

(2818)

DIVORCE DECREE

Printed by Moore Ptg. Co.

The State of Alabama, Baldwin County

Circuit Court, In Equity

LOTTESE C. BROXTON, Complainant

vs.

CLARK BROXTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Publication 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 Lottese C. Broxton is forever divorced from the said Clark Broxton for and on account of abandonment.

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 the payment of the cost of this suit.

It is further ordered that Lottese C. Broxton the Complainant pay the cost herein to be taxed, for which execution may issue.

This 22nd day of August, 1952.

J. J. Maslberry, Jr. 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. \_\_\_\_\_ Page \_\_\_\_\_

The State of Alabama  
BALDWIN COUNTY

In Circuit Court, In Equity

LOTTESE C. BROXTON

Complainant

vs.

CLARK BROXTON

Respondent

**DIVORCE DECREE**

**FILED**  
AUG 22 1952

**ALICE J. DUCK, Register**

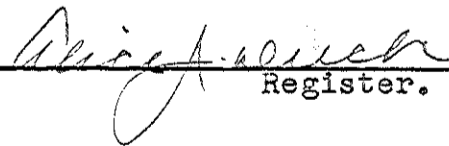
LOTTESE C. BROXTON,  
Complainant,  
vs.  
CLARK BROXTON,  
Respondent.

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

It being made to appear in the above styled cause from the Bill of Complaint and Affidavit of Lottese C. Broxton, that Clark Broxton is over the age of twenty-one years and a non-resident of the State of Alabama, and in the Bill of Complaint filed by the said Lottese C. Broxton against Clark Broxton, such Complainant has prayed that this Court enter an appropriate order of publication, making the said Clark Broxton a Respondent in said cause and requiring him to appear and plead, answer or demur to the Bill of Complaint filed in said cause before a date to be named in such notice;

It is therefore ORDERED AND DECREED that such notice be prepared and published in the Baldwin Times, a newspaper published in Bay Minette, Baldwin County, Alabama, once a week for four (4) consecutive weeks and that a copy of such notice be posted at the Courthouse door in Bay Minette, Alabama; that in said notice that said Respondent be required to plead, answer or demur to such Bill of Complaint within thirty days from July 7, 1952.

WITNESS my hand and seal this 2nd day of June, 1952.

  
Register.



LOTTESE C. BROXTON

CLARK BROXTON vs.

THE STATE OF ALABAMA

Baldwin County

IN EQUITY

Circuit Court of Baldwin County

This cause is submitted in behalf of Complaint upon the original Bill of Complaint, Affidavit as to non-residence and age of Respondent, Order of Publication, Notice of Publication, Affidavit of Publication, Decree Pro Confesso on Publication and the Testimony of Lottese C. Broxton and Lucinda Carroll.

and in behalf of Defendant upon

Alton J. Duck, Register. Mason & Stone, Solicitors for Comp. Per Fred Mason

No. *M*

**THE STATE OF ALABAMA**  
**Baldwin County**

**IN EQUITY**  
**Circuit Court of Baldwin County**

LOTTESE C. BROXTON

vs.

CLARK BROXTON

**NOTE OF TESTIMONY**

Filed in Open Court this *22nd*

day of *August*, 19*42*

*Alice J. Dukes*  
Register.

LOTTESE C. BROXTON,  
Complainant,  
vs.  
CLARK BROXTON,  
Respondent.

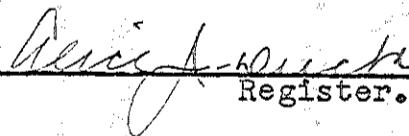
IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY.

It being made to appear from the Affidavit of Lottese C. Broxton, the Complainant in the above styled cause that Clark Broxton, the Respondent in said cause is over the age of twenty-one years and a non-resident of the State of Alabama;

NOTICE IS HEREBY GIVEN TO Clark Broxton that on June 2, 1952, Lottese C. Broxton filed her Bill of Complaint in the Circuit Court of Baldwin County, Alabama, In Equity, against the said Clark Broxton, as Respondent, and you are hereby notified to appear and plead, answer or demur to said Bill of Complaint within thirty days from July 7, 1952, or a decree pro confesso will be rendered against you.

In said Bill of Complaint the said Lottese C. Broxton prays for a divorce from the said Clark Broxton for and on account of abandonment.

WITNESS my hand and seal this 2nd day of June, 1952.

