

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MAMIE STEWART MILLER,

Complainant

vs.

ALFRED RAYFORD MILLER,

Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, <sup>ANSWER OF</sup> ~~Decree Pro Confesso~~

~~of~~ Alfred Rayford Miller 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 Mamie Stewart Miller is forever divorced from the said

Alfred Rayford Miller

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 Mamie Stewart Miller and Alfred Rayford Miller be, and they are hereby permitted to again contract marriage upon the payment of the cost of this suit.

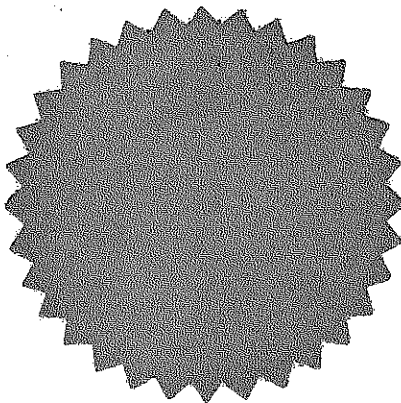
It is further ordered that Mamie Stewart Miller, the complainant, pay the cost herein to be taxed, for which execution may issue.

This 7th day of August, 1936.

J. W. Hare

Judge Circuit Court, in Equity.

I, \_\_\_\_\_, Register of the Circuit Court for 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.

The State of Alabama, }  
Baldwin County

CIRCUIT COURT

To IDA M. TURBULL

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 Manie Stewart Miller

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

is Complainant

and Alfred Rayford Miller

is 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 6th day of August 1936.

Robert S. Duck

REGISTER

COMMISSIONER'S FEE, \$ \_\_\_\_\_

WITNESS' FEES, \$ \_\_\_\_\_

The State of Alabama } Circuit Court of Baldwin County, Alabama,  
Baldwin County (In Equity)

MAMIE STEWART MILLER, COMPLAINANT

VS.

ALFRED RAYFORD MILLER, RESPONDENT

I, IDA H. TURBULL,

as Register and Commissioner

have called and caused to come before me

Mamie Stewart Miller as a

witness named in the Requirement for Oral Examination, on the 6th day of August,

1936, at the office of Beebe, Hall & Beebe,

in Bay Minette, Alabama, and having first sworn said witness to speak the

truth, the whole truth, and nothing but the truth, the said MAMIE STEWART MILLER

doth depose and say as follows:

My name is Mamie Stewart Miller; I was formerly Mamie V. Stewart; I reside at Bon Secour, Baldwin County, Alabama; I have lived in Baldwin County, Alabama, all my life. Alfred Rayford Miller is 47 years of age, lives at Bay Minette, in Baldwin County, Alabama, and has lived in Baldwin County at least ten years, I do not know just how much longer than that. On August 3rd, 1936, Alfred Rayford Miller and I married at Foley, in Baldwin County, Alabama. Shortly after our marriage, and on August 4th, 1936, we separated at Bon Secour, in Baldwin County, Alabama, and have not lived together as husband and wife since. On August 3rd and August 4th, 1936, a few hours after our marriage, Alfred Rayford Miller's conduct was violent, indecent and loathsome; he cursed and abused me and attempted to strike me and threatened that he would kill me, and from his actions I feared that he would kill or attempt to kill me; he attempted to strike me and I got out of his way and he used all manner of indecent and vile language and his attitude was threatening. He is a large man and unusually strong

