

The State of Alabama, }
Baldwin County.

No. 365. CIRCUIT COURT, IN EQUITY

Annie Roberts Mc Millan, Complainant

vs.

Ernest C 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~~
On account of respondent becoming an habitual drunkard after marriage

It is further ordered, that the said Annie Roberts Mc Millan, be, and ^s 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 Annie Roberts 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 Ernest C Mc Millan.

It is further ordered, adjudged and decreed that said Annie Roberts Mc Millan, shall not again marry except to said Ernest C 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 Ernest C Mc Millan, during the pendency of said appeal.

This 15th day of December 1922

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.

No. 363.

THE STATE OF ALABAMA,
BALDWIN COUNTY.

CIRCUIT COURT IN EQUITY,
BALDWIN COUNTY, ALA.

Annie Roberts Mc Millan

Vs.

Ernest C Mc Millan.

DECREE OF DIVORCE.

Filed in office this 16th

day of December, 1922

T. M. Picannon

Register.

E. O. M.

Handwritten notes in left margin:
The parties were married in 1911 and have since that time lived together as man and wife. The wife is a native of Alabama and the husband is a native of Alabama. The wife is a native of Alabama and the husband is a native of Alabama. The wife is a native of Alabama and the husband is a native of Alabama.

Handwritten notes in middle margin:
It is further ordered, that the wife shall have custody of the children of the marriage of the parties to this divorce. It is further ordered, that the wife shall have custody of the children of the marriage of the parties to this divorce. It is further ordered, that the wife shall have custody of the children of the marriage of the parties to this divorce.

1922

Handwritten signature:
T. M. Picannon

Handwritten notes in right margin:
This decree of divorce is hereby granted. It is the order of the Court that the parties to this divorce be and they are forever separated. It is the order of the Court that the parties to this divorce be and they are forever separated. It is the order of the Court that the parties to this divorce be and they are forever separated.

RECORDED

ANNIE ROBERTS MCMILLAN,
Complainant,
v.
ERNEST C. MCMILLAN,
Respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY,
IN EQUITY

TO THE HONORABLE JOHN D. LEIGH, JUDGE:

Humbly complaining your oratrix Annie Roberts McMillan, as complainant, brings this bill of complaint against Ernest C. McMillan, as respondent, and respectfully shows:

FIRST

Complainant and respondent are each over the age of twenty-one years. Complainant is a bona fide resident of Mobile, in Mobile County, Alabama, and respondent is a bona fide resident of Bay Minette, in Baldwin County, Alabama, and has been such resident of said county for more than three years last passed.

SECOND

Complainant and respondent were married to each other at Greenville, in Butler County, Alabama, on July 14, 1914, and they lived together as man and wife until, towit, September 10, 1921, at which date they were living together in Baldwin County, Alabama, and on which date they separated while living at Fairhope in said county, and have not lived together since.

THIRD

Complainant further charges that after said marriage the respondent became addicted to habitual drunkenness and at the time of said separation he was an habitual drunkard, which this complainant alleges is the cause of said separation.

The premises considered, this complainant prays that your Honor will take jurisdiction of the cause made by this bill of

complaint; that by proper process issuing to him from this court the said Ernest C. McMillan be made a party respondent hereto and be required to answer the charges herein made against him in all things as required by the rules and practice of this court.

Complainant further prays that upon the hearing of the evidence in said cause your Honor will order, adjudge and decree that the bonds of matrimony existing between complainant and said respondent be forever dissolved; that the said complainant be permitted to marry again should she so desire and that your Honor will grant to her such other, further and different relief as may be due her in the premises.

Annie Roberts McMillan Ray E. Turner
Complainant Solicitor for complainant.

NOTE

The respondent is required to answer each and every allegation and paragraph of the foregoing bill of complaint but his oath thereto is hereby expressly waived.

Ray E. Turner
Solicitor for complainant.

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 Ernest C Mc Millan,

of Baldwin County, to be and appear before the Judge of the Circuit Court of Bald-

win 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

Annie Roberts Mc Millan

against said Ernest C 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 27th day of Nov

1922.

T. W. Richerson

Register.

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

2nd Original

Serve on _____

Circuit Court of Baldwin County
In Equity

No. _____

SUMMONS

Annie Hobbs
vs *Ernest C. Milliam*

vs.

Ernest C. Milliam

Pop ...
Solicitor for Complainant

Recorded in Vol. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Received in office this _____
day of _____ 192__

Sheriff

Executed this *4th* day of
December 192*2*

by leaving a copy of the within summons with
Ernest C. McMillian

Defendant

W. R. Stuart

Sheriff

By *B. D. Wiggins*
Deputy Sheriff

RECORDED

ANNIE ROBERTS MCMILLAN,
Complainant,
v.
ERNEST C. MCMILLAN,
RESPONDENT.

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

And now comes Ernest C. McMillan, the respondent named in the cause filed by Annie Roberts Mcmillan, in the Circuit Court of Baldwin County, Alabama, and numbered _____ on the docket thereof, and denies the allegation that he has become an habitual drunkard. The other allegations of the bill of complaint he neither admits nor denies, but demands strict proof.

Witness:
[Signature]

[Signature]

ANNIE ROBERTS MCMILLAN,
Complainant,
v.
ERNEST C. MCMILLAN,
Respondent.

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

Comes the respondent, Ernest C. McMillan, and having filed his answer in this cause now expressly agrees that the complainant may take her testimony in said cause and submit the same for final decree without notice to this respondent, this respondent waiving all further forms and notices.

Witness:
[Signature]

[Signature]

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Annie Roberts Mc Millan
.....
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vs.

