

640

CHANCERY EXECUTION
BILL OF COSTS

No. 640.

Ruth M. E. Millan,
Complainant

Vs.

R. P. M. E. Millan,
Respondent

Plaintiff
Defendant

FEES OF REGISTER		Dollars	Cents	Brought Forward	
Filing each bill and other papers	5	\$	10		\$ 7 70
Issuing each subpoena			50	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.	
Issuing each copy thereof			40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.	
Entering each return thereof			15	Each notice sent by mail to creditor	15
For each order of publication	1	00		Filing, receipting for and docketing each claim, etc.	25
Issuing writ of injunction	1	50		For all entries on subpoena docket, etc.	50
For each copy thereof			50	For all entries on commission docket, etc.	50
Entering each return thereof			15	Making final record, per 100 words	15
Issuing Writ of Attachment	1	00		Certified copy of decree	1 00
Entering each return thereof			15	Report of divorce to State Health Office (Acts 1915)	50
Docketing each case	1	00	1 00	Total Fees of Register	11 20
Entering each appearance			25	FEES OF SHERIFF	
Issuing each decree pro confesso on per. ser.	1	00		Serving and returning subpoena on deft.	\$1 50
Issuing each decree pro confesso on publica.	1	00		Serving and returning subpoena for witness	65
Each order appointing guardian	1	00		Levying attachment	3 00
Any other order by Register			50	Entering and returning same	25
Issuing commission to take testimony			50	Selling property attached	
Receiving and filing			10	Impaneling Jury	75
Endorsing each package			10	Executing writ of possession	2 50
Entering order submitting cause			50	Collecting execution for costs	1 50
Entering any other order of court			25	Serving and returning sci. fa., each	65
Noting all testimony			50	Serving and returning notice	65
Abstract of cause, etc.	1	00		Serving and returning writ of injunction	1 50
Entering each decree			75	Serving and returning writ of exeat.	1 50
For every 100 words over 500			15	Taking and approving bonds, each	75
Taking account, etc.	3	00	3 00	Collecting money on execution	
Taking testimony, etc.			15	Making deed	2 50
Each report, 500 words or less	2	50		Serving and returning application, etc.	1 00
For every 100 words over 500			15	Serving attachment, contempt of court	1 50
Amount claimed less than \$500, etc.	2	00		Total Fees of Sheriff	3 00
Issuing each subpoena			25	RECAPITULATION	
Witness certificate, each			25	Register's Fees	11 20
Issuing execution, each			75	Sheriff's Fees	3 00
Entering each return			15	Commissioner's Fees	
Taking and approving bond, each	1	00		Solicitor's Fees	
Making copy of bill, etc.			15	Witness Fees	
Each notice not otherwise provided for			50	Guardian Ad Litem	
Each certificate or affidavit, with seal			50	Printer's Fees	
Each certificate or affidavit, no seal			25	Trial Tax	3 00
Hearing and passing on application, etc.	3	00		Recording Decree in Probate Court	
Each settlement with receiver, etc.	3	00		Total	17 20
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 ser relating to such proceedings	1	00			
For services in proceeding to relieve minors, etc. same fee as in similar cases.					
Commission on sales, etc: 1st \$100, 2 per ct.; 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			7 70		

The State of Alabama, { No. 640
Baldwin County. Circuit Court, In Equity December Term, 1934

To Any Sheriff of the State of Alabama—GREETING:
You are hereby commanded, That of the goods and chattels, lands and tenements of

R. P. M. E. Millan Defendant

you cause to be made the sum of Seventeen + 20/100 (\$17.20) Dollars,

which Decree + costs taxed against Respondent Plaintiff

recovered of on the 24 day of September 1934

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of Dollars,

costs of suit, and have the same to render to the said and make return of this Writ and the execution thereof, according to law.

Interest from 193 to date of collection.

Witness my hand, this 14 day of December 1934

R. S. Duch, Register.

STATE OF ALABAMA,)
)
BALDWIN COUNTY.)

