

AMELIA R. MILLS,  
Complainant.

VS

WILLIAM C. MILLS  
Respondent.

IN EQUITY.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA.

This cause coming on to be heard, is submitted upon the Bill of Complaint, answer and testimony of complainant's witnesses and in consideration thereof the court is of the opinion that complainant is entitled to the relief prayed for in the bill.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the bonds of matrimony heretofore existing between Complainant and Respondent be, and the same are, hereby dissolved and the said AMELIA R. MILLS is forever divorced from the said WILLIAM C. MILLS on account of cruelty as alleged in said bill of complaint.

It is further ordered and decreed that neither party shall marry again except to the other until the expiration of sixty days from this date, and that if an appeal is taken within said sixty days neither shall marry again except to the other during the pendency of such appeal but that after the expiration of said sixty days either party may again contract marriage provided that the costs of this cause are paid in full.

IT IS FURTHER ORDERED AND ADJUDGED that Complainant, if she so desires, may resume her maiden name of Rockwell.

IT IS FURTHER ADJUDGED AND DECREED that William C. Mills shall pay to complainant as her solicitor's fees the sum of thirtyfive dollars within ninety days from this date and that said sum when paid shall be in lieu of all alimony.

IT IS FURTHER ADJUDGED AND DECREED that the care and custody of Sylvia ~~Rockwell~~ the daughter and only child of the parties hereto, is granted to complainant subject to the right, however,

of Respondent to see said child at monthly intervals after one year during reasonable hours at such place in Baldwin County as Complainant may designate.

IT IS FURTHER ORDERED that the Respondent, William C. Mills, pay the costs of this cause, for which execution may issue.

Done at Bay Minette, Alabama, this 11<sup>th</sup> day of Feb, 1933.

*J. W. Hare*  
Judge.

AMELIA R. MILLS,  
Complainant,

vs

WILLIAM C. MILLS,  
Respondent.

DECREE OF DIVORCE.

Filed Feb 13 1933  
D. W. Richardson  
Register

AMELIA R. MILLS  
Complainant.

IN EQUITY.

VS

WILLIAM C. MILLS,  
Defendant.

THE DEPOSITIONS OF AMELIA R. MILLS and REUBEN L. ROCKWELL  
Witnesses for Complainant in the above entitled cause:

Said witnesses having been duly sworn to tell the truth, the whole truth, and nothing but the truth, upon examination by Edward P. Totten, Esq., Solicitor for Complainant, and cross examination by Elliott G. Rickarby, Esq., Solicitor for Respondent, testified as follows:

AMELIA R. MILLS:

My name is Amelia R. Mills and I am the complainant in this case. I am forty two years of age and reside near Fairhope, Alabama, in Baldwin County, and have so resided since 1915. The defendant, William C. Mills, is also a resident of Baldwin County and has been for more than five years last past, and he is over the age of twenty one years. The Defendant and I were married on February 18th, 1929, and lived together as husband and wife until September, 1932. A daughter named Sylvia was born as the issue of such marriage on September 27th, 1932. Beginning in the year 1931, the Defendant adopted toward me a sullen, surly attitude and accused me of lying and deceiving him, and during the year of 1931 the Defendant failed to provide me with any food and clothing. In 1932 my husband's attitude of sullenness, ill temper, fault finding and general complaining increased and during this year he also failed to furnish me with food and clothing, leaving me to make provisions for myself entirely. During February or March of 1932 on one occasion my husband became very angry and abusive, calling me liar, thief and deceiver, and made threats against me. The general course of conduct during all of 1932 was an attitude of dislike and abusive language on many occasions, and

almost continual ill temper. On one occasion, he told me that it made him mad just to look at me and on another occasion he said that he thought less of me than of any other person in the world. On another occasion he told me that he wanted to hurt me and that it gave him pleasure. On the evening of June 12th when I was tired from the day's work and was six months pregnant with child, he flew into a violent rage, seized me roughly by the wrists and twisted them, causing my hands to swell from the effects and keeping me standing for over half an hour while he raged at me and called me abusive names, and making threats about what he would do to me. On more than one occasion he threatened physical violence and I was kept in a constant state of apprehension of physical injury from his violent outbursts of temper. This attitude of his and these outbreaks continued during the entire period of my pregnancy. My husband is a large man, of violent, ungovernable temper and I am a slight woman and fear that if I continued to live with him longer he would do me serious harm.

