

(3612)

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

MARY KATHERINE BOYD, Complainant

vs.

CLARENCE B. BOYD, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, ~~Answer and Waiver~~ Answer and Waiver 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 MARY KATHERINE BOYD is forever divorced from the said CLARENCE B. BOYD for and on account of

VOLUNTARY ABANDONMENT

And it is further ordered, adjudged and decreed that the complainant, MARY KATHERINE BOYD be given the care and custody and care of the minor child of said marriage, IRMA ERNESTINE BOYD, subject to the right of the respondent, CLARENCE B. BOYD, to visit said child at reasonable times and places; and complainant is given the right to resume her maiden name.

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 the Complainant and Respondent be, and they are hereby permitted to again contract marriage upon payment of the cost of this suit.

It is further ordered that MARY KATHERINE BOYD the COMPLAINANT pay the cost herein to be taxed, for which executed may issue.

This 6th day of September, 1955

Hubert M. Hall
Judge Circuit Court, In Equity.

I, _____, Register of the Circuit Court of 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.

No. 3412 Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

MARY KATHERINE BOYD

Complainant

vs.

CLARENCE B. BOYD

Respondent

DIVORCE DECREE

FILED

SEP 7 1955

ALICE J. DUCK, Clerk

MARY KATHERINE BOYD,
 COMPLAINANT
 VS
 CLARENCE B. BOYD,
 DEFENDANT

IN THE CIRCUIT COURT OF
 BALDWIN COUNTY, ALABAMA
 IN EQUITY

TO THE HONORABLE H. M. HALL, JUDGE OF THE CIRCUIT COURT:

Comes MARY KATHERINE BOYD by this, her Bill of Complaint presented against CLARENCE B. BOYD, and respectfully shows:

1. That complainant is nineteen years of age and is a bona fide resident of Baldwin County, Alabama, and has been such for the three years next preceding the filing of this, her Bill of Complaint.

2. That CLARENCE B. BOYD, the defendant, is over the age of twenty-one years and is a resident of Birmingham, Jefferson County, Alabama, but is now working in Flint, Michigan, and his mailing address is 12205 North Linden Road, Olio, Michigan.

3. That your complainant and defendant were lawfully married in Bay Minette, Baldwin County, Alabama, on, to-wit, the 19th day of October, 1951, and lived together as husband and wife until about February, 1952, when the defendant, without just cause or legal excuse, voluntarily abandoned the complainant's bed and board.

4. That defendant voluntarily abandoned the bed and board of this complainant for more than one year next preceding the filing of this Bill of Complaint, since which time complainant and defendant have not lived together nor in any way recognized each other as husband and wife.

5. That to this marriage there has been born one child, Irma Ernestine Boyd, now age two and one-half years, and that it is to the best interest of said child to continue to live with her mother, this complainant.

THE PREMISES CONSIDERED, your complainant prays that the Court will make the said CLARENCE E. BOYD a party defendant to this cause by appropriate process, requiring him to plead, answer or demur within the time prescribed by law.

Complainant further prays that, upon a hearing of this cause, the Court will award to her the custody of said minor child, and will render a decree forever divorcing her from the said defendant, allowing her to resume her maiden name, and granting her the right to remarry,

should she so desire, and to have such other further or different relief as to equity may seem meet.

BOOK 019 PAGE 132

RICKARBY AND RICKARBY

BY *E. G. Rickarby, Jr.*
E. G. Rickarby, Jr.
Solicitor for Complainant

RECORDED
INDEXED
APR 2 1922
DEPT. OF REVENUE
TREASURY DEPARTMENT
WASHINGTON, D. C.
MAY 1 1922

NO 3612

RECORDED

MARY KATHERINE BOYD,

COMPLAINANT

VS

CLARENCE B. BOYD,

DEFENDANT

ORIGINAL BILL

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

FILED

SEP 6 1955

DEFENDANT'S BILL

Handwritten signature

RECORDED AND INDEXED

... en dhere... no... ..