TO ANY SHERIFF OF THE STATE OF ALABAMA - GREETING:

WE COMMAND YOU, That you summon R. P. McMILLAN 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 Ruth McMillan against said R. P. McMillan, 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, R. S. DUCK, Register of said Circuit Court, this 10th day of June, 1940.

R. S. Duck
Register.

RUTH McMILLAN,)	IN THE CIRCUIT COURT OF
Complainant,)	
VS.)	BALDWIN COUNTY, ALABAMA,
R. P. McMILLAN,)	
Respondent.)	IN EQUITY.

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

And now comes your Complainant, RUTH McMILLAN, and humbly complaining against the Respondent, R. P. McMILLAN, respectfully represents and shows unto your Honor and this Honorable Court as follows:

1. That your Complainant and the Respondent are both bona fide residents of Baldwin County, Alabama, and over twenty-one years of age.
2. That your Complainant and the Respondent were married at Bay Minette, in Baldwin County, Alabama, on April 27th, 1934, and lived together as husband and wife, until, on to-wit, June 1st, 1938.
3. That on to-wit, June 1st, 1938, the Respondent voluntarily abandoned the bed and board of your Complainant and has remained away voluntarily and continuously since that time.

WHEREFORE, the premises considered, Complainant prays that your Honor will, by proper process, make the said R. P. McMILLAN party respondent to this Bill of Complaint, requiring him to plead, answer or demur to the same, within the time and under the penalties prescribed by law and the practice of this Honorable Court.

Complainant further prays that upon a final hearing of this cause, your Honor will give and grant unto her a decree of absolute divorce, forever barring the bonds of matrimony existing between her and the Respondent, R. P. McMILLAN; that your Honor will give and grant unto her such other, further, different or general relief as she may be in equity and good conscience entitled to receive, and as in duty bound she will ever pray.

BEEBE & HALL,

By: *Shustace*

Solicitors for Complainant.

CHANCERY EXECUTION

BILL OF COST

No. 640.

Ruth McMillan,

Vs.

R. P. McMillan,

Plaintiff
Defendant

Complainant

Respondent

	Dollars	Cents		Dollars	Cents
FEES OF REGISTER					
Filing each bill and other papers.....	5	10	Brought Forward.....	7	70
Issuing each subpoena.....		50	For Receiving, keeping and paying out or distributing money, etc.; 1st \$1,000, 1%, all over \$1,000, and not over \$5,000, 3-4 of 1%; all over \$5,000 and not exceeding \$10,000, 1-2 of 1%, all over \$10,000 1-4 of 1%.		
Issuing each copy thereof.....		40	Receiving, keeping and paying out money paid into court, etc., 1-2 of 1% of amount received.		
Entering each return thereof.....		15	Each notice sent by mail to creditor	15	
For each order of publication.....	1.00		Filing, receipting for and docketing each claim, etc.	25	
Issuing writ of injunction.....	1.50		For all entries on subpoena docket, etc.	50	
For each copy thereof.....	50		For all entries on commission docket, etc.	50	
Entering each return thereof.....	15		Making final record, per 100 words	15	2 00
Issuing writ of attachment.....	1.00		Certified copy of decree	1 00	1 00
Entering each return thereof.....	50		Report of divorce to State Health Office	50	50
Docketing each case.....	1.00	1 00	(Acts 1915)		
Entering each appearance.....	25		Total Fees of Register		11 20
Issuing each decree pro confesso on per. ser.....	1.00		FEES OF SHERIFF		
Issuing each decree pro confesso on publication.....	1.00		Serving and returning subpoena on deft	\$1 50	1 50
Each order appointing guardian.....	1.00		Serving and returning subpoena for witness	65	
Any other order by Register.....	50		Levying attachment	3 00	
Issuing commission to take testimony.....	50		Entering and returning same	25	
Receiving and filing.....	10		Selling property attached		
Endorsing each package.....	10		Impaneling Jury	75	
Entering order submitting cause.....	50	50	Executing writ of possession	2 50	
Entering any other order of court.....	25		Collecting execution for costs	1 50	1 50
Noting all testimony.....	50		Serving and returning sci. fa., each	65	
Abstract of cause, etc.....	1.00		Serving and returning notice	65	
Entering each decree.....	75	75	Serving and returning writ of injunction	1 50	
For every 100 words over 500.....	15		Serving and returning writ of exeat	1 50	
Taking account, etc.....	3.00	3 00	Taking and approving bonds, each	75	
Taking testimony, etc.....	15		Collecting money on execution		
Each report, 500 words or less.....	2.50		Making deed	2 50	
For every 100 words over 500.....	15		Serving and returning application, etc.	1 00	
Amount claimed less than \$500, etc.....	2.00		Serving attachment, contempt of court	1 50	3 00
Issuing each subpoena.....	25		Total Fees of Sheriff		3 00
Witness certificate, each.....	25		RECAPITULATION		
Issuing execution, each.....	75	75	Register's Fees		11 20
Entering each return.....	15	15	Sheriff's Fees		3 00
Taking and approving bond, each.....	1.00		Commissioner's Fees		
Making copy of bill, etc.....	15		Solicitor's Fees		
Each notice not otherwise provided for.....	50		Witness Fees		
Each certificate or affidavit, with seal.....	50		Guardian Ad Litem		
Each certificate or affidavit, no seal.....	25		Printer's Fees		
Hearing and passing on application, etc.	3.00		Trial Tax	3 00	3 00
Each settlement with receiver, etc.....	3.00		Recording Decree in Probate Court		
Examining each voucher of receiver, etc.....	10		Total		17 20
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 ser. 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 ct.; 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 all over \$20,000, 1-4 of 1 per ct..		7 70			
Sub Total Carried Forward.....					

