

The State of Alabama, }
Baldwin County.

No. 664¹/₂

CIRCUIT COURT, IN EQUITY

Van Mc Millan

Complainant

vs.

Susana Mc Millan,

Defendant

This cause, coming on to be heard at this Term, was submitted upon the Bill of Complaint, decree pro confesso and the testimony as noted by the Register; and, upon consideration thereof, the Court is of 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 the Complainant is forever divorced from the Defendant.

on account of voluntary abandonment.

It is further ordered, that the said Van Mc Millan,

be, and he is hereby permitted to again contract marriage, upon the payment of the costs of Court in this cause.

It is further ordered, that the said Van Mc Millan,

pay the costs herein taxed, for which execution may issue, and if such execution is returned "no property found," then execution for such costs may issue against the said Susana Mc Millan.

It is further ordered, adjudged and decreed that said Van Mc Millan,

shall not again marry except to said Susana Mc Millan,

until sixty days after this date, and that if an appeal is taken within sixty days he shall not marry again except to

said Van Mc Millan, during the pendency of said appeal

This 10th day of December 1927

John D. Leigh
Judge of the Circuit Court of Baldwin County.

THE STATE OF ALABAMA, }
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.

I, _____ Register of said Circuit Court of said County,

Alabama, do hereby certify that the above is a full, true and correct copy of the decree rendered by said Court on

the _____ day of _____ 192____, in the cause of

Complainant

vs.

Defendant

as appears of record in said Court.

Witness my hand and the seal of said Court, this the _____ day of _____ 192____

Register.

Mante

No. 664¹/₂

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT, IN EQUITY.
BALDWIN COUNTY, ALA.

Van Mc Millan,

vs.

Susana Mc Millan

DECREE OF DIVORCE.

Filed in office this

10

day of

Dec

, 192*7*

J. M. [Signature]

Register.

E. O. M.

300

STATE OF ALABAMA,
BALDWIN COUNTY.

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

TO THE HONORABLE JOHN D. LEIGH, JUDGE OF THE CIRCUIT COURT,
BALDWIN COUNTY, ALABAMA, IN EQUITY.

Your Orator, Van McMillan, respectfully represents and shows unto Your Honor as follows:-

FIRST:

That he is a bona fide resident citizen of Baldwin County, Alabama, residing at Bay Minette, Alabama; that he is over the age of twenty one years and that he has been a resident citizen of Baldwin County for more than three years immediately preceeding the filing of this bill.

SECOND:

That Susana McMillan is now residing at Fairfield, Alabama; that she is over the age of twenty one years.

THIRD:

That Your Orator and the said Susana McMillan were lawfully married in the year 1918 and lived together as husband and wife until, to-wit:- September 3rd., 1922, at which time the defendant voluntarily abandoned complainant without just cause or excuse and without fault on his part; that at the time of said abandonment said defendant and complainant were living in Baldwin County, Alabama; that they have not lived together since the date of separation.

PRAYER FOR PROCESS.

THE PREMISES CONSIDERED, Your Orator respectfully prays that the said Susana McMillan be made party respondent to this bill of complaint by the usual process of this Honorable Court; that such orders, decrees and publications be had as necessary to perfect service on the said Susana McMillan and that she be required to demur, plead to or answer the

same within the time and under the penalties as provided by law, or that the same be forever confessed.

PRAYER FOR RELIEF.

That upon the final hearing of this cause Your Honor will grant unto Your Orator an absolute divorce from the said Susana McMillan.

That if Your Orator is mistaken in the relief prayed for then Your Honor will grant unto him such, other, further, different and general relief as he in justice and equity may be entitled.

HENRY D. MOORER,
Attorney for Complainant.

FOOT NOTE:-

Defendant is required to answer every allegation contained in the foregoing bill of complaint, Paragraph One to Three, inclusive, but not under oath; answer under oath is hereby expressly waived.

HENRY D. MOORER,
Attorney for Complainant.

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, In Equity.

To any Sheriff of the State of Alabama—GREETING:

Susana Mc Millan,

WE COMMAND YOU, That you summon

of Baldwin County, to be and appear before the Judge of the Circuit Court of Baldwin County, exercising Chancery jurisdiction, within thirty days after the service of Summons, and there to answer, plead or demur, without oath, to a Bill of Complaint lately exhibited by

Van Mc Millan,

against said

Susana Mc Millan,

and further to do and perform what said Judge shall order and direct in that behalf. And this the said Defendant shall in no wise omit, under penalty, etc. And we further command that you return this writ with your endorsement thereon, to our said Court immediately upon the execution thereof.

WITNESS, T. W. Richerson, Register of said Circuit Court, this 1st day of June 1927.

T. W. Richerson Register.

N. B.—Any party defendant is entitled to a copy of the bill upon application to the Register.

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ORIGINAL

SERVE ON.....

Circuit Court of Baldwin County
In Equity.

No.

SUMMONS

Van Mc Millan

vs.

Susana Mc Millan,

H.D. Moorer,

Solicitor for Complainant

Recorded in Vol. Page

Filed Oct 17, 1927

T. Whittier

THE STATE OF ALABAMA,
BALDWIN COUNTY.

