

ALMA EMILY MILLER)
Complainant)
VS)
RAYMOND HOWARD MILLER)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the Complainant and submits this cause in her behalf upon the following testimony, towit:

- 1.. Bill of Complaint including Exhibit "A".
2. Respondent's Answer and Waiver
3. Commissions to take Depositions
4. Complainant's Witnesses' Oral Depositions.

Arthur C. Epperson
Solicitor for Complainant

Avery J. Smith

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ALMA EMILY MILLER
Complainant

vs.

RAYMOND HOWARD MILLER
Respondent

NOTE OF SUBMISSION

FILED
FEB 4 53

ALICE J. DUCK, Register

Arthur C. Epperson
Attorney at Law
Foley, Ala.

ALMA EMILY MILLER)
Complainant)
VS)
RAYMOND HOWARD MILLER)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

To the Honorable Hubert M. Hall, Judge of the Circuit Court of
Baldwin County, Alabama, Sitting in Equity:

Your complainant, Alma Emily Miller, respectfully represents
and shows unto your Honor:

1. That the complainant is over the age of twenty-one years
and is a resident of Baldwin County, Alabama, and has been a bona-fide
of said State for more than one year next preceding the filing of this
bill of complaint; that Raymond Howard Miller is over the age of twenty-
one years and resides in Baldwin County, Alabama.

2. That the complainant and respondent were lawfully married
on or about to-wit: January 2, 1949 at Long Beach California; that of
this marriage there are two minor children, namely, Lawrence Raymond
Miller, born October 2, 1949, and Pamela Roslyn Miller, born June 30,
1952.

3. Your complainant avers and charges that the said respondent
did on or about the 7th day of December, 1952, and many times subsequent
thereto assault, beat, hit, strike the complainant; that said respondent
has committed actual violence on her person attended with danger to her
health or life; complainant avers and charges that respondent has made
numerous threats of doing her physical harm and from his manner and
conduct toward her, she is reasonably convinced that he will commit an
actual violence upon her person, attended with danger to her life or
health.

4. That after above stated assault by the respondent upon
the complainant, the complainant separated from the respondent and there-
upon the complainant and respondent entered into an agreement in
reference to support and maintenance and custody of the minor children,
a copy of which is hereto attached as Exhibit A and made a part hereof,
and by the terms of which agreement the respondent and Father of the
two children will pay to the complainant the sum of \$100.00 monthly
for the support and maintenance of the two children; that the care,
control and custody of the two children shall be in the Mother, the com-
plainant, with rights of reasonable visitation in the Father, the res-
pondent.

Complainant avers that this is a reasonable, just and proper
agreement and prays that the Court in the event a decree of divorce is
granted in this cause, will decree that the parties keep and abide by
the terms of said agreement.

The premises considered, your complainant makes the said Ray-
mond Howard Miller a party respondent to this bill of complaint, and in
order that complainant may have the relief herein prayed for, may it
please your Honor to cause the State's Writ of subpoena to be issued,
directed to the said Raymond Howard Miller, commanding him to answer,
plead or demur to this bill of complaint, within the time required by
law; and that on a final hearing of this cause, that your Honor will
enter a decree divorcing your complainant from said respondent and that
your Honor will grant such other, further or different relief as unto
your Honor will seem just and proper.

Arthur C. Jeperson
Solicitor for Complainant

295-8

RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ALMA EMILY MILLER
Complainant

vs.

Raymond Howard Miller
Respondent

BILL OF COMPLAINT

FILED

FEB 4 - 53

WIDE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

ALMA EMILY MILLER
Complainant)

VS.)

RAYMOND HOWARD MILLER)
Respondent)

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

Comes the respondent, Raymond Howard Miller, and for answer to the bill of complaint herein says as follows:

1. He denies each and every allegation contained in said bill of complaint and demands strict proof of the same.

2. The respondent hereby waives notice of the taking of testimony in this cause, notice of submitting said cause for final decree, and such other, further or different notice to which he might otherwise be entitled.

Mrs Earl Long
Witness

Raymond H. Miller
Respondent

Oscar A. Peterson
Witness

2958
RECORDED

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ALMA EMILY MILLER
Complainant

vs.

RAYMOND HOWARD MILLER
Respondent

ANSWER AND WAIVER

FILED
FEB 4 1953

ALICE J. DUCK, Register

Arthur C. Epperson
Attorney at Law
Foley, Ala.