THE STATE OF ALABAMA,
Baldwin County.

No. 640

CIRCUIT COURT, IN EQUITY

May TERM, 1941

To any Sheriff of the State of Alabama—GREETINGS:

You are hereby commanded, That of the goods and chattels, lands and tenements of

Ruth McMillan

Defendant

you cause to be made the sum of \$1720 Dollars,

which execution against Respondent returned "no property found" Plaintiff

recovered of on the 24 day of September 1940

by the judgment of our Circuit Court, held for the county of Baldwin, besides the sum of

Dollars,

costs of suit, and have the same to render to the said

and make return of this Writ and the execution thereof, according to law.

Interest from 194 to date of collection.

Witness my hand, this 21 day of May 1941

R. S. Dush

Register.

Ruth McMillan, Complainant, vs R. P. McMillan, Respondent.)))))	IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA. IN EQUITY.
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TESTIMONY OF RUTH McMILLAN, Complainant.

My name is Ruth McMillan. I am the complainant in this cause for divorce against R. P. McMillan. Both myself and the respondent are over the age of twenty-one years and are bona fide residents of Baldwin County, Alabama. I have been such resident citizen for more than one year next preceding the filing the bill of complaint in this cause. In fact, I have been a resident citizen of Baldwin County, Alabama, for more than four years next preceding the filing of this bill of complaint.

The respondent, R. P. McMillan, and myself were lawfully married at Bay Minette, Baldwin County, Alabama, on April 27, ~~1934~~ 1934, and lived together as man and wife until on or just prior to June 1st, 1938, and on said date of June 1, 1938, the respondent, R. P. McMillan, voluntarily abandoned my bed and board and has remained away continuously since that time. I did not give him any cause for leaving, but always acted toward him as a dutiful wife should. I have not lived with him as a wife and husband or otherwise since June 1, 1938.

Ruth O McMillan

ALICE MORROW, A WITNESS FOR THE COMPLAINANT, BEING FIRST DULY SWORN,
DEPOSES AND SAYS:

My name is Alice Morrow. I live at Bay Minette, in Baldwin County, Alabama, and am personally acquainted with Ruth McMillan. I have had occasion to see her very often during the past two or three years and know that since about June 1st, 1938, she has not lived with her husband, R. P. McMillan. I also know that the said R. P. McMillan has contributed nothing toward her support.

Alice Morrow

STATE OF ALABAMA,)
BALDWIN COUNTY.)