  
Register.

Received of [illegible]  
[illegible]  
[illegible]

[illegible]  
[illegible]  
[illegible]

[illegible text, likely a receipt or ledger entry]

RECORDED

NOTICE

LOTTESE C. BROXTON,  
Complainant  
vs.  
CLARK BROXTON,  
Respondent.

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

Filed: June 2, 1952.

Walter J. [illegible]  
Register.



STATE OF ALABAMA )

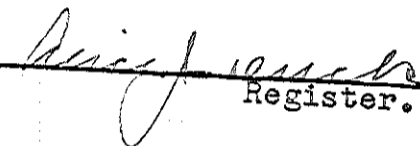
BALDWIN COUNTY )

IN THE CIRCUIT COURT - IN EQUITY.

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summon Clark Broxton to appear and plead, answer or demur within thirty days from the service hereof, to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, In Equity, by Lottese C. Broxton, as Complainant, against Clark Broxton, as Respondent.

Witness my hand this 2nd day of June, 1952.

  
Register.

LOTTISE C. BROXTON, Complainant,

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

vs. IN EQUITY.

CLARK BROXTON, Respondent.

Comes the Complainant in the above styled cause and files this

her Bill of Complaint for divorce and shows unto this Court and unto

your Honor as follows:

FIRST:

That your Complainant is over the age of twenty-one years and

a resident citizen of Baldwin County, Alabama, residing at Daphne,

and that she has been a resident of Daphne, Alabama, all of her life;

that the Respondent is over the age of twenty-one years and a non-

resident of the State of Alabama.

SECOND:

That your Complainant and Respondent were married on hereto-

fore to-wit, April 1, 1940, and they lived together as man and wife

until the month of August 1940, when the Respondent voluntarily

abandoned the bed and board of your Complainant, without just cause

or legal excuse and the Respondent has failed and refused to live

with your Complainant since that time. That your Complainant and

Respondent have not lived together as man and wife since August,

1940.

PRAYER FOR PROCESS AND RELIEF

The premises considered, your Complainant prays that the above

named Clark Broxton be made a party Respondent to this cause by the

usual writ or process of this Honorable Court requiring him to appear

and plead, answer or demur within the time and under the penalties pre-

scribed by the rules of this Court and the statutes in such cases

made and provided; that the Respondent being a non-resident of the

State of Alabama, that your Honor will cause a notice to be publish-

ed in some newspaper published in Baldwin County, Alabama, for four

consecutive weeks, such notice to require the Respondent to plead,

answer or demur before a date to be named therein, as required by

the laws of the State of Alabama; that upon a final hearing of this

cause that your Honor will grant unto your Complainant an absolute divorce from said Respondent; that your Honor will also decree that your Complainant be allowed to remarry if she sees fit. Should your Complainant be mistaken in the relief prayed for that there be granted to her such other, further and different relief to which she may be entitled and as in duty bound she will ever pray.

Lottese C Broxton

Complainant.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, J. R. Hason, a Notary Public, in and for said County in said State, personally appeared Lottese C. Broxton, who is known to me and who, after being by me first duly and legally sworn, doth depose and say under oath as follows:

That her name is Lottese C. Broxton; that she is over the age of twenty-one years and a resident citizen of Daphne, Baldwin County, Alabama, where she has lived all of her life; that she is the Complainant in the above styled cause and that Clark Broxton is the Respondent in said cause and is a non-resident of the State of Alabama; that she has not seen or heard from him for more than eleven (11) years; that she has made a diligent inquiry to ascertain his present residence and Post Office address and has been unable to secure this information, but he is a non-resident of the State of Alabama.

Lottese Broxton

Sworn to and subscribed before  
me this 2nd day of June, 1952.

J. R. Hason  
Notary Public, Baldwin County,  
Alabama.

*The* **BALDWIN** *Times*  
ALABAMA'S BEST COUNTY'S- BEST NEWSPAPER  
BAY MINETTE, ALABAMA

**AFFIDAVIT OF PUBLICATION**

STATE OF ALABAMA,  
BALDWIN COUNTY.

Jimmy Faulkner, being duly sworn, deposes and says that he is the PUBLISHER of THE BALDWIN TIMES, a Weekly Newspaper published at Bay Minette, Baldwin County, Alabama; that the notice hereto attached of

Lottese C. Broxton

*vs.*

Clark Broxton

**COST STATEMENT**

167 WORDS @ 6 1/2 cents --- \$ 10 86

I hereby certify this is correct, due and unpaid (paid).

