The State of Alabama, Baldwin County

Circuit Court, In Equity

THE STATE OF	vs.		
TO PROPERTY OF A			,
HENJAMIN TRO	Y PAYNE		, Respondent
This cause coming on to	be heard was submitted	i upon Bill of Con	plaint, Deoree Pro Confesso X
Answer and Waiver	and Testi	imony as noted by	the Register, and upon con
deration thereof, the Court is of	the opinion that the Co	emplainant is entit	led to the relief prayed for i
id bill.		•	
			e bonds of matrimony heretofor
isting between the Complainant	and Defendant be, and	the same are he	ereby, dissolved, and that the
id <u>Evelyn Elouise Wh</u>	ite Payne		is forever divorced from th
Benjamin Tro	v Pavne		
id Bengammiro	J Cote V		for and on account o
A bandonment.			
TT IS FURTHER ORD	ERED, ADJUDGED AND	DECREED by +	ha conner that the
A Company of the Comp			<u> </u>
Complainant, Evelyn El	onise White Payne,	, shall resume	the use of her
maiden name, Evelyn El	orica White	and sometimes and a	and the second of the second o
Signature And Signature & State of Land & Constitution of Land of the Constitution of Land of the Constitution of Land of the Constitution of the	O 52.1.30 17.1.1.00 s	**************************************	
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It is further ordered, adjud	ged and decreed that ne	either party to this	suit shall again marry excep
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each other until sixty days after	r the rendition of this d	ecree, and that if	appeal is taken within sixt
each other until sixty days after tys, neither party shall again ma	r the rendition of this d	ecree, and that if r during the pend	appeal is taken within sixt
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RECORDED

No. 2749 Page

The State of Alabama BALDWIN COUNTY

In Circuit Court, In Equity

Evelyn Flouise White Fayne

Complainant

VS.

Benjamin Troy Payne

Respondent

DIVORCE DECREE

Filed 12-18-5-1 Ouisteench Register

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EVELYN ELOUISE WHITE PAYNE

COMPLAINANT

VS

BENJAMIN TROY PAYNE

RESPONDENT

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

Now comes the Respondent and accepts service of the summons and complaint in this cause.

The Respondent admits the allegations as to ages, marriage and residence, but denies all other allegations contained in the bill of complaint, and demand strict proof of the same.

The Respondent waives notice of the time of taking of testimony on behalf of the Complainant; the right to cross-examine Complainant's witnesses; and agrees that this cause be submitted for final decree without further notice.

Bonj amin Froy Payno

I, County, in Baid State, hereby certily that Benjamin Troy Payne, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the // day of high

NOTARY PUBLIC OF N. J. My commission expires hay 5, 1952

THE STATE OF ALABAMA Baldwin County

Circuit Court

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THE STATE OF ALABAMA Baldwin County.

Circuit Court of Baldwin County, Alabama (In Equity)

EVELYM BLOUISE WHITE PAYNE		Complainant					
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BENJAHIN TROY PAYNE	<u> </u>	Respond	ent i i i i i i i i i i i i i i i i i i i				
I, wilois Howard		· · · · · · · · · · · · · · · · · · ·	<u> </u>				
as Register and Commissioner							
have called and caused to come before me Evelyn Blouis	se White	Payne and	Evelyn Watts.				
witness as named in the Requirement for Oral Examination 194X 51, at the office ofC. LeNoir Thompson	•	17th day of					
in Bay Linette , Alabama, and having f	irst sworn	said Witnes	s es to speak the				
truth, the whole truth, and nothing but the truth, the said							
Evelyn Watts doth depose and say as:	follows:						

That my name is Evelyn Slouise white Payne, I am over the age of eighteen and a resident of Baldwin County, Alabama and have been more than two years next preceding. The Respondent is temporarily residing in New Jersey and is over the age of twenty-one but we both were residents of Baldwin County, Alabama at the time of the separation.

We were married at Luceda,e Mississippi on January 20, 1950 and lived together as husband and wife until about July 3, 1950 at which time he voluntarily abandoned me through no fault of my own and we have not lived together as husband and whie since that date. I know of no cause which I gave him for such abandonment.