STATE OF ALABAMA

BALDWIN COUNTY

THIS AGREEMENT made and entered into on this the Tenth day of December, 1952, in duplicate, by and between Alma Emily Miller and Raymond Howard Miller, Witnesseth:

Whereas the parties hereto are husband and wife and have been married since January 2, 1949; and:

Whereas, the parties hereto, as a result of their marriage, have two minor children, Lawrence Raymond Miller, born October 2, 1949 and Pamela Rosyln Miller, born June 30, 1952; and

Whereas, the parties hereto have definitely concluded that under conditions now existing, it is impractical for them to continue to live together as man and wife,

NOW, therefore, in consideration of the covenants and agreements hereinafter contained and made by the parties hereto, they have mutually agreed to complete separation under the following express terms and conditions:

1. The parties shall completely and entirely separate as husband and wife, live separate and apart, and neither party hereafter shall in anyway harass, threaten, intimidate, or otherwise act in any way so as to embarrass or humilate the other.

2..The care, control, and custody of the two minor children shall be in the mother, Alma Emily Miller, with reasonable rights of visitation by the father, Raymond Howard Miller.

3. That the father, Raymond Howard Miller, will pay to Alma Emily Miller the sum of One Hundred Dollars (\$100.00), due and Payable the fifth day of each month, monthly, for the support and maintenance of the two minor children and until relieved by law or competent court order.

4. It is understood and agreed that Raymond Howard Miller shall not be liable for any futher debts made by Alma Emily Miller nor for futhersupport and maintenances of the two minor children and that she will not in anyway use the credit of Raymond Howard Miller or in any way attempt to make charges or credit accounts against him.

This agreement has been made and executed by the parties hereto in good faith, with full understanding of all of its provisions and with the mutual promise on the part of each to comply therewith faithfully and completely.

Raymond D. Miller

Alma E. Miller

Mrs Earl Long

Arthur C. Epperson

2958 RECORDED

"Exhibit A"

AGREEMENT

AIMA EMILY MILLER

And

HOWARD RAYMOND MILLER

Dated-
Dec. 10, 1952

FILED
DEC 11 1952

AUGUST L. DICK, Register

Arthur C. Epperson
Attorney

Foley, Ala

THE STATE OF ALABAMA
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity)

Alma Emily Miller Complainant

VS.

Raymond Howard Miller Respondent

I, Dixie A. Petersen

as Register and Commissioner

have called and caused to come before me Alma Emily Miller
and Mrs. Earl Long

witnesses named in the Requirement for Oral Examination, on the 4th day of February, 1953
194 , at the office of Dixie A. Petersen
in Foley, Ala, Alabama, and having first sworn said Witnesses to speak the
truth, the whole truth, and nothing but the truth, the said Alma Emily Miller and
Mrs. Earl Long doth depose and say as follows:

My name is Alma Emily Miller. I am a Bone Fide resident of Baldwin County, Alabama and have been for more than one year next preceding the filing of this bill for divorce. I am over the age of twentyone years as is Raymond Howard Miller, the respondent.

Raymond Howard Miller and I were married at Long Beach, California, on January 2, 1949. We have two children, Lawrence Raymond Miller, born, October 2, 1949 and Pamela Rosyln Miller, born June 30, 1952.

On Saturday, December 6, 1952 my husband came home late at night and after I and the children had all gone to bed. He had been drinking and made a lot of noise, waking me up. I asked him to be quiet and how come he was so late coming home. He told me to shut up and that it was not any of my business. I noticed lipstick on his collar then. I might say here that shortly after Pamela was born I was told that he had been stepping out on me and accused him of it. He admitted that he had been dating a certain woman. I left him then and started divorce proceedings but because of the children decided to try to live with him again before the suit was filed. Things were never the same again and we continuously argued and several times he hit and treated me very rough. I became more scared of him all along. To get back to where I left off, I accused him of being out with this woman again and that is about the last I remember clearly. He struck me in the face and I guess I screamed. Mr. and Mrs. Long who lived in a couple of apartments down heard us and they came down there. They took me and the children back down to their apartment where we stayed the rest of the night. I had quite a number of bruises on me and was considerably upset for several days. I am afraid to live with Raymond any longer. I am practically a nervous wreck. To continue on living with him would certainly ruin my health. I have not lived with him since that night. A few days later we made a separation agreement by which he agreed to give custody of the children to me and give me \$100.00 a month for their support. The agreement is marked Exhibit A and included with this my testimony.