# CIRCUIT COURT, BALDWIN COUNTY, ALA., IN EQUITY.

No. 750

*Maud Stuart Miller*  
vs.  
*Alfred Royford Miller*

PLAINTIFF  
DEFENDANT

## Bill of Costs

	Dollars	Cts.		
<b>Fees of Register</b>				
Filing each bill and other papers <u>8</u>	\$ 10	80	For receiving, keeping and paying out or distributing money, etc.; 1st \$1,000 1 per ct.; all over \$1,000, and not over \$5,000, 3-4 of 1 per ct.; all over \$5,000, and not exceeding \$10,000, 1-2 of 1 per ct.; all over \$10,000, 1-4 of 1 per ct.	
Issuing each subpoena	50	20	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1 per ct. of amount received.	
Issuing each copy thereof	40	40	Each Notice sent by mail to creditors	15
Entering each return thereof	15	13	Filing, Receipting for and docketing each claim, etc.	25
For each order of publication	1 00		For all entries on subpoena docket, etc.	50
Issuing writ of injunction	1 50		For all entries on commission docket, etc.	50
For each copy thereof	50		Making final record, per 100 words	15
Entering each return thereof	15		Certified copy of decree	1 00
Issuing writ of attachment	1 00		Report of divorce to State Health office Acts 1915	50
Entering each return thereof	15		<b>Total Fees of Register</b>	
Docketing each case	1 00	100	<b>Fees of Sheriff</b>	
Entering each appearance	25	25	Serving and returning subpoena on deft.	\$ 1 50
Issuing each decree pro confesso on persl ser	1 00		Serving and returning subpoena for witness	65
Issuing each decree pro confesso on publication	1 00		Levying attachment	1 50
Each order appointing guardian	1 00		Entering and returning same	25
Any other order by Register	50		Selling property attached	
Issuing commission to take testimony	50	50	Impaneling Jury	75
Receiving and filing	10	10	Executing writ of possession	2 50
Endorsing each package	10	10	Collecting execution for costs	1 50
Entering order submitting cause	50	30	Serving and returning sci. fa., each	65
Entering any other order of Court	25		Serving and returning notice	65
Noting all testimony	50	50	Serving and returning writ of injunction	1 50
Abstract of cause, etc.	1 00		Serving and returning writ of exeat.	1 50
Entering each decree	75	25	Taking and approving bonds, each	75
For every 100 words over 500	15		Collecting money on execution	
Taking account, etc.	3 00	3 33	Making deed	2 50
Taking testimony, etc.	15		Serving and returning application, etc.	1 00
Each report, 500 words or less	2 50		Serving attachment, contempt of court.	1 50
For every 100 words over 500	15		<b>Total Fees of Sheriff</b>	
Amount claimed less than \$500, etc	2 00		<b>Recapitulation</b>	
Issuing each subpoena	25		Register's Fees	
Witness certificate, each	25		Sheriff's Fees	
Issuing execution, each	75		Commissioner's Fees	
Entering each return	15		Solicitor's Fees	
Taking and approving bond, each	1 00		Witness Fees	
Making copy of bill, etc	15		Guardian Ad Litem	
Each notice not otherwise provided for	50		Printer's Fees	
Each certificate or affidavit, with seal	50		Trial Tax	3 00
Each certificate or affidavit, no seal	25		Recording Decree in Probate Court	
Hearing and passing on application, etc.	3 00		<b>TOTAL</b>	
Each settlement with receiver, etc.	3 00			
Examining each voucher of receiver, etc	10			
Examining each answer, etc.	3 00			
Recording resignation, etc.	75			
Entering each certificate to Supreme Court	50			
Taking questions and answers, etc.	25			
For all other service relating to such proceedings	1 00			
For services in proceeding to relieve minors, etc., same fees as in similar cases.				
Commission on sales, etc.: 1st \$100, 2 per cent.; all over \$100, and not exceeding 1,000, 1 1-2 per ct.; all over \$1,000, and not exceeding \$20,000, 1 per ct.; all over \$20,000, 1-4 of 1 per ct.				
Sub Total Carried Forward				

650

1163  
150

1163  
150

300

1163

Received payment this \_\_\_\_\_ day of \_\_\_\_\_ 193

Register.

The State of Alabama,  
Baldwin County

Circuit Court of Baldwin County, In Equity

To Any Sheriff of the State of Alabama—GREETING:

WE COMMAND YOU, That you summon ALFRED RAYFORD MILLER

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

MAMIE STEWART MILLER

against said ALFRED RAYFORD MILLER

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, Robert S. Duck, Register of said Circuit Court, this 6th day of AUGUST 193 6

Robert S. Duck Register

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

MAMIE STEWART MILLER,  
Complainant,

vs.

ALFRED RAYFORD MILLER,  
Defendant.