There are no children as fruits of our marriage and no property to be divided.

I would like to resume the use of my maiden name, Evelyn Elouise White.

Coulyn Clouise Ithite Payne

That my name is Evelyn Watts, I know both parties to this cause and that Evelyn Blouise White Payne is over the age of 16 and a resident of Baldwin County, Alabama and that Benjamin Troy Payne was a resident of Faldwin County at the time of the separation and is over the age of 21. That they were married in Bucedale, Mississippi during January, 1950 and lived together until sometime in July, 1950 at which time he abandoned her. I do not know of any cause which she gave him for such treatment.

Euelyn Watto

ORAL EXAMINATION.

I, Lois Howard	as Register and Commissioner hereby certify that
the foregoing deposition on Oral Examination	on was taken down by me in writing in the words
	and they signed the same in the presence of
myself and C. LeNoir Thompson	<u> </u>
	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
I enclose the said Oral Examination in an	envelope to the negister of salu court.
Given under my hand and seal, this	h_day ofDecember
<u> Annah en eus Marieres sona arronamenta arronal esta arronal.</u> Sona (277)	
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THE STATE OF ALABAMA
BALDWIN COUNTY

IN CIRCUIT COURT, IN EQUITY.

IN CIRCUIT COURT, IN EQUITY.

Vs. Complainant

Vs. Complainant

Respondent.

Coral Deposition

Filed 12-17, 1947

Filed 12-17, Register.

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STATE OF ALABAMA BALDWIN COUNTY

TO ANY SHERIFF OF THE STATE OF ALABYM:

You are hereby commanded to summon HENJAMIN TROY PAYNE 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 EVELYN ELCUISA WHITE PAYNE as Complainant and against BENJAMIN TROY PAYNE as Respondent.

WITNESS my hand this the 21 day of 2000, 1951.

Register.

EVELYN ELOUISE WHITE PAYNE

COMPLAIMANT

VS

BENJAMIN TROY PAYNE

RESPONDENT.

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

TO HOMORABLE TELFAIR J. MASHBURN, JR., JUDGE OF THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA:

Your Complainant, Evelyn Elcuise White Payne, respectfully represents unto your Honor and this Honorable Court as follows:

l.

That your Complainant and the Respondent were both bona fide residents of Baldwin County, Alabama at the time of their separation and more than two years prior thereto; that Complainant is a resident of Baldwin County but that Respondent is now a resident of New Jersey, and his address is 394 Highland Avenue, Orange, New Jersey; that the Complainant is over the age of eighteen and the Respondent is over the age of twenty-one.

2.

That your Complainant and the Respondent married at Lucedale, Mississippi, on January 20, 1950, and lived together as husband and wife until on to-wit, July 3, 1950.

3.

That on July 3, 1950, while your Complainant and the Respondent were living together the Respondent voluntarily abandoned the bed and board of your Complainant, and has remained away voluntarily and continuously since that time.

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BENJAMIN TRO	Y PAYNE :							·
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No.							
THE STATE OF ALABAMA Baldwin County							
IN EQUITY Circuit Court of Baldwin County	South Territory of the Control of th						
EVELYN ELOUISE WHITE PAYNE	The state of the s			and the second s		•	
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Filed in Open Court this 17th							
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That the Complainant and the Respondent have no children as fruits of this marriage, and there is no property to be divided.

WHEREFORE, the premises considered, the Complainant prays that your Honor will by proper process make the said Benjamin Troy Payne, party Respondent to this cause of action, 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 Monorable Court.

Complainant further prays that upon a hearing hereof, your Honor will enter an order and decree granting to her an absolute decree of divorce, forever barring the bonds of matrimony existing between her and the Respondent; that she be granted such other, further, different or general relief as she may be in equity and good conscience entitled to receive.

Solicitor for the Complainant.

RECORDED

EVELYN ELOUISE WHITE PAYNE

COMPLATNANT

VS

BENJAMIN TROY PAYNG

RESPONDENT



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Allos L. Dück, Register

From the law offices of C. LeNoir Thompson Pay Minette, Alabama