Jimmy Faulkner  
Publisher.

Was published in said newspaper for 4 consecutive weeks in the following issues:

Date of 1st publication June 5, 1952 Vol. 63 No. 20

Date of 2nd publication June 12, 1952 Vol. 63 No. 21

Date of 3rd publication June 19, 1952 Vol. 63 No. 22

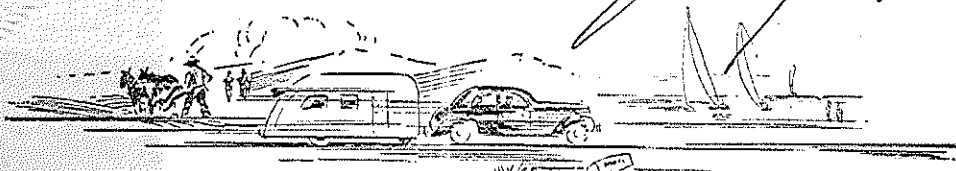
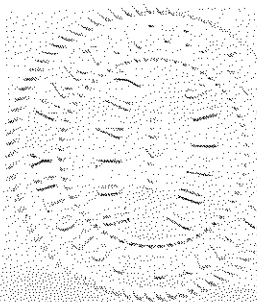
Date of 4th publication June 26, 1952 Vol. 63 No. 23

Subscribed and sworn before the undersigned this 26 day of June, 1952

Dorothy Martin  
Notary Public, Baldwin County.

Jimmy Faulkner  
Publisher.

IN THE CIRCUIT COURT OF  
BALDWIN COUNTY, ALABAMA  
IN EQUITY  
Lottese C. Broxton, Complainant  
vs.  
Clark Broxton, Respondent.  
It being made to appear from the affidavit of Lottese C. Broxton, the complainant in the above styled cause that Clark Broxton, the Respondent in said cause is over the age of twenty-one years and a non-resident of the State of Alabama;  
NOTICE IS HEREBY GIVEN TO Clark Broxton that on June 2, 1952, Lottese C. Broxton filed her Bill of Complaint in the Circuit Court of Baldwin County, Alabama, in Equity, against the said Clark Broxton, as Respondent, and you are hereby notified to appear and plead, answer or demur to said Bill of Complaint within thirty days from July 7, 1952, or a decree pro confesso will be rendered against you.  
In said Bill of Complaint the said Lottese C. Broxton prays for a divorce from the said Clark Broxton for and on account of abandonment.  
WITNESS my hand and seal this 2nd day of June, 1952.  
ALICE J. DUCK  
Register.  
20-41c.



**THE STATE OF ALABAMA,**  
Baldwin County.

Circuit Court of Baldwin County, Alabama  
(In Equity)

LOTTESE C. BROXTON

Complainant

VS.

CLARK BROXTON

Respondent

I, Alice L. Miller

~~as Register and~~ Commissioner

have called and caused to come before me Lottese C. Broxton and Lucinda Carroll

witness<sup>es</sup> named in the Requirement for Oral Examination, on the 22 day of August 1942, at the office of Chason & Stone in Bay Minette, Alabama, and having first sworn said Witness<sup>es</sup> to speak the truth, the whole truth, and nothing but the truth, the said Lottese C. Broxton and Lucinda Carroll doth depose and say as follows:

TESTIMONY OF LOTTESE C. BROXTON

My name is Lottese C. Broxton; I am over the age of 21 years and a resident citizen of Baldwin County, Alabama, residing at Daphne, Alabama, where I have lived all of my life. That I am the wife of Clark Broxton. That Clark Broxton is over the age of 21 years and is a non-resident of the State of Alabama, residing somewhere in Florida. That I have made a diligent search and inquiry to ascertain his place of residence and Post Office address but I have been unable to do so. That he is not in the Military Service of the United States of America. I married Clark Broxton on April 1, 1940, and we lived together as man and wife until August, 1940 when Clark Broxton voluntarily abandoned my bed and board without just cause or legal excuse and has failed and refused to live with me since that date.