I always acted toward my husband as a good and faithful wife and never gave him just cause or provocation for abuse, acts of violence and cruelty.

I had put up with my husband's ill treatment and abuse and did not feel that he would carry out his threats of violence until he continued to grow worse and worse and finally told me that he had no intention of trying to do any better or of doing any different than he had been doing. After he said this I felt that it would be dangerous for me and for my child to continue to live with a man who had no better control of himself.

CROSS EXAMINATION BY ELLIOTT G. RICKARBY, ESQ.,

Solicitor for Defendant:

Q. Did you give your husband any cause or provocation for his violent outbursts of passion?

A. No.

REUBEN L. ROCKWELL:

Witness for Complainant.

My name is Reuben L. Rockwell, and I live near Fairhope In Baldwin County, Alabama, and have so lived for more than ten years, last past. Amelia R. Mills is my sister and I have been well acquainted with her and her husband during their entire married life. In January, 1932, my sister, Mrs. Mills, came to me and told me of her husband's ill treatment of her and said she did not see how she could stand it any longer living with him. I went over at once to their home to talk with him about this situation, and his treatment of my sister and in our conversation he stated to me that he had treated Amelia as no man should treat a woman. On two or three occasions afterwards, my sister came to me complaining of her husband's continued abuse and ill treatment including the incident of June, 1932, when he violently and roughly treated her and made her ill.

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CROSS EXAMINATION BY ELLIOTT G. RICKARBY, SOLICITOR  
FOR RESPONDENT:

Q. Was your sister in a delicate condition at this time?


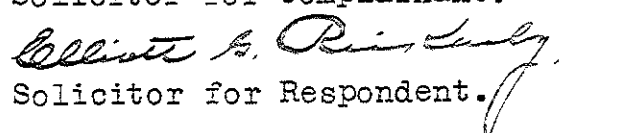
A. Yes, at the time my sister was complaining of her husband's ill treatment she was in a delicate condition. She seemed to be much afraid that he would do her harm in her condition because of his threats, abuse and violent temper. I did not tell her at that time that she ought to leave him until this treatment had continued to the point where I feared for her physical safety. He had told her that he would make no effort to treat her any better.

\*\*\*\*\*

IT IS AGREED between the parties to this cause, acting by their respective Solicitors, that the testimony of the witnesses shall be taken down by the commissioner, in short hand, and by her reduced to writing.

IT IS FURTHER AGREED that the signatures of witnesses to said testimony is hereby waived.

Dated this 6th day of January, 1933.

  
Solicitor for Complainant.  
  
Solicitor for Respondent.

CERTIFICATE.

I, Bernice S. Folmar, the commissioner named in the attached commission, issued from the Circuit Court of Baldwin County in the case pending in Equity wherein AMELIA R MILLS is Complainant and WILLIAM C. MILLS Respondent, hereby certify that pursuant to the instructions in said commission, I caused AMELIA R. MILLS and REUBEN L. ROCKWELL, witnesses for Complainant, to appear before me at my office in Fairhope, Alabama on the 6th day of January, 1933 where, after being duly sworn upon examination by E. P. Totten, Esq., Solicitor for Complainant, and E. G. Rickarby Esq., Solicitor for Respondent, they testified as is herein set forth, signature to said testimony having been waived by agreement of the parties thereto, by their respective attorneys.

I further certify that I am neither of counsel nor of kin to either of the parties in said cause or in anywise interested in the outcome thereof.

Given under my hand and seal as commissioner this  
6 th day of January, 1933.

*Bernice S. Folmar*

Commissioner.

The State of Alabama, {  
Baldwin County

CIRCUIT COURT

To Miss Bernice Folmar,

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 Amelia R. Mills, and Reuben L. Rockwell,

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

Amelia R. Mills

and Complainant

Reuben L. Rockwell

Defendant, on oath to be by you administered, upon Oral examination, to take and certify the deposition... of the witness... and return the same to our Court, with all convenient speed, under your hand.

Witness 31st day of December, 19 32.

