(Signature of addressee's agent—Agent should enter addressee's name on line ONE above)

Date of delivery

*July 21*, 19*54*

# RECEIPT FOR REGISTERED ARTICLE No. 37

Fee paid 30

7-15, 1954  
(Date)

Class postage paid 4

Return receipt fee 07

Declared value, \$ none

Special delivery fee \_\_\_\_\_

Surcharge paid, \$ \_\_\_\_\_

Restricted delivery  
(Accepting employee will place  
initials in proper space)

in person 20

or order \_\_\_\_\_

Fee paid \_\_\_\_\_

From Alice J. Quirk, City Clerk  
(Sender)

San Jose, Cal.  
(Street and number) (Post office and State)

Addressed to Everdell McMillan  
(Addressee)

12345 Santa Fe Ave, La. Calif.  
(Street and number) (Post office and State)



Postmaster, per AK

U.S. POST OFFICE 09-16-12686-5