

(4175)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

RHODA MCMILLAN, Complainant

vs.

ALLEN MCMILLAN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Answer and Waiver 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

RHODA MCMILLAN is forever divorced from the said ALLEN MCMILLAN for and on account of

Habitual drunkenness

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 Rhoda McMillan the Complainant pay the cost herein to be taxed, for which executed may issue.

This 6 day of January 1958

[Signature]

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

RHODA MCMILLAN

Complainant

vs.

ALLEN MCMILLAN

Respondent

DIVORCE DECREE

FILED

JAN 6 1958

ALICE I. DUCK, Register

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

January 3, 1958

Mrs. Alice Duck
Clerk of the Circuit Court
Baldwin County
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Rhoda McMillan
vs.
Allen McMillan
Divorce Suit
Our File: 4259

With this we are handing you testimony and note of evidence in the above styled cause, and our check for costs has already been submitted.

Please let me have decree on this as soon as possible, and oblige.

Yours very truly,



EGR/nmk
Encl.

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

November 21, 1957

Mrs. Alice Duck
Clerk of Circuit Court
Bay Minette, Alabama

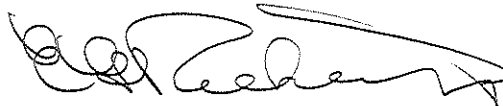
Dear Mrs. Duck:

Inre: McMillan vs. McMillan
Our File: 4259

Enclosed find divorce bill of Rhoda McMillan against
Allen McMillan.

Please issue process and oblige. Am enclosing check
for \$15.00, costs.

Yours very truly,



EGR/ts
Encl.
12-1-57

RHODA MCMILLAN,
COMPLAINANT,
-VS-
ALLEN MCMILLAN,
DEFENDANT.

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

TESTIMONY OF LEDORA D. SMITH, a WITNESS on BEHALF of COMPLAINANT:

LEDORA D. SMITH, being duly sworn, testified as follows:

My name is LEDORA D. SMITH and I live just outside of Fairhope, in Baldwin County, Alabama. I have been knowing RHODA MCMILLAN and her husband, ALLEN MCMILLAN, since they were married, which was over ten years ago. They were married at a big church wedding up at Belforest, Alabama.

Both RHODA MCMILLAN and her husband, ALLEN MCMILLAN, have been living here in Baldwin County for the last eleven years, and both of them are over the age of twenty-one years.

When RHODA and ALLEN were married he was not so bad about drinking, but since they have been married he has gotten worse about drinking and is now an habitual drunkard. He drinks to such an extent that he is not able to hold a regular job.

RHODA MCMILLAN and ALLEN MCMILLAN separated some time ago, I don't know exactly when, but since they have been separated, they have been living separate and apart.

The reason why I know about them is because they were next-door neighbors of mine for about nine or ten years. There are no children born to this marriage.

LEDORA D. SMITH
LEDORA

Subscribed and sworn to before me on this the 31st day of December, 1957.

Nadine M. Klump
Commissioner

Faint, illegible text at the top of the page, possibly a header or address.

Office of District Attorney [illegible]

[illegible text]

[illegible text]

[illegible text]

FILED
JAN 6 1958
MACK, District Attorney

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

[illegible text]

RHODA MCMILLAN,	¶	IN THE CIRCUIT COURT OF
COMPLAINANT,	¶	
-VS-	¶	BALDWIN COUNTY, ALABAMA,
ALLEN MCMILLAN,	¶	
DEFENDANT.	¶	IN EQUITY.

RHODA MCMILLAN, COMPLAINANT, OFFERED THE FOLLOWING TESTIMONY IN HER OWN BEHALF:

My name is RHODA MCMILLAN and I am bringing this suit for divorce against my husband, ALLEN MCMILLAN. I am over the age of twenty-one years and have been living in Fairhope, Baldwin County, Alabama, since 1929, and still live here in Fairhope.

My husband, ALLEN MCMILLAN and I were married up in Belforrest, Baldwin County, Alabama. He is over the age of twenty-one years and has been living in Baldwin County ever since he was about five years old, and ever since we have been married he has been living in Baldwin County, and it is his residence, and he is still living here.

At the time we were married, my husband, ALLEN MCMILLAN, did drink some but about nine years ago, he started drinking bad and has been unable to hold a regular job because of his drinking. When he gets drunk he will strike me and is vicious, and he drinks continually. He works about two or three days a week, and every time he gets a dollar he goes to the liquor store, buys some liquor and gets drunk. That was why we had to separate.

He has not supported me since he has been drinking badly, and that is the reason I am asking for this divorce.

Rhoda McMillan
RHODA MCMILLAN

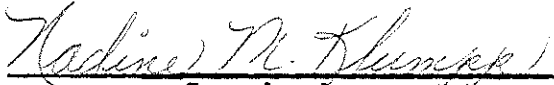
Subscribed and sworn to before me on this the 31st day
of December, 1957.

Nadine M. Klump
Commissioner

I, NADINE M. KLUMPP, Commissioner, acting under stipulation of the parties in the divorce suit of RHODA MCMILLAN vs. ALLEN MCMILLAN, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have caused the witnesses in this cause, namely, RHODA MCMILLAN and LEDORA D. SMITH, who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. RICKARBY, Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being so reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to the cause, nor anywise interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 31st. day of December, 1957.