COMMISSIONER'S FEE, \$

WITNESS' FEES, \$

REGISTER



NO. \_\_\_\_\_

**The State of Alabama**  
**BALDWIN COUNTY**  
**CIRCUIT COURT**

Amelia E. Mills,

Complainant

vs.

William C. Mills,

Defendant

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

Miss Bernice Folmar,

*Commissioner's fee \$5.00 not paid*

**WITNESSES:**

Amelia R. Mills,

Reuben L. Rockwell,

COPY

AMELIA ROCKWELL MILLS,  
Complainant,  
vs.  
WILLIAM C. MILLS,  
Defendant.

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

BILL OF COMPLAINT FOR DIVORCE.

TO THE HONORABLE F. W. HARE, JUDGE OF CIRCUIT COURT:

Your orator, Amelia Rockwell Mills, brings this bill of complaint against above-named Defendant and respectfully shows unto your Honor as follows:

That the Complainant and the Defendant are each over the age of twenty one years and that for <sup>MORE THAN</sup> one year next preceding the filing of this bill they have been and now are actual bona fide residents of Baldwin County, Alabama:

That at Baldwin County, Alabama, on February 18, 1929 the Defendant and the Complainant intermarried and ever since have been and now are lawful husband and wife;

That there was born as the issue of such marriage on September 27, 1932 a daughter named Sylvia;

That, beginning early in the year of 1931 and continuing to the present time, the Defendant has been guilty of extreme cruelty toward your orator in that said Defendant has committed actual violence on her person attended with danger to her health and life, and that the Defendant has applied vile and opprobrious epithets to your orator causing much mental anguish and by his violence, on many occasions, seriously injured the health of Complainant;

That your orator has at all times conducted herself properly and acted toward her said husband as a faithful and dutiful wife and is entirely without fault in the premises and that she has given Defendant no cause or provocation for his acts of violence and cruelty to her.

PRAYER FOR PROCESS AND FOR RELIEF.

The premises considered, your orator prays that by the usual process of this Honorable Court, the Defendant above-named, William C. Mills, may be made party-respondent to this Bill of Complaint and may be required to answer, demur or plead to this Bill within the time and under the penalties as provided by law or that the same be forever confessed;

That a reference be ordered to be had by and before the Register of this Honorable Court to ascertain a reasonable amount to be paid by the Defendant to your orator as alimony pendente lite and permanent and for counsel fees for Complainant in this cause and that your Honor will decree ~~to~~ the Complainant a reasonable amount to be paid to her by the Defendant as such alimony pendente lite and counsell fees;

Your orator further prays that upon the final hearing of this cause, your Honor will grant unto Complainant an absolute <sup>divorce</sup> from the bonds of matrimony heretofore and now existing between Complainant and Defendant, that your Honor will decree unto Complainant a reasonable amount to be paid to her by the Defendant as permanent alimony and that your Honor will grant further unto Complainant the sole care, custody, and control of her infant child, Sylvia and that she be allowed and decreed the restoration of her maiden name of Rockwell and for such other, further and different relief which in Equity and good conscience she may be entitled if she has in any wise prayed or asked amiss ~~of~~ this Honorable Court.

EDWARD P. TOTTON  
Solicitor for Complainant.

FOOTNOTE:

The Defendant, William C. Mills is hereby required to answer each and every allegation <sup>contained</sup> in the foregoing Bill of Complaint but not under oath as answer oath is hereby expressly waived.

EDWARD P. TOTTON  
Solicitor for Complainant.

The State of Alabama, { CIRCUIT COURT OF BALDWIN COUNTY,  
Baldwin County IN EQUITY

To Any Sheriff of the State of Alabama---GREETING:

WE COMMAND YOU, That you summon William C. Mills,

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 Amelia R. Mills,

against said

William C. Mills,

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 29th day of

November, 1932.

T. W. Richerson Register.

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

1237  
*Original*  
Serve on **RECORDED**  
Circuit Court of Baldwin County  
In Equity.

No. \_\_\_\_\_

**SUMMONS**

Amelia R. Mills,

vs.

William C. Mills,

Edward P. Totten.  
Solicitor for Complainant.

Recorded in Vol. \_\_\_\_\_ Page \_\_\_\_\_

**RECORDED**

The State of Alabama,  
BALDWIN COUNTY.