Lottese C. Broxton

TESTIMONY OF LUCINDA CARROLL

My name is Lucinda Carroll; I am over the age of 21 years and a resident citizen of Baldwin County, Alabama, residing near Daphne, Alabama. I am personally acquainted with Lottese C. Broxton and know that that she and Clark Broxton were married in April of 1940 and Clark Broxton voluntarily abandoned the bed and board of Lottese C. Broxton, without just cause or legal excuse in August of 1940, and has failed and refused to live with her since that date.

Lucinda Carroll

**ORAL EXAMINATION.**

I, Alice L. Miller, as ~~Register and~~ Commissioner hereby certify that the foregoing deposition ~~son~~ Oral Examination was taken down by me in writing in the words of the witness es and read over to them and they signed the same in the presence of myself and John Chason at the time and place herein mentioned; that I have personal knowledge of personal identity of said witness es or had proom made before me of the identity of said witness es; 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 22 day of August, 194 52.

*Alice L. Miller* (L. S.)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

LOTTIESE G. BROXTON

vs. Complainant

CLARK BROXTON

Respondent.

**Oral Deposition**

Filed August 22, 19452

*Alice L. Miller*, Register.

Recorded in

Record

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

Page \_\_\_\_\_

Register.

THE STATE OF ALABAMA, }  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

No. 2818 August, Term, 19 52

LOTTESE C. BROXTON

Complainant

Vs.

CLARK BROXTON

Defendant

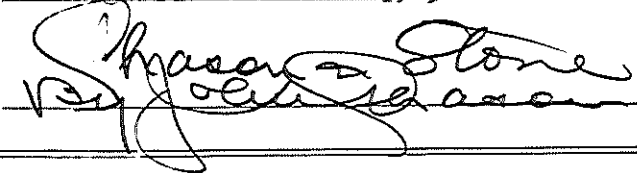
Motion is hereby made for a Decree Pro Confesso against Clark Broxton

Defendant

in the annexed stated cause, on the ground that more than thirty days have elapsed since the perfection of publication was made under the order of this Court; and it having been shown by due proof to the Court that said Defendant is a non-resident of the State of Alabama, and has failed to answer, plead or demur to the Bill in this cause, to the date hereof.

This 12th day of August 19 52

746 Code

  
Solicitor.

2818

Page

The State of Alabama,  
BALDWIN COUNTY

CIRCUIT COURT, IN EQUITY

LOTTESE C. BROXTON

Complainant

Vs.

CLARK BROXTON

Defendant

Motion for Decree Pro Confesso  
on Publication

Filed

8-12 1952

*W. J. ...*  
Register.

Recorded in \_\_\_\_\_ Record

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

Register.



THE STATE OF ALABAMA,  
BALDWIN COUNTY

Circuit Court

To ALICE L. MILLER

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 Lottese Broxton and Lucinda Carroll

as witnesses in behalf of Lottese C. Broxton in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Lottese C. Broxton

Complainant

and Clark Broxton

Respondent

on oath, to be by you administered, upon Lottese C. Broxton and Lucinda Carroll to take and certify the deposition of the witness and return the same to our Court, with all convenient speed, under your hand.

Witness 12th day of August, 19 52

*Alice L. Miller*  
Register

Commissioner's Fee, \$ \_\_\_\_\_

Witness' Fees, \$ \_\_\_\_\_

No. 2818

THE STATE OF ALABAMA  
Baldwin County

CIRCUIT COURT

LOTTESE C. BROXTON

Complainant

Complainant

VS.

CLARK BROXTON

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

WITNESSES:

THE STATE OF ALABAMA,  
Baldwin County

CIRCUIT COURT, IN EQUITY

No. 2818 August, Term, 19 52

LOTTESE C. BROXTON

Complainant

Vs.

CLARK BROXTON

Defendant

In this cause it appears to the Register Alice J. Duck that the order of publication heretofore made in this cause, was published for four consecutive weeks, commencing on the 5th day of June, 1952, in the Baldwin Times, a newspaper published in Bay Minette, Alabama, that a copy of said order was posted at the Court House door in Baldwin County, on the 5th day of June, 1952 and

And it now further appearing to the Register Alice J. Duck, that the said Clark Broxton

having, to the date hereof, failed to demur, plead to, or answer the Bill of Complaint in this cause, it is now, therefore, on motion of Complainant, ordered and decreed by the Register Alice J. Duck that the Bill of Complaint in this cause be, and it hereby is in all things taken as confessed against the said Clark Broxton

This 12th day of August 19 52

Alice J. Duck, Register.