

(4558)

DIVORCE DECREE

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, Baldwin County

CIRCUIT COURT, IN EQUITY

CLINE BOYKIN, Complainant

vs.

ANDREW BOYKIN, Respondent

This cause coming on to be heard was submitted upon Bill of Complaint, Decree Pro Confesso on Personal Service 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 Cline Boykin is forever divorced from the said Andrew Boykin for and on account of habitual drunkenness

It is further ORDERED, ADJUDGED, AND DECREED by the Court that the Complainant be granted the right to resume her name of Cline Dixon.

It is futher 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 futher 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 futher ordered that Cline Boykin the Complainant pay the cost herein to be taxed, for which executed may issue.

This 27 day of June 1959

Robert 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.

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No. ----- Page -----

THE STATE OF ALABAMA
BALDWIN COUNTY

In Circuit Court, In Equity

Complainant

vs.

Respondent

DIVORCE DECREE

FILED

JUN 27 1959

ALICE J. DUCK, CLERK
REGISTER

STATE OF ALABAMA
BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABAMA:

You are hereby commanded to summons ANDREW BOYKIN, to appear and plead, answer or demur within thirty days from the service hereto to the Bill of Complaint filed in the Circuit Court of Baldwin County, Alabama, in Equity, by Cline Boykin, as Complainant and against Andrew Boykin, as Respondent.

WITNESS my hand this the 23 day of April, 1959.

Alice J. Clark
Register

CLINE BOYKIN		IN THE CIRCUIT COURT OF
	COMPLAINANT	
VS		BALDWIN COUNTY, ALABAMA
ANDREW BOYKIN		IN EQUITY
	RESPONDENT)

TO HONORABLE HUBERT M. HALL, JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA, IN EQUITY:

Your Complainant, Cline Boykin, respectfully represents unto Your Honor and this Honorable Court as follows:

1.

That your Complainant is a bona fide resident citizen of Baldwin County, Alabama, and over twenty-one years of age; that your Respondent is a non-resident citizen of Baldwin County, Alabama, and over twenty-one years of age.

2.

That Your Complainant and the Respondent married at Quitman, Mississippi on April 14, 1952, and lived together as husband and wife in Baldwin County, Alabama, until on to-wit, September 5, 1958.

3.

Your Complainant avers and alleges that the Respondent has, since her marriage to him, become addicted to habitual drunkenness and that said habit has continued to the filing of this bill. The Complainant avers that the Respondent started drinking very heavily several years ago and has become an alcoholic; that when he gets drunk he stays drunk for long periods of time.

L.

That there were no children born to the marriage between your Complainant and the Respondent and that there is no property settlement to be made.

WHEREFORE, the premises considered, your Complainant prays that Your Honor will by proper process make the said Andrew Boykin, 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.

Your Complainant further prays that upon a final hearing hereof, Your Honor will enter a decree forever barring the bonds of matrimony existing between Your Complainant and the Respondent; that Your Honor will grant Your Complainant the right to resume her name of Cline Dixon; Your Complainant prays for such, other, further, different or general relief as she may be in equity and good conscience entitled to receive.

WILTERS AND BRANTLEY

BY:

Phyllis S. Nestik
Solicitor for the Complainant

4558 ✓

Received 24 day of April 1957
on 7 day of May 1959
I served a copy of the within A.C.C.
Andrew Boykin
service on _____

Cline Boykin
Complainant
vs
Andrew Boykin
Respondent

TAYLOR WILKINS, Sheriff
By Edleigh Steadman

Robertdale, Ala

Sheriff claims 50 miles at
Ten Cents per mile Total \$ 5.00
TAYLOR WILKINS, Sheriff
BY Steadman
DEPUTY SHERIFF

FILED
APR 23 1959
ALICE J. DUCK, Register

Defendant may be served
at 164 Diesel Drive
Titusville, Ala, during
weekdays
He may be found
in Robertdale, Ala. on
week-ends

THE STATE OF ALABAMA, {
Baldwin County

No. 4558 Circuit Court, In Equity.

Cline Boykin Complainant...

Vs.

Andrew Boykin Defendant....

Motion is hereby made for a Decree Pro Confesso against Andrew Boykin

Defendant.....

in the above stated cause, on the ground that more than thirty days have elapsed since service of summons upon said Defendant; and that said summons was duly served according to law, and that said Defendant... ha § failed to demur, plead to or answer the Bill of Complaint in this cause to this date.

This 25 day of June 1959

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Thyler S. Nesbit

Solicitor.

No. _____ Page _____

THE STATE OF ALABAMA
BALDWIN COUNTY

Circuit Court, In Equity

Vs.

Motion for Decree Pro Confesso on
Personal Service

Filed _____ 19 _____

Register.

Recorded in _____ Record

Vol. _____ Page _____

Register.

CLINE BOYKIN
Complainant,
Vs.
ANDREW BOYKIN
Respondent.

In the Circuit Court.
In Equity No. 4558.

DECREE PRO CONFESSO ON PERSONAL SERVICE

In this cause, it appears to the Register, that service was had on the Respondent
Andrew Boykin

by the Sheriff of Mobile County, on the 9 day of May
19 59.