I, R. S. DUCK, as Register and Commissioner hereby certify that the foregoing depositions on Oral Examination was taken down in writing by me in the words of the witnesses and read over to them and they signed the same in the presence of myself and _____, at the time and place herein mentioned; that I have personal knowledge of personal identity of said witnesses or had proof made before me of the identity of said witnesses; that I am not of counsel or 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 18th day of September, 1940.



Register and Commissioner.

Ruth McMillan, :
Complainant, :
vs :
R. P. McMillan, :
Respondent. :

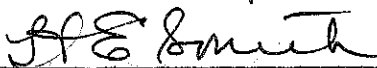
IN THE CIRCUIT COURT BALDWIN
COUNTY, ALABAMA. IN EQUITY.

ANSWER OF RESPONDENT.

Now comes the respondent, R. P. McMillan, and for answer to the bill of complaint filed herein denies each and every allegation thereof, and demands strict proof of the same.

Respondent hereby waives all further notice of any proceedings in this cause including the taking of testimony and the submission of said cause for final decree.

Having fully answered, the respondent prays to be dismissed with his costs in this behalf expended.


Solicitor for Respondent,
R.P. McMillan.

RUTH McMILLAN,
 Complainant,
 VS.
 R. P. McMILLAN,
 Respondent.

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

This cause coming on to be heard was submitted upon the original Bill of Complaint, Answer and Waiver of the Respondent, and Proof as noted by the Register, and the Court, after due consideration, is of the opinion that the Complainant is entitled to the relief prayed for.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the bonds of matrimony heretofore existing between the Complainant and the Respondent be, and the same are hereby dissolved, and the Complainant is forever divorced from the Respondent on the ground of voluntary abandonment.

IT IS FURTHER ORDERED that the Complainant and Respondent be and they are hereby permitted to again contract marriage, upon the payment of the costs in this cause.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the said RUTH McMILLAN shall not again marry, except to the said R. P. McMILLAN, until sixty days after this date, and that if an appeal is taken within sixty days, she shall not again marry, except to the said R. P. McMILLAN, during the pendency of the appeal.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Respondent pay the costs herein taxed, for which execution may issue.

Dated at Monroeville, Monroe County, Alabama, this 24th day of September, 1940.

J. W. Harl
 Judge of the 21st Judicial Circuit of Alabama.

Received in Sheriff's office
June 10-1949
W. H. Street, Sheriff.

EXECUTED

This the 14 day of Jan. 1948
By leaving a copy with
R. P. McMillan

~~J. E. K...~~
J. E. K...

640

RECORDED

BILL OF COMPLAINT

RUTH McMILLAN,

Complainant,

VS.

R. P. McMILLAN,

Respondent.

IN THE CIRCUIT COURT OF

BAIDWIN COUNTY, ALABAMA,

IN EQUITY.

Filed June 10, 1940
R. B. Dink, Register

Presented at present
in subject, also
presented before

FINAL DECREE RECORDED

RUTH McMILLAN,

Complainant,

VS.

R. P. McMILLAN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed September 24, 1940
R.S. Dicks, Register*

ANSWER AND WAIVER:

RUTH McMILLAN,

Complainant,

VS.

R. P. McMILLAN,

Respondent.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA,

IN EQUITY.

*Filed September 16, 1940
R.S. Duch, Register*

ORAL DEPOSITION

Filed September 18, 1940

A.S. Duval, Register

Oral Deposition

Filed September 14, 1940
R.S. Dorch, Reporter

RECORDED

No. _____ Page _____

The State of Alabama,

Baldwin County.

CIRCUIT COURT, IN EQUITY

Vs.

**REQUEST FOR DECREE IN
VACATION**

Filed September 18, 1940, 193_____

R. S. Buck

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

RECORDED

No. _____

The State of Alabama
BALDWIN COUNTY

IN EQUITY
Circuit Court of Baldwin County

vs.

NOTE OF TESTIMONY

Filed in Open Court this 18th
day of September, 1940 193

R. S. Dush

REGISTER