

(3750)

DIVORCE DECREE

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The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

JOYCE BOYINGTON, Complainant

vs.

ELVIN BOYINGTON, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, 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 JOYCE BOYINGTON is forever divorced from the said ELVIN BOYINGTON 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 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 JOYCE BOYINGTON the Complainant pay the cost herein to be taxed, for which executed may issue.

This 20 day of March 1956

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. 3750 Page \_\_\_\_\_

THE STATE OF ALABAMA  
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

**DIVORCE DECREE**

FILED

MAR 30 1956

ALICE J. BUNK, CLERK

THE STATE OF ALABAMA

Baldwin County.

Circuit Court of Baldwin County, Alabama

(In Equity)

JOYCE BOYINGTON

Complainant

VS.

ELVIN BOYINGTON

Respondent

I, Gertrude M. Bankster

as ~~Registered~~ Commissioner

have called and caused to come before me JOYCE BOYINGTON and PAULINE BOYINGTON

witnesses named in the Requirement for Oral Examination, on the 7th day of March 1956, at the office of James A. Hendrix in Robertsdale, Alabama, and having first sworn said Witnesses to speak the truth, the whole truth, and nothing but the truth, the said JOYCE BOYINGTON and PAULINE BOYINGTON doth depose and say as follows:

My name is Joyce Boyington. I am over 18 years old and reside in Silverhill, Alabama, and have so resided for more than the past 2 years; Elvin Boyington is over the age of 21 years and resides at Robertsdale, Alabama. Elvin and I were married March 6, 1955, at Moss Point, Mississippi. On or about March 3rd, 1956, Elvin hit, struck, and beat me and committed an assault on me and at that time endangered my life and health. I was afraid that if I continued to live with Elvin that he would commit an assault on me that would permanently endanger my life and health. Due to the aforesaid assault and since that date, March 3rd, 1956, Elvin and I have not lived together nor have we in any way recognized each other as Husband and wife. Elvin and I had no children.

Joyce Boyington

I have known Joyce Boyington for many years. She is over 18 years old and resides in Silverhill, Alabama and has so resided for more than the past 2 years; Elvin Boyington is over the age of 21 years and resides at Robertsdale, Alabama. Elvin and Joyce were married March 6, 1955, at Moss Point, Mississippi. On about March 3rd, 1956, Elvin hit, struck, and beat Joyce and committed an assault on her and at that time endangered her life and health. She was afraid that if she continued to live with Elvin that he would commit an assault on her that would permanently endanger her life and health. Due to the aforesaid assault and since that date, March 3rd, 1956, Elvin and Joyce have not lived together nor have they in any way recognized each other as husband and wife. Elvin and Joyce had no children.

Pauline Boyington

**ORAL EXAMINATION.**

I, Gertrude M. Bankster, as ~~Register~~ Commissioner hereby certify that the foregoing deposition on 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 Gertrude M. Bankster and James A. Hendrix

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 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 7th day of March, 1956

*Gertrude M. Bankster* (L. S.)

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

THE STATE OF ALABAMA  
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY

JOYCE BOYINGTON

vs. Complainant

ELVIN BOYINGTON

Respondent.

**Oral Deposition**

Filed **FILED** \_\_\_\_\_, 1956

Register.

APR 1 1956  
Recorded in

Record

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

Page \_\_\_\_\_

Register

JOYCE BOYINGTON

vs.

ELVIN BOYINGTON

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, \_\_\_\_\_  
Answer and Waiver and the testimony of Joyce Boyington and Pauline Boyington  
as set out in the oral deposition.

and in behalf of Defendant upon \_\_\_\_\_

*James A. Hendrix*

*W. J. ...*  
 Register.

No. ....

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

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

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JOYCE BOYINGTON

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vs.

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ELVIN BOYINGTON

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**NOTE OF TESTIMONY**

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Filed in Open Court this .....

day of ....., 194.....

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Register.

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THE STATE OF ALABAMA  
Baldwin County

Circuit Court

TO: Gertrude M. Bankster

KNOW YE: That we, having full faith in your prudence and competency, have appointed you Commissioner, and by these presents do authorize you, as such time and place as you may appoint, to call before you and examine Joyce Boyington and Pauline Boyington

a witnesses in behalf of Joyce Boyington in a cause pending in our Circuit Court in Baldwin County, of said State, wherein Joyce Boyington is

Complainant  
and Elvin Boyington is

Respondent  
on oath, to be by you administered, upon them  
to take and certify the deposition of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 6th day of March, 195 6

W. J. ...  
Register.

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

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

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

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

**CIRCUIT COURT**

**JOYCE BOYINGTON**

Complainant

VS.

**ELVIN BOYINGTON**

Defendant

**COMMISSION TO TAKE DEPOSITION**

COMMISSIONER:

**Gertrude M. Bankster**

WITNESSES:

**Joyce Boyington**

**Pauline Boyington**

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JOYCE BOYINGTON  
Complainant,  
vs.  
ELVIN BOYINGTON  
Respondent.

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

ANSWER AND WAIVER

Comes now the Respondent, ELVIN BOYINGTON, and for answer to the Bill of Complaint heretofore filed against him in said cause says as follows:

1. That he denies each and every allegation of the said Bill of Complaint and demands strict proof thereof.

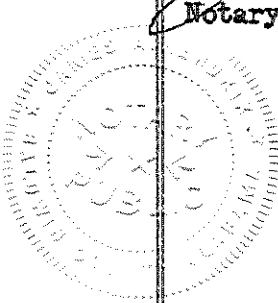
And for further answer to the said Bill of Complaint the Respondent hereby accepts service of a copy and notice of the filing of the said Complaint and hereby waives any further notice to him of the day set for hearing, the taking of testimony or the submission for final decree of the above styled cause and does here consent that the same may be submitted and testimony taken without further notice to him.

Elvin Boyington  
Elvin Boyington

Sworn to and subscribed before me on

this 7 th day of March, 1956.

James A. Thaddeus  
Notary Public, Baldwin County, Alabama.





PRAYER FOR PROCESS

Wherefore the premises considered the Complainant prays that the said ELVIN BOYINGTON be made party Respondent to this her Bill of Complaint and that a summons be issued and served upon him as required by law and the rules of this Honorable Court, and that he be required to plead, answer or demur to the within Bill of Complaint within the time and under the penalties prescribed by law and the rules of this Honorable Court.

PRAYER FOR FINAL RELIEF

The premises considered the Complainant prays that on a final hearing of this cause Your Honor will make and enter a decree forever dissolving the bonds of matrimony heretofore existing between the Complainant and Respondent, and will grant to the Complainant a full and absolute divorce from the Respondent, and that in and by virtue of the said decree the Complainant will be granted the right to again contract marriage.

Complainant prays all other further or general relief to which she may be entitled, the premises considered and she will ever pray, etc.

  
Solicitor for Complainant