Alma Emily Miller

My name is Mrs. Earl Long. I am a neighbor to Alma Miller. We have lived close to each other for over a year in Foley, Alabama. Late one Night--a Saturday night, the first part of last December, I heard Mrs. Miller Crying and screaming. My husband and I ran down to her apartment. She and her husband had been quarreling and he evidently had struck her. I brought Mrs. Miller and the two children back to my apartment where they stayed until the next day. She has not lived with Mr. Miller to my knowledge since that night and I feel that she could not safely without endangering her health. A few days later They signed a agreement of separation. He gave Mrs. Miller the custody of the children and \$100.00 a month for their support.

Mrs Earl Long

ORAL EXAMINATION.

I, Dixie A. Peterson, 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 ess and read over to them and they signed the same in the presence of myself Dixie A. Peterson

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness _____ or had proom made before me of the identity of said witness _____; 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 4th day of February, 1943

Dixie A. Peterson (L. S.)

NO 2958 PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Alma Emily Miller

vs. Complainant

Raymond Howard Miller

Respondent.

Oral Deposition

Filed 2-4, 1943

Miss Shuck, Register.

Recorded in

Record _____

Vol. _____ Page _____

Register.

COMMISSION TO TAKE DEPOSITIONS

THE STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT

TO: Dixie A. Petersen
Foley, Alabama.

KNOW YE: that we, having full faith in your prudence and competency, have appointed you
Commissioner, and by these presents do authorize you, at such time and place as you may appoint,
to call before you and examine Alma Emily Miller, Foley, Alabama, and
Mrs. Earl Long, Foley, Alabama

as witnesses in behalf of Alma Emily Miller in a cause pending in our
Circuit Court in Baldwin County, of said State, wherein Alma Emily Miller

_____, Complainant

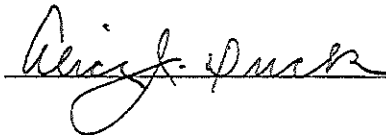
and _____

Raymond Howard Miller

_____, Respondent

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

Witness 4th day of February, 1953



Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. 295-8

THE STATE OF ALABAMA
Baldwin County

CIRCUIT COURT

Alma Emily Miller

Complainant—

vs.

Raymond Howard Miller

Defendant—

COMMISSION TO TAKE DEPOSITION

COMMISSIONER

Dixie A. Petersen

Foley, Alabama

WITNESSES:

Alma Emily Miller

Mrs. Earl Long

ALMA EMILY MILLER)
Complainant)
VS.)
RAYMOND HOWARD MILLER)
Respondent)

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

DIVORCE DECREE

This cause coming on to be heard at this term was submitted upon bill of complaint, respondent's answer and waiver, and testimony as shown by the note of submission, and upon consideration thereof, the Court is of the opinion that the complainant is entitled to the relief prayed for in her said bill of complaint. It is therefore,

ORDERED, DECREED and ADJUDGED by the COURT:

1. That the bonds of matrimony heretofore existing between the complainant and respondent be, and the same are hereby dissolved, and the said ALMA EMILY MILLER is forever divorced from the said RAYMOND HOWARD MILLER.
2. Upon consideration of the written agreement entered into between the complainant and respondent touching the custody of the minor children of the marriage and support and maintenance of the said minor children, it is further ordered, adjudged and decreed by the Court that the said written agreement is hereby ratified and approved, and the care custody and control of the minor children of the marriage, namely, Lawrence Raymond Miller and Pamela Roysin Miller, is awarded to the complainant, the mother and further that the respondent pay over to the complainant for the support and maintenance of the two minor children the sum of One Hundred Dollars (\$100.00) per month, said payments to begin immediately and be due and payable on or before the fifth day of each successive month.
3. That neither the complainant or respondent shall again marry except to each other, until sixty days after the date of the decree of this divorce.
4. That the complainant pay the costs herein to be taxed for which execution may issue.

This the 6th day of February, 1953.

Hubert M. Stone
Judge of the Circuit Court in Equity

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

ALMA EMILY MILLER
Complainant

VS

Raymond Howard Miller
Respondent

DECREE OF DIVORCE

FILED
FEB 9 1957
ALICE J. DUCK, Register

ARTHUR C. EPPERSON
ATTORNEY AT LAW
FOLEY, ALA.

8296

ALMA EMILY MILLER,
Complainant

IN THE CIRCUIT COURT OF

VS

BALDWIN COUNTY, ALABAMA

RAYMOND HOWARD MILLER,
Respondent

IN EQUITY NO. 2958

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Hubert M. Hall
Judge of the Circuit Court in
Equity.