Received in office this

day of 192

Sheriff.

Executed this day of

192

by leaving a copy of the within Summons with

Defendant.

RECORDED

Sheriff.

By
Deputy Sheriff.

I hereby accept service of the within
subpcena and waive service of same by
the sheriff.

ATTEST:

~~Susana Mc~~
Millan

Anna Watson
Jesse Abney

VAN McMILLAN,
Complainant,

-vs-

SUSANA McMILLAN,
Defendant,

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

Comes Susana McMillan, defendant, in the above styled cause and for answer to the same denies each and every allegation contained therein and demands strict proof of same. She waives service of subpoena by the Sheriff and notice of filing of interrogatories, or any proceedings to take testimony on oral or written examination as well as the right to cross examine, and consents that this cause be submitted for decree on note of testimony made by the Register either in term time or vacation.

Dated this 9th day of October, 1927.

Susana McMillan

ATTEST:

Dr. W. Watson
J. S. Arney

The State of Alabama,
Baldwin County.

Circuit Court of Baldwin County, Alabama
(In Equity.)

Van Mc Millan Complainant.

VS.

Susana Mc Millan, Respondent.

I T. W. Richerson,

as Register and Commissioner

have called and caused to come before me Van Mc Millan, and Nancy Mc Conico,

witnesses named in the Requirement for Oral Examination, on the 7 day of Nov
1927, at the office of Register,

in Bay Minette Alabama, and having first sworn said witnesses to speak the
truth, the whole truth, and nothing but the truth, the said witnesses,

doth depose and say as follows:

TESTIMONY OF VAN McMILLAN.

My name is Van McMillan, I am over the age of twenty one
years and a resident citizen of Baldwin County, Alabama, having resided
in Bay Minette, Baldwin County, Alabama, for more than three years immediately
preceeding filing of this bill.
Susana McMillan and I were lawfully married in the year 1918 and
lived together as husband and wife until September 3rd., 1922, at which
time the said Susana McMillan voluntarily abandoned my bed and board without
just cause and without fault on my part. Susana McMillan is a resident
of Baldwin County, Alabama, and over the age of twenty one years.

Van McMillan

Subscribed and sworn to before me
this day of , 1927.

REGISTER.

ORAL EXAMINATION.

I, T.W. Richardson, as Register and Commissioner hereby certify that the foregoing deposition on Oral Examination was taken down in writing by me in the words of the witness es and read over to them and they signed the same in the presence of myself and Hon. H.D. Moorer, Atty for Complainant, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proof made before me of the identity of said witness es; 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 7th day of November 1927.

T.W. Richardson (L. S.)

NO. _____ PAGE _____

THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

Van Mc Millan,

vs. Complainant

Susana Mc Millan,

Respondent.

Oral Deposition

Filed November 27, 1927

T.W. Richardson, Register.

Recorded in

Record

Vol. _____ Page _____

Register

TESTIMONY OF NANCY McCONICO

My name is Nancy McConico. I am over the age of twenty one years and a resident citizen of Baldwin County, Alabama, having resided in Bay Minette, Baldwin County, Alabama, for more than the past three years.

I am personally acquainted with Van McMillan and Susana McMillan and have known them both for more than eighteen years. I know of my own knowledge that Van McMillan and the said Susana McMillan were lawfully married in the year 1918 and lived together as husband and wife until on or about September 3rd., 1922, at which time the said Susana McMillan voluntarily abandoned the said Van McMillan, without just cause and without fault on the part of Van McMillan.

Nancy McConico

Sworn to and subscribed before me
this _____ day of _____, 1927.

REGISTER.

STATE OF ALABAMA,
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 664¹/₂ Vacation Term, 192 7

Van Mc Millan, Complainant...

vs.

Susana Mc Millan, Defendant...

To T.W. Richerson, Register:

In the above stated cause a Decree Pro Confesso having been taken against the Defendant, and evidence having been taken, and the cause being ready for submission for final decree, and no defense having been interposed, the Complainant, by H.D. Moorner,

Solicitors of record, now files with the Register of this Court this written request to deliver the papers in this cause to the Judge for final decree in vacation.

H.D. Moorner,
Solicitor for Complainant.

8581 NOTE OF TESTIMONY

Van Mc Millan

THE STATE OF ALABAMA,
BALDWIN COUNTY

vs.

Susana Mc Millan,

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint, Answer of Deft, and testimony of Van Mc Millan and Nancy Mc Connico,

and in behalf of Defendant upon:

T.W. Richerson
Register.

THE STATE OF ALABAMA
BALDWIN COUNTY
CIRCUIT COURT, IN EQUITY

Van Mc Millan

vs.

Susana Mc Millan,

REQUEST FOR DECREE IN
VACATION

FILED Nov 9th 1927

J. W. Rice

Register

RECORDED

RECORDED IN RECORD

VOL. PAGE

Register

THE STATE OF ALABAMA
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Van Mc Millan

vs

Nancy Mc Millan,

NOTE OF TESTIMONY

Filed in Open Court this 9th

day of Nov 1927.

J. W. Rice

Register

RECORDED