

2255

ALICE L. MILLER,
Complainant

vs.

HAROLD E. MILLER,
Respondent

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA:

It appearing to the Court from the sworn petition of the Complainant in the above styled cause that the Respondent forcibly took custody of Sheila Miller, a girl, two years of age, from the custody of the Complainant and that the Respondent on account of his excessive drinking and violent temper is not a fit and proper person to have the care, custody and control of said minor and that on account of the tender age of said minor she should be with the Complainant, her Mother;

You are therefore ordered to take possession and control of the said minor, Sheila Miller, immediately and to turn her over to the said Alice L. Miller awaiting further order of this Court. You are further ordered to serve a copy of this decree upon the said Respondent.

Witness my hand at Bay Minette, Alabama, this 21st day of March, 1949.

J. Fair J. Mashburn
Judge.

NO 2255

Executed 3-21 1949
by serving copy of within Order
on Harold Miller Complaint on By taking into my
Possession of Alice Miller
and turning her over to
Alice Miller

Taylor Walker Sheriff
By W. F. Hall Deputy Sheriff

ORDER

ALICE L. MILLER,
Complainant,
vs.
HAROLD E. MILLER,
Respondent.

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

Filed March 21, 1949.

Alice L. Walker
Register.

S U M M O N S

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

TO ANY SHERIFF OF THE STATE OF ALABAMA :

 You are hereby commanded to summon Harold E. Miller 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 Alice L. Miller, as Complainant, against Harold E. Miller, as Respondent.

 Witness my hand this 21 day of March, 1949.

Alice L. Miller
Register.

ALICE L. MILLER,)	
Complainant,)	IN THE CIRCUIT COURT OF
vs.)	BALDWIN COUNTY, ALABAMA
HAROLD E. MILLER,)	IN EQUITY.
Respondent.)	

Comes your Complainant, Alice L. Miller, and files this her Bill of Complaint for divorce, against Harold E. Miller, as Respondent and shows unto your Honor as follows:

FIRST:

That your Complainant and Respondent are both over the age of twenty-one years and resident citizens of Baldwin County, Alabama, residing at Bay Minette, Alabama. That your Complainant has been a resident citizen of Baldwin County, Alabama, all of her life.

SECOND:

That your Complainant and the Respondent were married on heretofore, towit, November 17, 1945, and lived together as man and wife until your Complainant was compelled to leave the Respondent on account of the matters and facts hereinafter set out; that on to-wit, March 20, 1949, the Respondent committed actual violence on the person of your Complainant attended with danger to her life or health and at said time and place the Respondent threatened the life of your Complainant and she has reasonable apprehension to believe that if she continued to live with him her life or health would be in danger; that your Complainant left the Respondent at said time and place.

THIRD:

There was born to your Complainant and Respondent, Sheila Miller, who is a girl, two years of age; that on the morning of March 21, 1949, while said minor was in the lawful custody of the Complainant, the said Respondent forcibly took said minor child away and has refused to return her to your Complainant; that on account of the tender age of said minor and on account of the habits of the Respondent, his excessive drinking and violent temper, said child should be taken away from his custody at this time and turned

over to your Complainant until further order of this Court; that your Complainant is a fit and proper person to have the care, custody and control of said minor and the Respondent is not a fit and proper person to have such care, custody and control.

FOURTH:

Your Complainant further shows unto this Court that the Respondent is an able bodied man working at Newport Industries, and earning approximately One Hundred Seventy-Five Dollars (\$175.00) per month. That your Complainant is and has been working but she is unable to earn a sufficient amount of money to support herself and said minor; that your Complainant owns no property sufficient for her support nor does she have money or other assets sufficient to support her and said minor.

PRAYER FOR PROCESS AND RELIEF

The premises considered your Complainant prays that the above named Harold E. Miller be made a party defendant to this cause by the usual writ or process of this Honorable Court requiring him to appear and plead, answer or demur to the same within the time and under the penalties prescribed by law and by the rules of this Court; that your Honor will immediately issue an order directing the Sheriff of Baldwin County, Alabama, to take over the above named Sheila Miller and deliver her to Alice L. Miller pending the further orders of this Court; that upon a final hearing of this cause that your Honor will order and decree that the said Respondent shall pay a reasonable amount for alimony and support for said minor child and that your Honor will also award said Complainant the care, custody and control of her minor child, Sheila Miller and that your Honor will also grant unto the said Alice L. Miller an absolute divorce from the Respondent; that your Honor will also decree that Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for, that there be granted to her such other, further, different and general relief to which she may be entitled and as in duty bound she will ever pray.


Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, John Chason, a Notary Public, in and for said State and County, personally appeared Alice L. Miller, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That her name is Alice L. Miller; that she is the Complainant in the above styled cause; that she signed the foregoing Bill of Complaint and all of its allegations are true and correct.

Alice L. Miller

Sworn to and subscribed
before me this 21st day of
March, 1949.

John Chason
Notary Public, Baldwin County,
Alabama.