.....
Ernest C Mc Millan,
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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,

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Answer of Deft, testimony of Annie Roberts Mc Millan and

.....
Carlisle Mc David,
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and in behalf of Defendant upon.....
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.....
G. W. Williams
.....

Register

4)
No. 323.

THE STATE OF ALABAMA,
BALDWIN COUNTY

IN EQUITY,
CIRCUIT COURT OF BALDWIN COUNTY.

Ammie Roberts Mc Millan,

vs.

Ernest C. Mc Millan,

NOTE OF TESTIMONY.

Filed in Open Court this 12th

day of Dec 1912

W. McMillan

Register

RECORDED

Amir Roberts McMullen

vs

Ernest C. McMullen

Issue Commission to Myrtle
Pookham, ^{Mobile, Ala} to take the testimony

of Amir Roberts McMullen

Carlisle ^{McDavid} on oral
examination.

~~Henry~~ ^{Wesley}
ad. for compet

Also send me ^{Blair}
form of depositions for
oral examination of

Plff witness.

mm

ANNIE ROBERTS MCMILLAN,
complainant,
v.
ERNEST C. MCMILLAN,
respondent.

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IN THE CIRCUIT COURT OF
BALDWIN COUNTY,
IN EQUITY

Personally appeared before me, Myrtis Parham, commissioner named in the attached commission, for material witnesses in the complainant in the above entitled cause, who, being by me duly sworn, depose and say:

DEPOSITION OF ANNIE ROBERTS MCMILLAN

1. My name is Annie Roberts McMillan. I am the complainant in this suit against Ernest C. McMillan. I am over the age of twenty-one years and the respondent, Ernest C. McMillan, is over the age of twenty-one years. I am a bona fide resident of Mobile in Mobile County, Alabama, and the respondent, Ernest C. McMillan, is a bona fide resident of Bay Minette in Baldwin County, Alabama.

2. The respondent and I were married to each other at Greenville, in Butler County, Alabama, on July 14, 1914, and we lived together off and on until September 10, 1921, but during the time we lived together we frequently had trouble about the defendant's drinking and at times I was forced to live separate from him on this account. During the entire time we lived together we were in Baldwin County, Alabama, and were living there at the time of our separation, which was on September 10, 1921. At that time we were living at Fairhope, Alabama, and we have not lived together since or had anything to do with each other in any way.

3. At the time of our marriage the respondent did not drink at all, ^{so far as I knew} but for a number of years last passed he has been drinking intoxicating liquors more and more and got worse in this regard as time went on and for a year before our separation he drank so heavily he was scarcely ever out from under the influence of intoxicating liquor. He drank intoxicating liquor when ever he could get it and had become an habitual drunkard, and at the time of our separation he was an habitual drunkard and this was the cause of our separation. ^{after our marriage}

Annie Roberts McMillan

DEPOSITION OF CARLISLE MCDAVID

1. My name is Carlisle McDavid. I am thirty years of age and I live in Baldwin County and have lived there most of my life.

2. I know the parties to this suit. I have known the respondent all my life and have known the ~~xxx~~ complainant for about ten years. I met her when her father came to Baldwin County as a Methodist Minister in charge of the church there in 1912, and have known her ever since. She is a woman of good reputation.

3. The respondent's reputation so far as I know is all right except for drinking intoxicating liquor. If he does other things I do not know it but I do know that for a number of years last passed he has been a very heavy drinker and for the past year or two has drunk intoxicating liquor whenever he could get it and is rarely free from its influence. He is in my opinion an habitual drunkard.

Carlisle McDavid

COMMISSIONER'S CERTIFICATE

I, Myrtis Parham, the commissioner named in the commission hereto attached, hereby certify that I am personally acquainted with the said witnesses Annie Roberts McMillan and Carlisle McDavid, and know them to be the identical persons named in said commission; that they were duly sworn by me to speak the truth, the whole truth and nothing but the truth, and examined as above stated and that their evidence was taken down by me as near as might be in their own language and was subscribed by them in my presence on the 6th day of December, 1922, at Room 805 of the Van Antwerp Building, in Mobile, Alabama.

I further certify that I am neither of counsel nor kin to either of the parties to this cause nor in any way interested in the result thereof.

Witness my hand and seal this ^{6th} day of December, 1922.

Myrtis Parham

Commissioner.

Commissioner's fee - \$5.00

Commissioner to take Depositions on Interrogatories.

The State of Alabama, }

Baldwin County

CIRCUIT COURT.

To Myrtis Pathan,

KNOW YE, That we, having full faith in your prudence and competency, have appointed you Commission-
er, and by these presents do authorize you, at such time and place as you may appoint, to call before you and
examine ~~Annie Roberts Mc Millan, Mobile Alabama,~~
and Carlisle Mc David, Stockton, Alabama.

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

Annie Roberts Mc Millan,

is Complainant

and Ernest C Mc Millan,

is Defendant,

on oath to be by you administered, upon ~~interrogatories~~ 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 5th day of December, 1922

J. W. Beckman
Register.

Commissioners Fee \$.....

Witness Fee's \$.....

No.

THE STATE OF ALABAMA,

Baldwin County.

CIRCUIT COURT.

Annie Roberts Mc Millan,

Complainant.....

vs.

Ernest C. Mc Millan,

Defendant.....

COMMISSION TO TAKE DEPOSITION
ON INTERROGATORIES.

COMMISSIONER:

Myrtis Parham,

RECORDED

WITNESSES:

Annie Roberts Mc Millan,

Carlisle Mc David.