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

) IN EQUITY.  
)

Comes the defendant in the above styled cause, and answering complainant's complaint, admits that he and the complainant are over the age of twenty-one years and residents of Baldwin County, Alabama, where each resided for more than ten (10) years next preceding the filing of this bill of complaint; that they were married in Baldwin County, Alabama, on August 3rd, 1936, and separated on August 4th, 1936; that they have not lived together since then.

Defendant denies all other allegations of the said bill of complaint, and specifically denies that he has committed or threatened actual violence on the person of the complainant.

Having fully answered, defendant prays he may go hence with his reasonable costs.

Alfred Rayford Miller

MAMIE STEWART MILLER,  
Complainant,

vs.

ALFRED RAYFORD MILLER,  
Defendant.

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

)  
) IN EQUITY.  
)

Defendant hereby waives all notice of the taking of testimony in the above styled cause and waives the right to cross-examine witnesses and consents that testimony may be taken, the cause set for hearing and decree rendered thereon without further notice to him.

Alfred Rayford Miller

HAMIE STEWART MILLER,

Complainant,

vs.

ALFRED RAYFORD MILLER,

Defendant.

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, \_\_\_\_\_  
service upon the defendant by the Sheriff of Baldwin County, Ala.;  
answer of defendant and waiver of notice of taking testimony and  
consent for submission;

and in behalf of Defendant upon \_\_\_\_\_ answer of defendant;

*Robert S. Duck*

Register.



8550 REQUEST FOR DECREE IN VACATION.

MOORE PTG CO.

STATE OF ALABAMA,  
Baldwin County.

}

CIRCUIT COURT, IN EQUITY.

No. .... Term, 192 .....

LAMIE STEWART MILLER, ..... Complainant .....

vs.

ALFRED RAYFORD MILLER, ..... Defendant .....

To ROBERT S. DUCK ..... 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 Beebe, Hall & Beebe, .....

..... 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.

*Beebe Hall Beebe*  
.....  
Solicitors for Complainant.

TO THE HON. F. W. HARE, JUDGE OF THE CIRCUIT COURT  
OF BALDWIN COUNTY, ALABAMA, IN EQUITY SITTING:

Comes MAMIE STEWART MILLER and humbly complaining  
against ALFRED RAYFORD MILLER, respectfully shows unto your  
Honor as follows:

FIRST:

That your complainant is fifty (50) years of age and  
a resident of Baldwin County, Alabama; that she has resided in  
said County all of her life; that the defendant, Alfred Rayford  
Miller, is forty-seven (47) years of age, a resident of Baldwin  
County, Alabama, and has been for a number of years, the exact  
length of time is not known to your complainant.

SECOND:

That your complainant and the said defendant were mar-  
ried in Baldwin County, Alabama, on August 3rd, 1936; that they  
separated at Bon Secour, in Baldwin County, Alabama, on August  
4th, 1936, and have not lived together as husband and wife since.

THIRD:

That on August 3rd, 1936, within a short while after  
their marriage, and on August 4th, 1936, defendant threatened  
to commit actual violence on the person of your complainant  
attendant with danger to her life or health, and his conduct  
was such that complainant had reasonable apprehension that he  
would commit such violence on her person; that he cursed and  
abused her and threatened her and attempted to strike her; that  
his conduct was loathsome, violent, indecent, threatening and  
brutal, and without any just cause therefor, not only conducted  
himself in a violent, indecent and loathsome manner, but threat-  
ened to kill complainant, and from his conduct and demeanor com-  
plainant fears for her life, and on, to-wit, August 4th, 1936,  
separated from the defendant and they have not lived together  
as husband and wife since.

WHEREFORE, your complainant prays this Honorable Court will take jurisdiction of the cause made by this bill of complaint; that the said Alfred Rayford Miller be made a party defendant and by appropriate process be required to plead, answer or demur within the time and under the penalties prescribed by law and the practice of this Honorable Court; and your complainant further prays that upon a final hearing of the cause made by this bill of complaint this Honorable Court will make and enter a decree forever dissolving the bonds of matrimony existing between your complainant and the said Alfred Rayford Miller. Complainant further prays that she may be permitted to resume her former name, to-wit: Mamie V. Stewart. And your complainant prays for such other, further ~~and~~ different relief as in equity and good conscience she shall be entitled to receive.