Commissioner

100-100000-1000

RECEIVED

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

...

FILED
JAN 6 1958
FBI - NEW YORK

RHODA MCMILLAN,
COMPLAINANT,

-VS-

ALLEN MCMILLAN,
DEFENDANT,

¶
¶
¶
¶
¶
¶

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

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's bill, answer and waiver filed by Respondent, and depositions of Complainant and Ledora D. Smith.



E. G. RICKARBY,
Solicitor for Complainant

Allen French
Register

STATE OF TEXAS
COUNTY OF [illegible]
[illegible text]

FILED
JAN 6 1958

ALICE J. DUCK, Register

LAW OFFICES
E. G. RICKARBY
BANK BUILDING
FAIRHOPE, ALABAMA

December 27, 1957

Mrs. Alice Duck
Clerk of Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Enclosed find Answer and Waiver in the above styled
Divorce case.

Yours very truly,



EGR/nmk
Encl.1

RHODA MCMILLAN,
COMPLAINANT,

-VS-

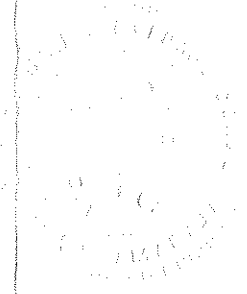
ALLEN MCMILLAN,
RESPONDENT.

WAIVER

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

FILED
DEC 30 1957

ALICE J. DUCK, Register



RHODA MCMILLAN,

COMPLAINANT,

-VS-

ALLEN MCMILLAN,

DEFENDANT.

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

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes RHODA MCMILLAN by this, her Bill of Complaint presented against ALLEN MCMILLAN, and respectfully shows:

1. That complainant is over the age of twenty-one years and a bona fide resident of Baldwin County, Alabama, and has been such for three years next preceding the filing of this, her Bill of Complaint.

2. That the defendant, ALLEN MCMILLAN, is over the age of twenty-one years and is a bona fide resident of Baldwin County, Alabama, residing at Fairhope, Alabama.

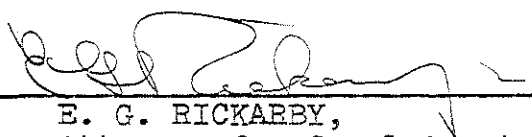
3. That your complainant, RHODA MCMILLAN, and defendant, ALLEN MCMILLAN, were lawfully married in Belforrest, Baldwin County, Alabama, on, to-wit, the 1st day of July, 1945, and lived together as husband and wife until about May, 1954.

4. That the defendant, ALLEN MCMILLAN, became addicted after marriage to habitual drunkenness.

5. That said parties, because of the defendant's condition, have been living separate and apart since May, 1954, and there are no children born to this marriage.

THE PREMISES CONSIDERED, your complainant prays that the Court will make the said ALLEN MCMILLAN a party defendant to this cause by appropriate process, requiring him to plead, answer or demur within the time prescribed by law.

COMPLAINANT FURTHER PRAYS THAT, upon a hearing of this cause, the Court will render a decree forever divorcing her from the said ALLEN MCMILLAN, and granting her the right to remarry should she so desire, and to such other further or different reliefs as to equity may seem meet.


E. G. RICKABY,
Attorney for Complainant.

no. 4175

RHODA MCMILLAN,

Complainant

-VS-

ALLEN MCMILLAN,

Defendant

BILL OF COMPLAINT

FILED

NOV 23 1957

ALICE J. DUCK, Register

John King
Brown

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

[Faint, mostly illegible text, likely bleed-through from the reverse side of the page]

[Faint text at the bottom right of the page]

SUMMONS AND COMPLAINT

Baldwin Times

THE STATE OF ALABAMA,

BALDWIN COUNTY

CIRCUIT COURT, BALDWIN COUNTY

No.

.....TERM, 19.....

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You Are Hereby Comanded to Summon Allen McMillan

to appear and plead, answer or demur, within thirty days from the service hereof, to the complaint filed in the Circuit Court of Baldwin County, State of Alabama, at Bay Minette, against _____

Allen McMillan

Defendant

by Rhoda McMillan

Plaintiff.....

Witness my hand this 23 day of November 19...57...

Alvin J. Durr, Clerk

No.

4125

Page

THE STATE OF ALABAMA
BALDWIN COUNTY

CIRCUIT COURT

Rhoda McMillan

Plaintiffs

vs.

Allen McMillan

Defendants

SUMMONS and COMPLAINT

Filed

11-23

1957

Alice J. Luck Clerk

Plaintiff's Attorney

Defendant's Attorney

Defendant lives at

RECEIVED IN OFFICE

19

Sheriff

I have executed this summons

this

12-6

1957

by leaving a copy with

Allen McMillan

Sheriff's claims 70 miles at

Ten Cents per mile Total a 7.00

TAYLOR WILKINS, Sheriff

BY

Edleigh Steadham
DEPUTY SHERIFF

Taylor Wilkins Sheriff

Edleigh Steadham Deputy Sheriff