MARY KATHERINE BOYD

COMPLAINANT

-vs-

CLARENCE B. BOYD

RESPONDENT

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

IN EQUITY

W A I V E R

Comes CLARENCE B. BOYD, Respondent in the above styled cause, and for answer to the bill of complaint says he denies each allegation of same.

Respondent hereby waives notice of demand for oral examination of Complainant's witnesses; of the issue of commission to take testimony; of the time and place set for taking same and of the right to introduce evidence in his own behalf.

Respondent further agrees that this cause may be submitted for final decree at any time on the pleading and Complainant's evidence as noted by the Register.

Clarence B. Boyd
CLARENCE B. BOYD, Respondent

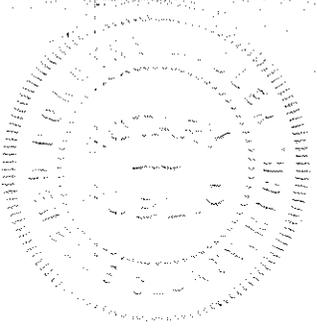
STATE OF Michigan

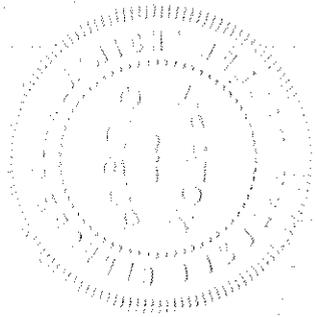
Genesee COUNTY

I, Dorothy Miller, a Notary Public in and for said County in said State, hereby certify that CLARENCE B. BOYD, whose name is signed to the foregoing instrument and who is known to me, to be the Respondent above named, acknowledged before me on this day that he executed the same voluntarily with knowledge of its contents.

WITNESS my hand and official seal this the 24th day of August, 1955.

Dorothy Miller
Notary Public
My Comm. Expires Jan. 13, 1959





MA COUNTY, ALABAMA, 1935

[Handwritten signature]

CLARENCE B. BOYD

CLARENCE B. BOYD, Respondent

COACH

CLARENCE B. BOYD, Respondent

CLARENCE B. BOYD, Respondent

[Handwritten signature]

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA

FILED
SEP 26 1935
MARK J. DICK, Register

CLARENCE B. BOYD,

VS

COMPLAINANT

RESPONDENT

WALVER

MARY KATHERINE BOYD,

3612 RECORDED

of said

and for cause to the bill of complaint and the parties each stipulate

cause CLARENCE B. BOYD, Respondent in the above styled cause.

M A Y I A B E

RESPONDENT

CLARENCE B. BOYD

IN EXHIBIT

COMPLAINANT

EVYDALE COACH, VIVIAN

IN THE CIRCUIT COURT OF

ALABAMA

3612 RECORDED

I, FLORA S. MATTHEWS, Commissioner, acting under stipulation of parties in the divorce suit of MARY KATHERINE BOYD vs. CLARENCE B. BOYD, pending in the Equity side of the Circuit Court of Baldwin County, Alabama, hereby certify that I have cause the witnesses in this cause, namely, MARY KATHERINE BOYD and BENJAMIN FRANK RACHEL, who were made known to me and known to be the identical witnesses called by the parties, to come to my office in the Bank Building in the City of Fairhope, Baldwin County, Alabama, where said witnesses, after being first duly sworn by me, upon examination of E. G. Rickarby, Jr., Esquire, Solicitor for the Complainant, did testify as shown by the attached testimony, and that their testimony was, by me, reduced to writing as given by them as near as might be in their identical language and, after being reduced to writing, was read over by the said witnesses who assented to and signed the same in my presence.

I further certify that I am not of counsel or kin to either of the parties to this cause, nor any wise interested in the results thereof.

IN WITNESS, I hereunto set my hand as Commissioner on this the 1st day of September, 1955.

