

(4298)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY McCAW MILLS, Complainant

vs.

HERBERT H. 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 Mary McCaw Mills is forever divorced from the said Herbert H. Mills 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 Mary McCaw Mills the Complainant pay the cost herein to be taxed, for which executed may issue.

This 24 day of July 1958

Herbert M. Hill

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

MARY McCAW MILLS

Complainant

vs.

HERBERT H. MILLS

Respondent

DIVORCE DECREE

MARY McCAW MILLS

vs.

HERBERT H. 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 Mary McCaw Mills and Mrs. Dorothy Harris, Decree Pro Confesso after Notice by Registered Mail and Motion for Decree Pro Confesso After Notice by Registered Mail~~

and in behalf of Defendant upon _____

C. L. Davis Thompson

Wesley H. Dasher
Register.

No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

MARY McCAW MILLS

vs.

HERBERT H. MILLS

NOTE OF TESTIMONY

Filed in Open Court this

day of **FILED**, 194

JUL 24 1958

WALTER J. DUCK, Register Register.
Printed by the Baldwin Times

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

MARY McCAW MILLS

Complainant

VS.

HERBERT H. MILLS

Respondent

I, Lois Wilson

as Register and Commissioner

have called and caused to come before me Mary McCaw Mills and Mrs. Dorothy Harriswitness es named in the Requirement for Oral Examination, on the 23rd day of July
1958, at the office of C. LeNoir Thompsonin Bay Minette, Alabama, and having first sworn said Witness es to speak the truth, the whole truth, and nothing but the truth, the said Mary McCaw Mills and Mrs. Dorothy Harris doth depose and say as follows:

That my name is Mary McCaw Mills, I am over the age of 21, and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent is over the age of 21 and has been a resident of Baldwin County Alabama more than two years though temporarily at Waynesboro, Mississippi. We were married at Waynesboro, Mississippi on May 25, 1933 and lived together as husband and wife in Baldwin County, Alabama until May 13, 1958 at which time and on several occasions prior thereto the Respondent threatened and abused the Complainant and threatened to do actual violence to her persons, choking and slapping her so that her life or health was endangered and she believed that her life or health was endangered if she continued to live with him. The children born of this marriage are grown and there is no property to be divided. Your Complainant respectfully asks that she be granted a divorce as she knows she will never live together again with the respondent as his wife.

Mary McCaw Mills

That my name is Mrs. Dorothy Harris, I know both parties to this cause, they are both over the age of 21 and have been residents of Alabama more than two years next preceding. The Respondent is temporarily at Waynesboro, Mississippi. They were married on or about the 25th of May, 1933, in Mississippi and lived together as husband and wife until their separation occurred in Baldwin County on May 13, 1958. The Respondent would become violent on occasions and threatened and abused your complaint choking and slapping her until she became in fear of her life or health and was forced to leave him. They have not lived together as husband and wife since that date. I do not believe they will ever live together again.

Mrs Dorothy Harris

ORAL EXAMINATION.

I, Lois Wilson, as Register and Commissioner hereby certify that the foregoing deposition son 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 23rd day of July, 1958

Lois Wilson (L. S.)

NO. _____	PAGE _____
THE STATE OF ALABAMA	
BALDWIN COUNTY	
IN CIRCUIT COURT, IN EQUITY	
MARY MCCAW MILLS	Complainant
vs.	
HERBERT H. MILLS	Respondent.
Oral Deposition	
Filed _____, 195_____	Recorded in _____
FILED	
JUL 24 1958	
Recorded in _____	
AMBER J. DICK, Register	
Vol. _____	Page _____
_____	Register

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: LOIS WILSON

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 Mary McCaw Mills and Mrs. Dorothy Harris

a witness in behalf of Mary McCaw Mills in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Mary McCaw Mills

, Complainant

and Herbert H. Mills

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 22 day of July

, 1958

Deice Johnson
Register.

Commissioner's Fee, \$

Witness' Fees, \$

No.

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

MARY McCAW MILLS

Complainant

VS.

HERBERT H. MILLS

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

LOIS WILSON

WITNESSES:

MARY McCAW MILLS
MRS. DOROTHY HARRIS

MARY MCCAW MILLS

Vs.

HERBERT H. MILLS

CIRCUIT COURT OF Baldwin County.

IN EQUITY

In this cause it being made to appear to the Register that on the 9th day of June, 1958, a copy of the Bill of Complaint filed in this cause was sent to Herbert H. 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 18th day of June, 1958, 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 Herbert H. Mills

Defendant

This the 22 day of July, 1958, [Signature] Register.

No. _____

**CIRCUIT COURT OF BALDWIN
COUNTY, ALABAMA**

In Equity.

MARY McCAW MILLS

Vs.

HERBERT H. MILLS

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

Filed in office this _____ day of

_____, 194_____

_____, Register

Entered in O. B. _____ Page _____

The Baldwin Times, Bay Minette, Ala.

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

200 9200 - 210 1 100

The State of Alabama, }
Baldwin County

No.-----

CIRCUIT COURT, IN EQUITY

MARY McCAW MILLS

-----, Complainant

Vs.