Bebe Hall Beebe  
Attorneys for Complainant

FOOT NOTE:

Defendant is required to answer every allegation of the foregoing bill of complaint, Paragraphs FIRST to THIRD inclusive, but not under oath, oath being hereby expressly waived.

Bebe Hall Beebe  
Attorneys for Complainant.

*Check*  
RECORDED

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Page

No. ....

THE STATE OF ALABAMA  
BALDWIN COUNTY  
CIRCUIT COURT, IN EQUITY

Menie Stewart Miller

VS.

Alfred Rayford Miller

REQUEST FOR DECREE IN  
VACATION

FILED *8 Aug. 6,* 19*16*

*Robert S. Truck*  
Register

RECORDED IN ..... RECORD

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

Register

Books  
RECORDED  
6-449

Mannie Miller

vs  
Alfred Rayford Miller

Complaints  
for  
Divorce

Filed Aug 6, 1935

Robert S. V. Beck

Register

Book  
RECORDED

Maurice Mallett-450

Alfred Ruffner Miller

Maurice

Maurice

Filed Aug 6, 1936

Robert S. Deek,

Registrar

RECORDED

Book  
c. 450

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

The State of Alabama  
BALDWIN COUNTY

IN EQUITY  
Circuit Court of Baldwin County

VS.

NOTE OF TESTIMONY

Filed in Open Court this 6<sup>th</sup>

day of Aug 1936

Robert S. Deek,

REGISTRAR

RECORDED

INDEXED

Mar 6-1880

N<sup>o</sup> 3

Alford Keyser & Mills

of

Warren

Filed Aug 6, 1886

Robert S. Auerk.

Register

Serve on \_\_\_\_\_

Circuit Court of Baldwin County  
IN EQUITY

No. 256

SUMMONS

Mavis Stewart

Miller

VS.

Alfred Rayford  
Miller

Solicitor for Complainant

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

*Handwritten:*  
J. E. ...  
Miller,  
6-4-49

THE STATE OF ALABAMA,  
BALDWIN COUNTY

Received in office this \_\_\_\_\_

day of \_\_\_\_\_, 1935

SHERIFF

Executed this 6th day of

August 1935

by leaving a copy of the within Summons with

Alfred Rayford Miller

Defendant

Matt Williams  
Sheriff

By \_\_\_\_\_  
Deputy Sheriff



**Circuit Court, Baldwin County, Ala.  
In Equity.**

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

VS.

**Cost Bill**

Paid \_\_\_\_\_ 193\_\_\_\_\_

Register.

Moore Printing Co. Bay Minette

ORAL EXAMINATION

I, Ida M. Turnbull, as ~~Register~~ Commissioner hereby certify

that the foregoing deposition ... on Oral Examination was taken down in writing by me in the words

of the witness ... and read over to Mamie Stewart Miller that she signed the same in the presence of

myself Ida M. Turnbull

at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness ... or had proof 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 6 day of August 1936

Ida M. Turnbull (L. S.)

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

The State of Alabama  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

COMPLAINANT

VS.

RESPONDENT

ORAL DEPOSITION

Filed August 6, 1936

R. S. Sauer, Register

RECORDED IN

Record

Vol. \_\_\_\_\_ Page \_\_\_\_\_

Register

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

James Stewart Miller,

Complainant

vs.

Alfred Rayford Miller,

Defendant

**COMMISSION TO TAKE DEPOSITION**

**COMMISSIONER:**

Ed. H. Turnbull

**WITNESSES:**

James Stewart Miller

RECORDED

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The State of Alabama  
Baldwin County

In Circuit Court, In Equity

Maria Stewart  
Muller

vs. Complainant

Alfred Raymond  
Muller

Respondent.

DIVORCE DECREE

FILED  
M. H. Stewart  
Clerk-Register

Alfred Raymond M

ties,

38.