Received in office this \_\_\_\_\_  
day of \_\_\_\_\_ 193\_\_

Sheriff.

Executed this Dec \_\_\_\_\_ day of  
12<sup>th</sup> 1932

by leaving a copy of the within Summons with  
William C. Mills

Defendant.

Sheriff.

By J. B. Wilson  
Deputy Sheriff.

AMELIA ROCKWELL MILLS,  
Complainant,  
vs.  
WILLIAM C. MILLS,  
Defendant.

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

BILL OF COMPLAINT FOR DIVORCE.

TO THE HONORABLE F. W. HARE, JUDGE OF CIRCUIT COURT:

Your orator, Amelia Rockwell Mills, ~~brings~~ this bill of complaint against above-named Defendant and respectfully shows unto your Honor as follows:

That the Complainant and the Defendant are each over the age of twenty one years and that for <sup>MORE THAN</sup> one year next preceding the filing of this bill they have been and now are actual bona fide residents of Baldwin County, Alabama:

That at Baldwin County, Alabama, on February 18, 1929 the Defendant and the Complainant intermarried and ever since have been and now are lawful husband and wife;

That there was born as the issue of such marriage on September 27, 1932 a daughter named Sylvia;

That, beginning early in the year of 1931 and continuing to the present time, the Defendant has been guilty of extreme cruelty toward your orator in that said Defendant has committed actual violence on her person attended with danger to her health and life, and that the Defendant has applied vile and opprobrious epithets to your orator causing much mental anguish and by his violence, on many occasions, seriously injured the health of Complainant;

That your orator has at all times conducted herself properly and acted toward her said husband as a faithful and dutiful wife and is entirely without fault in the premises and that she has given Defendant no cause or provocation for his acts of violence and cruelty to her.

PRAYER FOR PROCESS AND FOR RELIEF.

The premises considered, your orator prays that by the usual process of this Honorable Court, the Defendant above-named, William C. Mills, may be made party-respondent to this Bill of Complaint and may be required to answer, demur or plead to this Bill within the time and under the penalties as provided by law or that the same be forever confessed;

" Your orator further prays that upon the final hearing of this cause, your Honor will grant unto Complainant an absolute <sup>divorce</sup> / from the bonds of matrimony heretofore and now existing between Complainant and Defendant, that your Honor will decree unto Complainant a reasonable amount to be paid to her by the Defendant as permanent alimony and that your Honor will grant further unto Complainant the sole care, custody, and control of her infant child, Sylvia and that she be allowed and decreed the restoration of her maiden name of Rockwell and for such other, further and different relief which in Equity and good conscience she may be entitled if she has in any wise prayed or asked amiss ~~of~~ this Honorable Court.

*Edward E. Gotten*  
Solicitor for Complainant.

The Defendant, William C. Mills is hereby required to answer each and every allegation <sup>contained</sup> ~~contained~~ in the foregoing Bill of Complaint but not under oath as answer oath is hereby expressly waived.

Edward L. Otter  
Solicitor for Complainant.

asked.

Complainant has not under oath as answer oath is hereby expressly  
sworn each and every allegation contained in the foregoing Bill of  
The Defendant, William C. Mills is hereby required to

FOOTNOTE:

Solicitor for Complainant.  
*[Signature]*

IN THE HONORABLE COURT.

she may be entitled if she has in any wise abused or asked twice the  
other, further and different relief which in Equity and Good conscience  
deserve the restoration of her maiden name of Rockwell and for such  
and control of her infant child, Sylvia and that she be allowed and  
your Honor will grant further unto Complainant the sole care, custody,  
amount to be paid to her by the Defendant as permanent alimony and that  
Defendant, that your Honor will decree unto Complainant a reasonable  
bond of matrimony heretofore and now existing between Complainant and  
cause, your Honor will grant unto Complainant an absolute divorce  
your Honor further directs that upon the final hearing of this

by the Defendant as such alimony Defendant life and comfort fees.  
will decree as the Complainant a reasonable amount to be paid to her  
and your Honor asks for Complainant in this case and that your Honor  
the Defendant to your order as alimony Defendant life and permanent  
this Honorable Court to ascertain a reasonable amount to be paid by  
a reference be ordered to be had by and before the Registrar

Original  
RECORDED

IN CIRCUIT COURT  
IN EQUITY

AMELIA R. MILLS  
vs.  
WILLIAM C. MILLS

-3-

BILL OF COMPLAINT

Filed November 29, 1932

*[Signature]*

HOWARD P. TUTTLE  
SOLICITOR FOR COMPLAINANT



8381 NOTE OF TESTIMONY

Amelia R. Mills

vs.