HERBERT H. MILLS

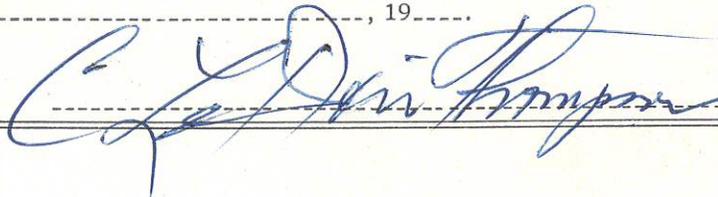
-----, Defendant

Motion is hereby made for a Decree Pro Confesso against Herbert H. 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-----day of-----, 19-----



-----, Solicitor.

THE STATE OF ALABAMA
Baldwin County.

Circuit Court, In Equity

MARY MCCAWE MILLS

vs.

HERBERT H. MILLS

Motion For Decree Pro Confesso
After Notice By Registered Mail

Filed _____, 19____

FILED

JUL 22 1958

Register.

ALICE J. DUCK, Register

Recorded in _____ Record,

Vol. _____ Page _____

Register.

*Motion is hereby made for a Decree Pro Confesso against
in the above stated cause, on the ground that more than thirty days process served by Registered Mail according to law,
upon said Defendant, and that said summons was duly served by Registered Mail according to law,
and that said Defendant has failed to answer the bill of Complaint in this case
to this date.*

4298
INSTRUCTIONS TO DELIVERING EMPLOYEE

- DELIVER ONLY TO ADDRESSEE (20¢ additional)
- SHOW ADDRESS WHERE DELIVERED IN ITEM 4 BELOW (31¢ additional)

RECEIPT

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

1. SIGNATURE OR NAME OF ADDRESSEE

X *Herbert H. Mills*

2. SIGNATURE OF ADDRESSEE'S AGENT (Agent should enter addressee's name in item 1 above)

3. DELIVERY DATE

*Route # 3
Waynesboro, Miss
1958
6/10/58*

4.

REC'D BCR, REGISTERED
JUL 10 1958
676-71548-3 GPO

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE
5 PM
1958
MISS.

INSTRUCTIONS.—Show name, address and number of article below. Complete "Instructions to Delivering Employee" on other side, when applicable. Moisten gummed ends and securely attach to back of article. Endorse front of article RETURN RECEIPT REQUESTED.

RETURN TO

POD Form 3811, Dec. 1955

REGISTERED NO. 883	NAME OF SENDER Alice J. Duck
CERTIFIED NO.	STREET AND NO. OR P. O. BOX Box 239
INSURED NO.	CITY, ZONE, AND STATE Bay Minette, Alabama

045-71548-3

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons HERBERT H. 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 MARY McCAW MILLS, as Complainant and against HERBERT H. MILLS, as Respondent.

WITNESS my hand this the 9 day of June, 1958.

Reese J. Alcock
Register

MARY McCAW MILLS	*	IN THE CIRCUIT COURT OF
	*	
COMPLAINANT	*	BALDWIN COUNTY, ALABAMA.
	*	
VS	*	IN EQUITY.
	*	
HERBERT H. MILLS	*	CASE NO. _____
	*	
RESPONDENT	*	

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

Your Complainant, Mary McCaw Mills, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is over the age of 21 and a resident of Baldwin County, Alabama, and has been more than two years next preceeding; The Respondent is over the age of 21 and a resident of Baldwin County, Alabama, and has been more than two years next preceeding.

2.

That your Complainant and the Respondent married at Waynesboro, Mississippi on May 25, 1933, and lived together as husband and wife in Baldwin County, Alabama, until May 13, 1958.

3.

That on May 13, 1958, 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.

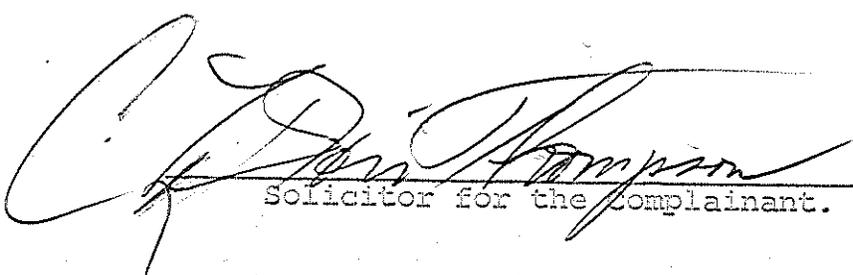
4.

There was born as fruits of this marriage between the Complainant and the Respondent two children who are grown.

The parties during their marriage have accumulated certain personal property to-wit: Lumber to the value of \$270.00 which your Complainant request be sold and the sum received therefrom be divided between the parties to this cause; the said lumber having been accumulated from the joint efforts of the parties hereto.

WHEREFORE, the premises considered, your Complainant prays that your Honor will, by proper process make the said Herbert H. 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; Your 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.

Complainant prays for such other, further, different or general relief as she may be entitled in the premises, etc.


Solicitor for the Complainant.

4298

Received 9 day of June 1958

and on _____ day of _____ 19____

received a copy of the within _____

by service on _____

TAYLOR WILKINS, Sheriff

By _____ D. S.

MARY McCAW MILLS

COMPLAINANT

VS

HERBERT H. MILLS

RESPONDENT

* * * * *

SUMMONS AND COMPLAINT

* * * * *

FILED

JUN 9 1958

ALICE I. DUCK, Register

BY Taylor Wilkins, Sheriff
Property Sheriff

quity.

Not found in my county, after diligent search and in-

Returned 18 June 58