Flora S. Matthews
COMMISSIONER

STATE OF ALABAMA

BALDWIN COUNTY

T E S T I M O N Y

My name is MARY KATHERINE BOYD and I am filing this bill for divorce against my husband, CLARENCE B. BOYD. I am nineteen years old, have lived in Baldwin County all my life, and am living here now. I married my husband, CLARENCE B. BOYD, on the 19th of October, 1951. He is over the age of twenty-one years and is a resident of Birmingham, Alabama, but is working in Flint, Michigan. His mailing address is 12205 North Linden Road, Clio, Michigan. We were married in Bay Minette, Alabama, and lived together as husband and wife in Mobile County until about February, 1952, when he ran off and left me. I was a good wife to him and he had no legal reason to leave me. He has been gone for more than a year and, since that time, I saw him one time, but that was over a year ago. My baby was not even walking at that time. And we did not even discuss going back together, then. He just came by to see the child. My husband, CLARENCE B. BOYD, has not done anything for the support of the child. I have a little daughter two and one-half years old and she is living with me and I am making a good home for her and my husband has not been interested in the child. I think it is best for the child to be under my care. I can take care of this child and I am not asking my husband for any support.

Mary Katherine Boyd

Subscribed and sworn to before me this 1st day of September, 1955.

Gloria S. Matthews
Commissioner

STATE OF ALABAMA

BALDWIN COUNTY

T E S T I M O N Y

My name is BENJAMIN FRANK RACHEL and I am the grandfather of MARY KATHERINE BOYD, who is filing this suit for divorce against her husband, CLARENCE B. BOYD. She is nineteen years old and has lived in Baldwin County all of her life, except for the time she and her husband lived in Mobile. I know they were married in about October, 1951, and separated in February, 1952, when he went off and left her. Since that time, she has been living with her family down in Barnwell until about four or five months ago when we moved to Point Clear. I have been living in the same household with her. There is a little baby born to this marriage, Irma Ernestine Boyd, now about two-and one-half years old. MARY KATHERINE BOYD takes good care of this child and is able to provide for the child with the help she gets from us. Her husband, CLARENCE B. BOYD, has done nothing for the support of the child and I think that the Court ought to give this child to her mother. I have discussed with MARY KATHERINE BOYD the idea of having her husband, CLARENCE B. BOYD, help support the child, but we are of the opinion that it is better not to try to force him to do that, unless he wants to.

Benjamin Frank Rachel

Subscribed and sworn to before me this 1st day of September, 1955.

Glossa S. Matthew
COMMISSIONER

MARY KATHERINE BOYD,
COMPLAINANT
VS
CLARENCE B. BOYD,
RESPONDENT

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

NOTE OF EVIDENCE

This cause is submitted for final decree on Complainant's Bill, answer and waiver filed by Respondent, and depositions of Complainant and BENJAMIN FRANK RACHEL.

2128

CLARENCE B. BOYD

COMPLAINANT

BY

E. G. RICKARBY, JR.

SOLICITOR

NOTE OF EVIDENCE

IN AND ABOUT COURT HOUSE

RICKARBY AND RICKARBY

E. G. Rickarby, Jr.
BY

E. G. Rickarby, Jr.
Solicitor for Complainant

*Deicef - records
Register*

CLARENCE B. BOYD,
COMPLAINANT

BY

CLARENCE B. BOYD,
RESPONDENT

NOTE OF EVIDENCE

IN THE CIRCUIT COURT OF
BALDWIN COUNTY, ALABAMA
IN EQUITY

3612
MARY KATHERINE BOYD,
COMPLAINANT
VS
CLARENCE B. BOYD,
RESPONDENT

NOTE OF EVIDENCE

FILED

SEP 6 1955

ALICE A. BOYD, Register

Handwritten signature and notes

LAW OFFICES

ELLIOTT G. RICKARBY

RICKARBY & RICKARBY
FAIRHOPE, ALABAMA

E. C. RICKARBY, JR.

September 1, 1955

Mrs. Alice Duck
Clerk of the Circuit Court
Bay Minette, Alabama

Dear Mrs. Duck:

Inre: Mary Katherine Boyd
vs
Clarence B. Boyd
Our File: 3415

With this we are sending you bill of divorce,
and answered, waiver, note of testimony, deposi-
tions, and divorce decree in triplicate, in the
above styled cause, as well as \$15.00 costs.

Please process and oblige,

Yours very truly,



EGR/fm
Encl.