And it further appears to the Register, that the said
Andrew Boykin

_____ the Respondent, having to the date hereof,
failed to plead, demur to or answer the Bill of Complaint filed in this cause, it is now, therefore,
on motion of WILTERS AND BRANTLEY Solicitors
for Complainant, ordered, and decreed by the Register that the Bill of Complaint in this cause be,
and it hereby is, in all things taken as confessed against the said Andrew Boykin

This 25 day of June, 19 59.

Alicia J. Duck
Register.

No. _____

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

Complainant,

Vs.

Respondent.

**DECREE PRO CONFESSO ON
PERSONAL SERVICE**

Issued this _____ day of _____

19____

Register.

THE STATE OF ALABAMA,
BALDWIN COUNTY

Circuit Court of Baldwin County, Alabama
(In Equity)

CLINE BOYKIN

COMPLAINANT

vs.

ANDREW BOYKIN

RESPONDENT

I, DELTA H. GWALTNEY

as ~~Register~~ and Commissioner

have called and caused to come before me Cline Boykin and Edna Byrd

witness es named in the requirement for Oral Examination, on the 2nd day of June
19 59, at the office of Wilters and Brantley
in Robertsdale, Alabama, and having first sworn said witness es to speak the
truth, the whole truth, and nothing but the truth, the said Cline Boykin and

Edna Byrd doth depose and say as follows:

My name is Cline Boykin and I am the Complainant in this case. I and the Respondent were married at Quitman, Mississippi on April 14, 1952. We lived together as husband and wife in Baldwin County, Alabama until September 5, 1958. When I and the Respondent were married he did not drink but several years after we were married he began to drink and the habit has gotten so bad that he is an alcoholic now. When he gets drunk he stays drunk as long as he has money or can get money to buy liquor. Since he stays drunk so much he cannot hold a job and I have been supporting myself for some time now. Under these circumstances I could not live with him and cannot live with him. I am a bona fide resident of Baldwin County, and the Respondent is a non-resident of Baldwin County.

Cline Boykin

My name is Edna Byrd and I am the daughter of the Complainant, Cline Boykin. I know of my own knowledge that my mother and the Respondent were married at Quitman, Mississippi on April 14, 1952 and at that time the Respondent was a sober man. I know that several years after my mother and he were married he began to drink and that he continues to drink to the point of becoming an alcoholic. He has come into my place of business drunk many times and has caused my mother and I considerable trouble during his drunken spells. I believe it best for my mother's health and happiness that she be divorced from the Respondent.

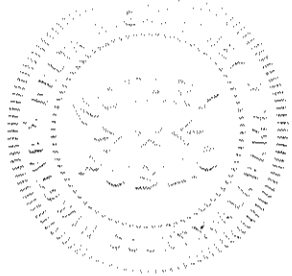
Edna Byrd

I, Delta H. Gwaltney as Register and Commissioner hereby certify that the foregoing deposition 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 Phyllis S. Nesbit 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 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 2nd day of June, 1959.

Delta H. Gwaltney (L. S.)



No. _____		Page _____	
THE STATE OF ALABAMA BALDWIN COUNTY IN CIRCUIT COURT, IN EQUITY			
Cline Boykin		COMPLAINANT	
vs.			
Andrew Boykin		RESPONDENT	
ORAL DEPOSITION			
FILED			
Filed _____		19 _____	
JUN 25, 1959			
ALICE J. DICK		CLERK	
RECORDED IN		REGISTER	
Vol. _____		Page _____	
_____		Register.	

THE STATE OF ALABAMA
Baldwin County

Circuit Court

TO: DELTA H. GWALTNEY

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 Cline Boykin and Edna Byrd

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

Cline Boykin is, Complainant
and

Andrew Boykin Respondent

on oath, to be by you administered, upon Cline Boykin and Edna Byrd to take and certify the depositions of the witnesses and return the same to our Court, with all convenient speed, under your hand.

Witness 2nd day of June, 1959

W. J. Duck
Register.

Commissioner's Fee, \$ _____

Witness' Fees, \$ _____

No. _____

**THE STATE OF ALABAMA
Baldwin County**

CIRCUIT COURT

Cline Boykin

Complainant

VS.

Andrew Boykin

Defendant

COMMISSION TO TAKE DEPOSITION

COMMISSIONER:

Delta H. Gwaltney

WITNESSES:

Cline Boykin

Edna Byrd

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Cline Boykin

Complainant

vs.

Andrew Boykin

Respondent

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, _____

~~Decree Pro Confesso on Personal Service and Testimony of Complainant and~~
witness _____

and in behalf of Defendant upon _____

WILTERS AND BRANTLEY

BY: Angelo S. Nesbit

Alice J. [Signature]

Register.

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No.

THE STATE OF ALABAMA
Baldwin County

IN EQUITY
Circuit Court of Baldwin County

Cline Boykin

Complainant

vs.

Andrew Boykin

Respondent

NOTE OF TESTIMONY

Filed in Open Court this

day of, 194

Register.

Printed by the Baldwin Times

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