William C. Mills

THE STATE OF ALABAMA,  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

This cause is submitted in behalf of Complainant upon the original Bill of Complaint,.....  
and testimony of Amelia R. Mills and Reuben Rockwell, witnesses for  
Complainant

and in behalf of Defendant upon.....

*W. R. Rockwell*

Register.

No. 1085

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN EQUITY,  
CIRCUIT COURT OF BALDWIN COUNTY.

Amelia R. Mills,

VS

William C. Mills

NOTE OF TESTIMONY

Filed in Open Court this 4th

day of February, 1933. 192

*W. R. R. R.*

Register

8350 REQUEST FOR DECREE IN VACATION.

MOORE PTC CO.

STATE OF ALABAMA,  
Baldwin County.

CIRCUIT COURT, IN EQUITY.

No. 1085

Vacation

Term, ~~1932~~ 1933.

Amelia R. Mills

, Complainant...

vs.

William C. Mills

, 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 Edward P. Totten

Solicitor 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.

EDWARD P. TOTTEN

Solicitor for Complainant.

No. ~~1117~~ 1085

Page.....

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Amelia R. Mills

vs.

William C. Mills

REQUEST FOR DECREE IN  
VACATION

FILED February 4, 1933. 192

*D. M. Sullivan*

Register

RECORDED IN ..... RECORD

VOL. .... PAGE .....

Register

AMELIA R. MILLS  
Complainant


VS

WILLIAM C. MILLS,  
Respondent.

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

It is hereby agreed between the parties to  
this cause through their respective solicitors, that said cause  
may be submitted to the court for final decree upon the bill,  
answer, and Complainant's evidence, as noted by the Register.

  
Solicitor for Complainant.

  
Solicitor for Respondent.

AMELIA R. MILLS,

Complainant,

versus

WILLIAM C. MILLS,

Respondent.

AGREEMENT FOR SUBMISSION.

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NOTICE

NOTICE

NOTICE

NOTICE

NOTICE

The State of Alabama, {  
Baldwin County

AMELIA R. MILLS

Complainant.....

vs.

WILLIAM C. MILLS

Defendant.....

CIRCUIT COURT OF BALDWIN  
COUNTY, ALABAMA

In Equity.

The Complainant

requests the oral examination of the following named witnesses, on behalf of the Complainant

Viz: Complainant, AMELIA R. MILLS

REUBEN L. ROCKWELL

said witnesses reside in the County of Baldwin,  
State of Alabama.

Miss Bernice Folmar

who resides at

Fairhope, Alabama

or, The Register of this Court is suggested as a suitable person  
to be appointed Commissioner to take the deposition of said witness on such oral examination.

*Edward J. Jotter*

Solicitor for Complainant.

AMELIA R. MILLS,  
Complainant.

VS

WILLIAM C. MILLS,  
Respondent.

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

Comes the Respondent, WILLIAM C. MILLS and  
for answer to the Bill of Complaint, says:

FIRST: He admits the allegations of the Bill as  
to the age, marriage, and residence of the parties.

SECOND: He denies all other allegations contained  
therein.

Having thus fully answered, he prays that said Bill  
be dismissed and he be permitted to go hence with his reasonable  
costs in this behalf expended.

*Elliot B. Rice*  
Solicitor for Respondent.



RECORDED

1085

CIRCUIT COURT OF  
Baldwin County, Alabama

IN EQUITY

AMELIA R. MILLS

Complainant.

vs.

WILLIAM C. MILLS

Defendant.

DEMAND FOR ORAL EXAMINATION

Filed Dec 21st 1932

J. M. P. Register.

Moore Printing Co. Bay Minette, Ala.

RECORDED

AMELIA R. MILLS

Complainant.

VS

WILLIAM C. MILLS

Respondent.

ANSWER.

Filed Dec 24<sup>th</sup> 1932.

D. W. Richardson  
Registrar